

**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

**APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND FOR  
ORDER TO SHOW CAUSE WHY  
PRELIMINARY INJUNCTION  
SHOULD NOT ISSUE**

DATE FILED: May 27, 2020

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that 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, do hereby apply to this Court pursuant to Fed. R. Civ. P. 65(b) for a temporary restraining order against Defendants Ralph Northam, in his official capacity as Governor of Virginia; Mark Herring, in his official capacity as Attorney General of the Commonwealth of Virginia; and the Commonwealth of Virginia, and for the issuance of an order to show cause why a preliminary injunction should not issue as follows:

1. Defendants, as well as their agents, employees, and successors in office, shall be restrained and enjoined from enforcing, attempting to enforce, threatening to enforce, or otherwise requiring compliance with any prohibition on Plaintiffs' engagement in religious

services, practices, or activities at which the Center for Disease Control's social distancing guidelines are followed.

2. Defendants shall show cause, at a time and place to be directed by the Court, why a preliminary injunction should not issue requiring Defendants to act as described in above; the temporary restraining order shall remain effective until such time as the Court has ruled on whether a preliminary injunction should issue.

This application is made on the grounds that Plaintiffs are likely to succeed on the merits of this case, they will suffer irreparable harm without injunctive relief, the balance of equities tips sharply in their favor, and the relief sought is in the public interest.

Good cause exists to issue the requested Order to preserve Plaintiffs' rights under the Constitution of the United States and the Constitution of the Commonwealth of Virginia, and to avoid irreparable harm to those rights. This application is supported by the accompanying Memorandum of Law, by Plaintiffs' First Amended Verified Complaint and all exhibits attached thereto, as if fully set forth herein, and by such further argument and evidence that may be adduced at any hearing on this matter or of which the Court may take judicial notice.

The First Amended Verified Complaint in this action was filed on May 22, 2020; this application followed on May 27, 2020 due to the intervening holiday. All papers relating to this Application will be delivered by email to the defendants' counsel on the same day as filing, May 27, 2020.

The temporary restraints set forth above shall expire concurrently with the Court's determination with respect to the preliminary injunction as set forth above, which may extend, limit or replace such restraints as the Court sees fit.

Dated: May 27, 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 27, 2020, I will electronically file the foregoing Application for Temporary Restraining Order and For Order to Show Cause Why Preliminary Injunction Should Not Issue 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.