

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

NETCHOICE,

Plaintiff,

v.

JONATHAN SKRMETTI, in his official
capacity as the Tennessee Attorney General &
Reporter,

Defendant.

Civil Action No. 3:24cv01191

PLAINTIFF NETCHOICE’S MOTION FOR PRELIMINARY INJUNCTION

Tennessee House Bill 1891 (the “Act”) will unconstitutionally impede adults and minors’ access to vast amounts of constitutionally protected online speech. As the attached memorandum of law explains, the First Amendment prohibits the Act’s requirements for a content-based and speaker-based collection of covered websites to verify the ages of their users and for minors to secure parental consent before accessing the covered websites. The Act will take effect January 1, 2025.

Accordingly, Plaintiff NetChoice moves this Court for an order preliminarily enjoining Defendant from enforcing the Act against NetChoice’s members **no later than December 31, 2024**, until this matter may be resolved on the merits. As the accompanying declarations explain, NetChoice covered members—and their users—face immediate and irreparable harm absent an injunction.

WHEREFORE, for the reasons stated herein and in the concurrently submitted memorandum of law, Plaintiff NetChoice respectfully requests entry of a preliminary injunction order prohibiting Defendant from enforcing the Act against NetChoice’s covered members, and such other and further relief the Court deems necessary and proper.

Dated: October 3, 2024

Respectfully submitted,

/s/ Junaid Odubeko

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**pro hac vice applications forthcoming*

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