

United States District Court
District of New Mexico

**Republican Party of New Mexico,
Republican Party of Doña Ana County,
Republican Party of Bernalillo County,
New Mexico Turn Around, New Mexicans
for Economic Recovery PAC, Harvey
Yates, Rod Adair, Conrad James, Howard
James Bohlander, and Mark Veteto**

Plaintiffs,

v.

Gary King, in his official capacity, New Mexico Attorney General, **Dianna Duran**, in her official capacity, New Mexico Secretary of State, and District Attorneys **Kari Brandenburg, Janetta Hicks, Amy Orlando**, and **Angela R. “Spence” Pacheco**, in their official capacities,

Defendants.

Civ. No. 11cv00900 WJ/KBM

Plaintiffs’ Motion for Preliminary Injunction

ORAL ARGUMENT REQUESTED

Plaintiffs’ Motion for Preliminary Injunction

Pursuant to Federal Rule of Civil Procedure 65, the above-named Plaintiffs respectfully move for a preliminary injunction to enjoin the enforcement of:

- N.M. Stat. Sections 1-19-34.7(A)(1)(c) and (A)(2)(b), as applied to contributions made to the Republican Party of New Mexico (“NM-GOP”), and all others similarly situated;
- N.M. Stat. Section 1-19-34.7(A)(2)(b), as applied to transfer of funds and contributions from a national political party to a state political party;
- N.M. Stat. Section 1-19-34.7(A)(2)(b), as applied to transfers of funds and contributions from a state political party to local political parties;
- N.M. Stat. Section 1-19-34.7(A)(2)(a), as applied to contributions made by the NM-GOP

(and all others similarly situated) to their candidates or candidates' committees;

- N.M. Stat. Sections 1-19-34.7(A)(1) and (A)(2), as applied to contributions made to New Mexicans for Economic Recovery PAC, which makes only independent expenditures, and all other political committees similarly situated; and

- N.M. Stat. Sections 1-19-34.7(A)(1) and (A)(2), as applied to contributions earmarked for independent expenditures that are made to New Mexico Turn Around and all other political committees similarly situated.

This motion is made on the grounds specified in this motion, Plaintiffs' memorandum in support thereof, the Verified Complaint, and such other and further evidence as may be presented to the Court at the time of the hearing.

Dated: October 12, 2011
James Bopp Jr., Ind. #2838-84*
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Respectfully submitted,

/s/ Submitted Electronically 10/12/2011
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Local Counsel for Plaintiff

I certify that this pleading was mailed and emailed to all Defendants on October 12, 2011, at the addresses and email addresses provided by the State Bar of New Mexico or at their respective websites.

/s/ Submitted Electronically 10/12/2011
Paul M. Kienzle III