| 01/1122 811112          | S DISTRICT COURT<br>RICT OF NEW YORK |  |
|-------------------------|--------------------------------------|--|
| JIMMIE HARDA            | WAY, JR., et al.,                    |  |
| v.                      | Plaintiffs,                          | NOTICE OF MOTION<br>FOR AN EXPEDITED<br><u>HEARING</u> |
| KEVIN P. BRUEN, et al., |                                      | Case No.: 1:22-cv-771-JLS                              |
|                         | Defendants.                          |  |

PLEASE TAKE NOTICE that, upon the accompanying declaration of Nicolas J. Rotsko, executed on October 14, 2022, the motion of plaintiffs Reverend Dr. Jimmie Hardaway, Jr., Bishop Larry A. Boyd, Firearms Policy Coalition, Inc., and Second Amendment Foundation (collectively "Plaintiffs") for a temporary restraining order pursuant to Fed. R. Civ. P. Rule 65, and all the pleadings and proceedings herein, the undersigned will move this Court, before the Hon. John L. Sinatra, at the United States Courthouse, 2 Niagara Square, Buffalo, New York, at a date and time to be determined by the Court, for an Order:

- 1. Pursuant to Fed. R. Civ. P. Rule 6(c) and Local Rules of Civil Procedure, Rule 7(d)(1), granting an expedited hearing on Plaintiffs' motion for a temporary restraining order; and
- 2. Granting Plaintiffs such other and further relief as the Court may deem just and proper.

Plaintiffs reserve the right to file reply papers.

## Respectfully submitted this 14th day of October 2022,

David H. Thompson\* /s/ Nicolas J. Rotsko\_ Peter A. Patterson\* Nicolas J. Rotsko John W. Tienken\* PHILLIPS LYTLE LLP COOPER & KIRK, PLLC One Canalside 1523 New Hampshire Avenue, N.W. 125 Main Street Washington, D.C. 20036 Buffalo, NY 14203-2887 (202) 220-9600 (716) 847-5467 (202) 220-9601 (fax) (716) 852-6100 (fax) dthompson@cooperkirk.com NRotsko@phillipslytle.com ppatterson@cooperkirk.com jtienken@cooperkirk.com

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<sup>\*</sup>App. to appear pro hac vice forthcoming