

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

COMPUTER & COMMUNICATIONS
INDUSTRY ASSOCIATION and
NETCHOICE,

Plaintiffs,

v.

ASHLEY BROOKE MOODY, in her
official capacity as Attorney General of
the State of Florida,

Defendant.

Case No. 4:24-cv-00438-MW-MAF

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

(Oral Argument Requested)

Pursuant to Federal Rule of Civil Procedure 65(b), Plaintiffs Computer & Communications Industry Association (“CCIA”) and NetChoice (“NetChoice”), respectfully move the Court for a preliminary injunction enjoining Defendant Ashley Brooke Moody, in her capacity as Attorney General of the State of Florida, and her employees, her agents, and successors in office from implementing or enforcing certain provisions of Section 1 of Florida House Bill 3 (“HB3” or the “Act”), against

CCIA's and NetChoice's members.¹ The Act is scheduled to go into effect on January 1, 2025. Because the Act will have a substantial impact upon the First Amendment rights of members of CCIA and NetChoice, and upon the rights of users of those members' services, Plaintiffs request that the Court rule upon this motion prior to the January 1, 2025, effective date.

WHEREFORE, Plaintiffs CCIA and NetChoice respectfully request that this Court:

- (i) By January 1, 2025, preliminarily enjoin Defendant Moody, her employees, her agents, and successors in office from implementing or enforcing the provisions of HB3 §1 that will be codified as Fla. Stat. §§501.1736(2)(a), (2)(b)(1), (3)(a), (3)(b)(1), (4)(a), and (4)(b)(1), against CCIA's and NetChoice's members; and
- (ii) Grant any other relief that the Court determines is just and proper.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(K), Plaintiffs respectfully request oral argument on this Motion, and estimate that one (1) hour would be required for the hearing.

¹ Specifically, Plaintiffs ask the Court to enjoin Defendant from enforcing the provisions of HB3 that will be codified as Fla. Stat. §§501.1736(2)(a), (2)(b)(1), (3)(a), (3)(b)(1), (4)(a), and (4)(b)(1).

Respectfully submitted,

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*Counsel for Plaintiffs Computer & Communications
Industry Association and NetChoice*

October 29, 2024

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send electronic filing to all counsel of record. In addition, because counsel for Defendant has not yet appeared in this case, I caused a copy of this filing to be served by hand delivery on Defendant.

ASHLEY BROOKE MOODY, in her official
capacity as Attorney General of the State of Florida
Office of the Attorney General
State of Florida
PL-01 The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-1050

/s/ Douglas L. Kilby
Douglas L. Kilby

CERTIFICATE OF WORD COUNT

Pursuant to Northern District of Florida Rule 7.1(F), I HEREBY CERTIFY that the foregoing Motion, including body, headings, quotations, and footnotes, and excluding those portions exempt by Local Rule 7.1(F), contains 266 words as measured by Microsoft Office for Word.

CERTIFICATE OF CONFERRAL

Pursuant to Northern District of Florida Rule 7.1(C), I HEREBY CERTIFY that undersigned counsel has conferred with counsel for Defendant Ashley Brooke

Moody, in her official capacity as Attorney General of the State of Florida, in a good faith effort to resolve the issue set forth herein. Defendant does not consent to the relief requested herein.

s/ Douglas L. Kilby
Douglas L. Kilby