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FILED '08 APR 25 15:29 USDC ORP

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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CV '08-0501-MO

POWELL'S BOOKS, INC., et al.,

Civil No.

Plaintiffs,

PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION

v.

HARDY MYERS, in his official capacity as
ATTORNEY GENERAL OF THE STATE OF
OREGON, et al.,

Defendants.

Pursuant to Federal Rule of Civil Procedure 65(a), Plaintiffs request that this Court grant a preliminary injunction restraining Defendants from prosecuting them for violations of ORS 167.051 to 167.057 (the “Statute”), and that this Court enforce such an injunction until the Court resolves the claims in Plaintiffs’ Complaint for declaratory judgment on whether the Statute is constitutional and for a permanent injunction against prosecution.

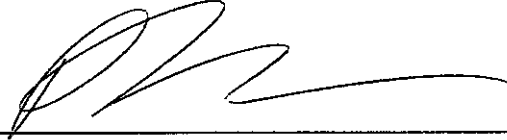
This Motion is supported by the concurrently filed Memorandum of Law in Support of Motion for a Preliminary Injunction, and by the following declarations filed on behalf of the individual Plaintiffs:

- Declaration of Michael Powell (on behalf of plaintiff Powell’s Books, Inc.);
- Declaration of William Peters (on behalf of plaintiff Old Multnomah Book Store, Ltd. d/b/a Annie Bloom’s Books);
- Declaration of Ken Lizzi (on behalf of Dark Horse Comics, Inc.);
- Declaration of Jessica L. Lloyd-Rogers (on behalf of Colette’s: Good Food + Hungry Minds, LLC);
- Declaration of Brad Smith (on behalf of Bluejay, Inc. d/b/a Paulina Springs Books);
- Declaration of Solena Rawdah (on behalf of St. Johns Booksellers, LLC);
- Declaration of Stephanie Griffin (on behalf of Twenty-Third Avenue Books);
- Declaration of Christopher Finan (on behalf of American Booksellers Foundation for Free Expression);
- Declaration of Allan R. Adler (on behalf of Association of American Publishers, Inc.);
- Declaration of Judith Krug (on behalf of Freedom to Read Foundation Inc.);
- Declaration of Charles Brownstein (on behalf of Comic Book Legal Defense Fund);
- Declaration of Candace Morgan;

- Declaration of David Greenberg (on behalf of Planned Parenthood of the Columbia / Willamette, Inc.);
- Declaration of Rebecca Harmon (on behalf of Cascade AIDS Project); and
- Declaration of David Fidanque (on behalf of American Civil Liberties Union of Oregon, Inc.).

DATED: April 25, 2008.

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* Application for pro hac vice admission filed

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