

**IN THE MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY**

<p>STEVE BULLOCK, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF MONTANA,</p> <p style="text-align: right;">Petitioner,</p> <p style="text-align: center;">vs.</p> <p>COREY STAPLETON, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE OF MONTANA</p> <p style="text-align: right;">Respondent.</p>	<p>Cause No. <u>BDV 2019-635</u></p> <p style="text-align: center;">TEMPORARY RESTRAINING ORDER</p>
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Governor Steve Bullock has moved for a temporary restraining order, directing the Respondent to remove House Bill 132 from the Session Laws on file in his office, to rescind his assignment of a chapter number to House Bill 132 in the 2019 Session Laws, and to notify the Code Commissioner that he has done so. The Governor has also requested the Court set a show cause hearing for a preliminary injunction. For the reasons set forth in the Governor's Brief in Support of Motion for a Temporary Restraining Order, Preliminary Injunction and Application for Writ of Mandate, the Court concludes a temporary restraining

order should issue and the Respondent should show cause why a preliminary injunction should not issue.

The Governor has established by affidavit and his complaint that the absence of a temporary restraining order would cause immediate and irreparable injury. The Governor has established facts, which if proven as true establish that House Bill 132 (2019) was vetoed by the Governor. The Governor has also established facts, which if proven as true, establish that the Respondent maintains House Bill 132 in his official record of session laws and has assigned a chapter number to House Bill 132, effectively attempting to override the Governor's veto. This presents both a prima facie constitutional violation and a prima facie case that a vetoed law will go into effect. The irreparable harm is further present by HB 132's immediate effective date.

Furthermore, the Governor established a prima facie case that he is likely to succeed on the merits of his claim that he vetoed HB 132. The Governor has established facts, which, if proven true, establish he vetoed HB 132 in compliance with the Montana Constitution and Montana Code Annotated.

Based on the foregoing, and the reasons set forth in Governor Bullock's Brief in Support of Motion for a Temporary Restraining Order, Preliminary Injunction and Application for Writ of Mandate, the Court issues the following Temporary Order of Protection:

TEMPORARY RESTRAINING ORDER

1. Respondent shall remove House Bill 132 from the Session Laws on file in his office.
2. Respondent shall rescind his assignment of a chapter number to House Bill 132 in the 2019 Session Laws.
3. Respondent shall notify the Code Commissioner that he has removed House Bill 132 from the Session Laws on file in his office and that he has rescinded assignment of a chapter number to House Bill 132 in the Session Laws.

In addition, the Court concludes that Respondent should show cause why a preliminary injunction should not be granted in this matter. The Court will hold show cause hearing on the 31 day of MAY, 2019.


District Court Judge