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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10 SACRAMENTO DIVISION

11 LEAGUE TO SAVE LAKE TAHOE and ) Case No. 08-2828 LKK  
12 SIERRA CLUB, )  
13 Plaintiffs, ) PLAINTIFFS’ NOTICE OF MOTION AND  
14 vs. ) MOTION FOR PRELIMINARY INJUNCTION  
15 TAHOE REGIONAL PLANNING AGENCY, ) Date: August 3, 2009  
16 Defendant. ) Time: 10:00 a.m.  
17 ) Place: Courtroom 4  
18 ) Judge: Hon. Lawrence K. Karlton  
19 )

20 **NOTICE OF MOTION**

21 Please take notice that the following Motion for Preliminary Injunction is scheduled to be  
22 heard by the Honorable Lawrence K. Karlton, United States District Court, on August 3, 2009 at  
23 10:00 a.m. in Courtroom 4, 15th Floor, 501 I Street, Sacramento, California.

24 **MOTION FOR PRELIMINARY INJUNCTION**

25 Pursuant to Federal Rule of Civil Procedure 65(a), plaintiffs League to Save Lake Tahoe and  
26 Sierra Club (“plaintiffs”) hereby move for a preliminary injunction to prevent defendant Tahoe  
27 Regional Planning Agency (“TRPA”) from approving permits for new piers, buoys, boat lifts, boat  
28 ramps, and boat slips (“boat facilities”) to be placed or constructed within Lake Tahoe, pursuant to  
the Shorezone Ordinance Amendments, adopted by TRPA on October 22, 2008. Unless enjoined,

1 TRPA may approve permits for new boat facilities shortly. A preliminary injunction is warranted  
2 because plaintiffs have a strong likelihood of success on the merits of their claims, plaintiffs will be  
3 irreparably harmed if permits for new boat facilities are approved allowing such facilities to be put in  
4 place prior to a resolution of the merits of this action, the balance of hardships favors preserving the  
5 status quo pending this Court's resolution of the merits, and the public interest would be served by  
6 granting the preliminary relief requested.

7 This motion is accompanied by a Proposed Order and is based upon the pleadings and  
8 administrative record on file in this case, the Memorandum in Support of Motion for Preliminary  
9 Injunction, and Exhibits A-E, submitted herewith. Pursuant to Civil Local Rule 65-231(d)(3),  
10 plaintiffs anticipate the hearing on this motion will require no more than one hour and will not  
11 involve oral testimony.

12 Respectfully submitted,

13 Dated: July 1, 2009

s/ Wendy S. Park

TRENT W. ORR  
WENDY S. PARK  
Earthjustice

*Counsel for Plaintiffs League to Save Lake Tahoe &  
Sierra Club*