

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

MARIANO DIAZ-BONILLA, *et al.*, )

*Plaintiffs,* )

v. )

RALPH NORTHAM, *et. al.*, )

*Defendants.* )

Case No.: 1:20-cv-00377-AJT-IDD

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**PLAINTIFFS’ MOTION FOR EMERGENCY HEARING ON  
APPLICATION FOR TEMPORARY RESTRAINING ORDER**

Pursuant to L. Civ. R. 7 Plaintiffs Mariano Diaz-Bonilla, Rebecca Diaz-Bonilla, Daniel Diaz-Bonilla, Angela Diaz-Bonilla, Maria Elena Diaz-Bonilla, Tomas Diaz-Bonilla, Gabriel Diaz-Bonilla, Nicolas Diaz-Bonilla, Ana Marie Diaz-Bonilla, Liliana Diaz-Bonilla, Clara Diaz Bonilla, and Christian Diaz-Bonilla, by and through counsel, hereby move this court to schedule an emergency hearing on Plaintiffs’ Motion for Temporary Restraining Order (Document 14 “TRO”).

1. The Defendant’s Executive Orders, both under Phase 0 and Phase 1, unconstitutionally impair the First Amendment and other freedoms of the Plaintiffs to practice their religion, speak, assemble, and otherwise.

2. As “[t]he loss of First Amendment freedoms, even for minimal periods of time, unquestionably constitutes irreparable injury,” *Elrod v. Burns*, 427 U.S. 347, 373 (1976), and the other reasons set forth more fully in the Memorandum in Support of the Motion for Temporary Restraining Order (Document 15) we ask that the Court hear this matter as soon as possible.

3. Because of the time-sensitive nature of this matter, Plaintiffs respectfully request that the TRO be scheduled for a hearing before this court on Friday, May 29, 2020 at 10:00am or

as soon as the matter may be heard (via telephone, video-conferencing, or otherwise at the Court's preference). In the alternative, the Plaintiffs request that the matter be set no later than the motions docket June 5, 2020 at 10am. The Plaintiffs submit that oral argument on the instant motion will aid the Court in deciding the matter.

4. Counsel for the Plaintiffs notified Counsel for the Defendant of the TRO and spoke to Counsel via phone regarding scheduling a hearing. The Defendants do not consent to an immediate hearing sooner than five days from the filing of the TRO.

5. Plaintiffs submit this Motion to the discretion of the Court and request as soon of a hearing as may be arranged as the situation continues to change by the day and Plaintiffs' constitutional rights continue to be impaired.

Dated: May 28, 2020

/s/ William R. Thetford Jr.

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\*Pro Hac Vice Motion Granted

Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on May 28, 2020, I will electronically file the foregoing Motion for Emergency Hearing with the Clerk of Court using the CM/ECF system, which will send a Notice of Electronic Filing (NEF) to all counsel of record.

/s/ William R. Thetford Jr.