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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SISKIYOU

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IN THE SUPERIOR COURT OF CALIFORNIA
IN THE COUNTY SISKIYOU

THE NEW 49'ERS, INC., a California
corporation,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF FISH AND
WILDLIFE and CHARLTON H. BONHAM,
Director of the California Department of Fish and
Wildlife,

Defendants.

Case No. **SC CV CV 13-00804**

**~~PROPOSED~~ TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE**

Plaintiffs having moved for a temporary restraining order and order to show cause why a
preliminary injunction should not issue; and

The Court having had a hearing attended by counsel for plaintiff and defendants, and having
considered the declarations and other papers filed concerning the motion;

THE COURT FINDS THAT:

1. Plaintiffs have demonstrated that they are likely to succeed on the merits of their
claim that the Department's emergency regulation modifying 14Cal. Code § 228(a) was unlawfully
adopted, and in particular that there was no "emergency" within the meaning of Government Code
to justify departure from ordinary rulemaking procedure; and

[PROPOSED] TRO AND ORDER TO SHOW CAUSE

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