

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

SOUTHERN UTAH DRAG STARS;

MITSKI AVALŌX,

Plaintiffs,

vs.

CITY OF ST. GEORGE;

COUNCIL OF ST. GEORGE;

COUNCILMAN JIMMIE HUGHES, in his
official capacity;

COUNCILWOMAN DANNIELLE LARKIN
in her official capacity;

COUNCILWOMAN NATALIE LARSEN in
her official capacity;

COUNCILMAN GREGG MCARTHUR in
his official capacity;

COUNCILWOMAN MICHELLE TANNER
in her official capacity,

MAYOR MICHELE RANDALL in her
official capacity;

CITY MANAGER JOHN WILLIS in his
official capacity,

Defendants.

**MOTION FOR EXPEDITED BRIEFING
ON PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Case No: 4:23-cv-00044

Judge David Nuffer
Magistrate Judge Paul Kohler

MOTION FOR EXPEDITED BRIEFING

Plaintiffs, by and through counsel, respectfully request this Court order expedited briefing and consideration of Plaintiffs' Motion for Preliminary Injunction. As more fully set forth in Plaintiffs' Motion and supporting Memorandum, Plaintiffs seek a preliminary injunction ordering the City of St. George to reverse the denial of Plaintiffs' permit for a drag show event to be held at a public park on June 30. Plaintiffs require a decision on their Motion sufficiently in advance of that date to organize the event, including soliciting vendors and sponsors, and reaching back out to people who had planned to attend the previously scheduled event. Under the standard briefing scheduling contained in DUCivR 7-1(a)(4)(C), however, four weeks will pass before briefing is complete on the preliminary injunction motion and the Plaintiffs will not have a decision on the motion before mid-June. As a result, it will be practically impossible for Plaintiffs to timely secure necessary vendors and sponsors. Moreover, the weather conditions in St. George can be inhospitable in the months of July and August for large outdoor events due to the extreme heat rendering it unsafe to conduct events outdoors.

Plaintiffs propose the following schedule:

- Defendants' Response to Plaintiffs' Motion due Tuesday, June 6, 2023.
- Plaintiffs' Reply Memorandum due Monday, June 12, 2023.

Plaintiffs believe the foregoing schedule will enable the Court to consider and decide Plaintiffs' Motion for Preliminary Injunction in a sufficient amount of time for Plaintiffs to prepare to host their event on June 30. A proposed order granting the relief requested is attached as Exhibit A.

Date: May 30, 2023

Respectfully submitted,

/s/ Jeremy Creelan

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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. The electronic case filing system sent a “Notice of E-Filing” to all e-filing counsels of record in this case.

/s/ Jeremy Creelan

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in her official capacity;
MAYOR MICHELE RANDALL in her
official capacity;
CITY MANAGER JOHN WILLIS in his
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Defendants.

**ORDER FOR EXPEDITED
TREATMENT OF MOTION**

Case No: 4:23-cv-00044

Judge David Nuffer
Magistrate Judge Paul Kohler

Plaintiffs' Motion to Expedite Treatment of the Motion for Preliminary Injunction requests that it be answered by June 6, 2023. Under the standard time for response to motions, this motion would not have a responsive memorandum filed before June 13, 2023.

IT IS HEREBY ORDERED that Defendants shall file and serve any response to Plaintiff's Motion for Preliminary Injunction on or before 4:00 p.m. June 6, 2023. Any reply shall be filed and served on or before 4:00 p.m. June 12, 2023.

May ____, 2023

BY THE COURT:

Judge Paul Kohler
U.S. Magistrate Judge