

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

20 CVS 500171

CRYSTAL WALDRON,  
and CLUB 519,

Plaintiffs,

v.

ROY A. COOPER, III, in his capacity  
as Governor of the State of North  
Carolina,

Defendant.

**MOTION FOR PRELIMINARY  
INJUNCTION  
[N.C.R.C.P. 65]**

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Now comes Plaintiffs, by and through counsel, and move the Court pursuant to Rule 65 of the North Carolina Rules of Civil Procedure for a preliminary injunction. In support of this motion, Plaintiffs refer to and incorporate by reference, Plaintiffs' Memorandum in Support of Motion for Preliminary Injunction and their Verified Complaint. In further support, Plaintiffs show the following:

1. Plaintiffs will likely prevail in a final determination on the merits. In particular, Plaintiffs are likely to show that the Governor Cooper's Executive Orders 181 and 188 violated and continues to violate the Emergency Management Act and the North Carolina Constitution.
2. Plaintiffs have suffered immediate and irreparable harm and will continue to suffer immediate and irreparable harm if injunctive relief allowing Plaintiffs to reopen Club 519 is not granted.

3. Because Governor Cooper's Executive Orders 181 and 188 are ultra vires and unconstitutional, the balance of equities weighs in favor of granting Plaintiffs injunctive relief.

Plaintiff moves the Court for the following relief:

1. Enjoin further enforcement of Executive Orders 181 and 188, and any future Executive Orders that purport to do the same, against Plaintiffs allowing Plaintiff Club 519 to resume operations.

DATED: January 15, 2021.

Respectfully submitted:

*/s/ Jessica L. Thompson*  
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*Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2021, I electronically filed the foregoing document with the Clerk of the Court via the e-filing system, which will cause a copy to be served upon counsel of record. Undersigned also served the opposing party by sending the foregoing document via email, and addressed as follows:

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Counsel for Governor Cooper

By /s/ Jessica L. Thompson  
JESSICA L. THOMPSON

## Kiren Mathews

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**From:** Cynthia R Piett  
**Sent:** Friday, January 15, 2021 8:24 AM  
**To:** Incoming Lit  
**Subject:** FW: Accepted Notice: Your filing, Re: 20CVS500171 - Civil Superior - Preliminary Injunction, was accepted  
**Attachments:** Exhibit A.pdf; Memo in Support of Pl.pdf; Motion for Pl.pdf

Here are the timestamped docs. 16-043

**Cynthia Piett** | Legal Secretary  
Pacific Legal Foundation  
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**From:** nc-courts-efiling@nccourts.org <nc-courts-efiling@nccourts.org>  
**Sent:** Friday, January 15, 2021 11:21 AM  
**To:** Jessica Thompson <JLThompson@pacificlegal.org>  
**Cc:** Cynthia R Piett <CPiett@pacificlegal.org>; Incoming Lit <IncomingLit@pacificlegal.org>  
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**To:** Jessica Lee Thompson [jlthompson@pacificlegal.org](mailto:jlthompson@pacificlegal.org)  
**From:** [nc-courts-efiling@nccourts.org](mailto:nc-courts-efiling@nccourts.org)  
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Case Number: 20CVS500171  
Case Type: Civil Superior  
Document Type: Preliminary Injunction  
Document Type: Additional  
Document Type: Additional  
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