

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

FREE SPEECH COALITION, INC., AYLO
PREMIUM LTD, AYLO FREESITES LTD,
WEBGROUP CZECH REPUBLIC, A.S.,
NKL ASSOCIATES, S.R.O., SONESTA
TECHNOLOGIES, S.R.O., SONESTA
MEDIA, S.R.O., YELLOW PRODUCTION,
S.R.O., PAPER STREET MEDIA, LLC,
NEPTUNE MEDIA, LLC, MEDIAME SRL,
MIDUS HOLDINGS, INC.,

Plaintiffs,

v.

TODD ROKITA, in his official capacity as the
Attorney General of the State of Indiana,

Defendant.

Case No. 1:24-cv-00980-RLY-TAB

STATEWIDE RELIEF SOUGHT

PLAINTIFFS' MOTION FOR EXPEDITED PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65 and Southern District Rule 65.2, Plaintiffs Free Speech Coalition, Inc., Aylo Premium Ltd, Aylo Freesites Ltd, WebGroup Czech Republic, a.s., NKL Associates, s.r.o., Sonesta Technologies, s.r.o., Sonesta Media, s.r.o., Yellow Production, s.r.o., Paper Street Media, LLC, Neptune Media, LLC, Mediame SRL, and Midus Holdings, Inc., hereby respectfully move for a preliminary injunction against the enforcement of Indiana Senate Bill 17 (the “Act”), codified at Indiana Code 24-4-23 *et seq.*, and for an expedited briefing schedule for Plaintiffs’ Motion for preliminary injunction.

The Act takes effect on July 1, 2024 and—via threats of civil penalties and injunctions—will require website operators that host constitutionally protected adult content to shutter their websites in Indiana unless they systematically require that visitors to those websites provide personal information verifying that they are at least eighteen years old. As the accompanying brief explains, Plaintiffs are overwhelmingly likely to succeed on the merits, and the Act’s infringement of Plaintiffs’ free speech rights constitutes irreparable harm. The Court should therefore enter a preliminary injunction barring the Indiana Attorney General from enforcing the Act.

In support of this Motion, Plaintiffs state as follows:

1. Plaintiffs move for expedited preliminary injunctive relief on the grounds that the Act violates the First Amendment of the United States Constitution.
2. Plaintiffs respectfully ask the Court to set an expedited briefing schedule that will allow the Court to enter an Order on Plaintiffs’ Motion by the morning of July 1, 2024, the effective date of the Act. Good cause exists in light of the irreparable harm that will result if the Act goes into effect before an Order is issued.
3. No discovery is required for the parties to adequately brief and for the Court to decide this Motion.

4. Plaintiffs respectfully propose the following briefing schedule: Defendant's Brief in Opposition due by June 21, 2024; Plaintiffs' Brief in Reply due by June 25, 2024.

5. Given the straightforward legal issue presented by their Motion, Plaintiffs do not request a hearing. However, Plaintiffs would be pleased to present oral argument if the Court would find it helpful, in light of the important First Amendment interests at stake.

6. Plaintiffs believe there is sufficient time for the Attorney General to respond to this Motion and for the Court to rule prior to the Act's effective date. But if the Court were to conclude that additional time is necessary, Plaintiffs respectfully request that the Court temporarily restrain the Attorney General from enforcing the law while the Court considers Plaintiffs' motion on the merits.

7. Plaintiffs base this motion on their concurrently filed brief in support, declarations of Kian Hudson, Arian J. Koochesfahani, Richard L. Sonnier III, Alison Boden, Robert Seifert, Jonathan Todd, Andreas Alkiviades Andreou, Sadiq Muhamed, Philippe Craveiro-Romão, Jane Doe No. 1, Jane Doe No. 2, and exhibits attached thereto.

WHEREFORE, Plaintiffs, Free Speech Coalition, Inc., Aylo Premium Ltd, Aylo Freesites Ltd, WebGroup Czech Republic, a.s., NKL Associates, s.r.o., Sonesta Technologies, s.r.o., Sonesta Media, s.r.o., Yellow Production, s.r.o., Paper Street Media, LLC, Neptune Media, LLC, MediaME SRL, and Midus Holdings, Inc., respectfully request the Court order an expedited briefing schedule on Plaintiffs' Motion for Preliminary Injunction and for all other relief, just and appropriate in the circumstances.

Dated: June 10, 2024

By /s/ Kian Hudson

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CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2024 a copy of the foregoing was filed electronically with the Clerk of the Court using the Court's ECF system. I am also serving the foregoing by email and by certified mail, return receipt requested, to the address below:

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