

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

TELESCOPE MEDIA GROUP, a
Minnesota corporation, CARL
LARSEN and ANGEL LARSEN,
the founders and owners of
TELESCOPE MEDIA GROUP,

Plaintiffs,

vs.

REBECCA LUCERO, in her official
capacity as Commissioner of the
Minnesota Department of Human
Rights and KEITH ELLISON, in
his official capacity as Attorney
General of Minnesota,

Defendants.

Case No. 0:16-cv-04094-JRT-LIB

Chief Judge John R. Tunheim

Magistrate Judge Leo I. Brisbois

STIPULATION TO ENTER PRELIMINARY INJUNCTION

The parties stipulate the following:

1. Plaintiffs Telescope Media Group and Carl and Angel Larsen (collectively, the Larsens) filed a motion for preliminary injunction with this Court on January 13, 2017, seeking an order to restrain Defendants, and any person acting in concert with them, from enforcing Minnesota Statutes Annotated § 363A.11, subd. 1, and § 363A.17, subd. 3, as applied to the Larsens' "expressive business of producing films (a) promoting marriage exclusively as an institution between one man and one woman, and (b) declining to create films that express ideas that conflict with their beliefs about marriage." Pls.' Mot. for Prelim. Inj. ¶ 11, ECF No. 14.

2. Briefing on that motion closed March 8, 2017, and oral arguments were heard May 26, 2017. This Court entered a Memorandum Opinion and Order (Order) denying the Larsens' motion for preliminary injunction as moot on September 20, 2017, when it granted in full Defendants' motion to dismiss. ECF No. 53. The Larsens timely appealed that Order.

3. On August 23, 2019, the United States Court of Appeals for the Eighth Circuit reversed the dismissal as to the Larsens' free speech and free exercise claims. *Telescope Media Grp. v. Lucero*, 936 F.3d 740 (8th Cir. 2019). In so doing, the Eighth Circuit remanded the case to this Court, instructing it to "consider in the first instance whether the Larsens are entitled to a preliminary injunction." *Id.* at 762. The Eighth Circuit's mandate issued October 1, 2019.

4. Defendants agree not to enforce the Minnesota Human Rights Act against the Larsens' "business of producing films (a) promoting marriage exclusively as an institution between one man and one woman, and (b) declining to create films that express ideas that conflict with their beliefs about marriage," Pls.' Mot. for Prelim. Inj. ¶ 11, ECF No. 14, during the pendency of this action, including but not limited to all appeals.

5. Therefore, the parties hereby stipulate and agree that the Court should enter the Larsens' requested preliminary injunction. A proposed order is attached.

Respectfully submitted this 3rd day of October, 2019.

OFFICE OF THE
ATTORNEY GENERAL
State of Minnesota

By: /s/ Janine Kimble (w/ permission)

LIZ KRAMER (#0325089)
Solicitor General
JANINE KIMBLE (#0392032)
HILLARY A. TAYLOR (#0398557)
Assistant Attorneys General

445 Minnesota Street, Suite 1100
St. Paul, Minnesota 55101-2128
(651) 757-1415 (Voice)
(651) 297-7206 (TTY)
liz.kramer@ag.state.mn.us
janine.kimble@ag.state.mn.us
hillary.taylor@ag.state.mn.us

Attorneys for Defendants

By: /s/ Jeremy D. Tedesco

Jeremy D. Tedesco, AZ 023497*
Jonathan A. Scruggs, AZ 030505*
Jacob P. Warner, AZ 033894*
ALLIANCE DEFENDING FREEDOM
15100 N. 90th Street
Scottsdale, Arizona 85260
(480) 444-0020
(480) 444-0028 Fax
jtedesco@ADFlegal.org
jscruggs@ADFlegal.org
jwarner@ADFlegal.org

David A. Cortman, GA 188810*
Rory T. Gray, GA 880715*
ALLIANCE DEFENDING FREEDOM
1000 Hurricane Shoals Road, NE,
Suite D-1100
Lawrenceville, GA 30043
(770) 339-0774
(770) 339-6744 Fax
dcortman@ADFlegal.org
rgray@ADFlegal.org

Renee K. Carlson, MN 0389675
CARLSON LAW, PLLC
855 Village Center Drive
Suite 259
St. Paul, MN 55127
(612) 455-8950
rcarlson@rkclawmn.com

Jordan Lorence, MN 0125210

J. Caleb Dalton, DC 1033291*
ALLIANCE DEFENDING FREEDOM
440 First St. NW, Suite 600
Washington, DC 20001
(202) 393-8690
jlorence@ADFlegal.org
cdalton@ADFlegal.org

Attorneys for Plaintiffs

**Admitted Pro Hac Vice*