

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

---

ADAM P. FAUST et al.,

Plaintiffs,

v.

Case No. 1:21-cv-00548-WCG

THOMAS J. VILSACK et al.,

Defendants.

---

PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER

---

Plaintiffs move, pursuant to Fed. R. Civ. P. 65, for a temporary restraining order, to last until this Court rules on Plaintiffs' motion for a preliminary injunction, prohibiting Defendants from forgiving any loans pursuant to the authority in Section 1005 of the American Rescue Plan Act of 2021, *unless* Defendants begin administering the program without regard to the race or ethnicity of the indebted farmer or rancher. The grounds for this motion are set forth in an accompanying Memorandum in Support of a Temporary Restraining Order and Preliminary Injunction and the supporting declarations.

Dated: June 3, 2021

WISCONSIN INSTITUTE FOR LAW & LIBERTY

Rick Esenberg  
rick@will-law.org

*/s/ Daniel P. Lennington*

---

Daniel P. Lennington

dan@will-law.org

Luke N. Berg

luke@will-law.org

Kate Spitz

kate@will-law.org

330 E. Kilbourn Ave., Suite 725

Milwaukee, WI 53202

Phone: (414) 727-9455

Fax: (414)727-6385

## CERTIFICATION

Pursuant to Federal Rule of Civil Procedure 65, counsel for the Plaintiffs certifies the following with respect to notice to the Defendants:

On June 3, 2021, before filing this motion, counsel for the Plaintiffs emailed counsel for the Defendants to notify them of Plaintiffs' intention to seek a temporary restraining order and preliminary injunction in this matter, and provided Defendant with advance copies of the motion for a temporary restraining order, motion for preliminary injunction, memorandum, and declarations in support of both.

Dated: June 3, 2021

*/s/ Daniel P. Lennington*

---

Daniel P. Lennington