

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

*ELECTRONICALLY FILED*

GREGORY BOURKE, ET AL.	)	
	)	
PLAINTIFFS	)	
	)	CIVIL ACTION NO.
and	)	
	)	3:13-CV-750-JGH
TIMOTHY LOVE, ET AL.	)	
	)	
INTERVENING PLAINTIFFS	)	
	)	
v.	)	
	)	
STEVE BESHEAR, ET AL.	)	
	)	
DEFENDANTS	)	
	)	

\*\*\*\*\*

**MOTION FOR IMMEDIATE PRELIMINARY  
AND PERMANENT INJUNCTIVE RELIEF**

Pursuant to Fed. R. Civ. P. 65, Intervening Plaintiffs, Timothy Love and Lawrence Ysunza, along with Maurice Blanchard and Dominique James, hereby move for preliminary and permanent injunctive relief and request that the Court order that the Commonwealth of Kentucky immediately issue marriage licenses to Plaintiffs. The circumstances necessitating preliminary injunctive relief are detailed in Plaintiffs' Intervening Complaint. The legal justifications for injunctive relief are detailed in this Court's February 12, 2014 memorandum opinion. This opinion unequivocally states that the Commonwealth's denial of Plaintiff's right to marry violates the Equal Protection guarantee embodied in the Fourteenth Amendment.

In addition, Plaintiffs state:

1. Plaintiffs have set forth sufficient facts and evidence that their rights have been and are continue

to be violated;

2. Plaintiffs have already suffered losses, and will suffer immediate and irreparable injury, loss, or damage if they are not given the same marital rights as opposite-sex couples in the Commonwealth of Kentucky;
3. The acts of the Defendants in barring Plaintiffs from marrying may result in the ineffectiveness of any final judgment rendered;
4. Plaintiff is able to show substantial likelihood of success on the merits;
5. No prejudice will result to the Defendants in issuing licenses to Plaintiffs, however Plaintiffs suffer extreme prejudice by the Commonwealth's refusal to grant them marriage licenses.

Plaintiffs state that there is ongoing immediate and irreparable harm caused to them by the Commonwealth's knowing violation of their constitutional rights, and that they do not have an adequate remedy at law to address the ongoing harm, nor to obtain a final judgment, unless and until licenses are issued and they are permitted to obtain the same recognition as opposite-sex couples in the Commonwealth of Kentucky.

Respectfully submitted,

Shannon Fauver  
Dawn Elliott  
FAUVER LAW OFFICE, PLLC  
1752 Frankfort Ave.  
Louisville , KY 40206  
(502) 569-7710  
www.fauverlaw.com  
Counsel for all Plaintiffs

*s/Daniel J. Canon*  
\_\_\_\_\_  
Daniel J. Canon  
Laura E. Landenwich  
L. Joe Dunman  
Louis P. Winner  
CLAY DANIEL WALTON ADAMS, PLC  
Meidinger Tower, Suite 101  
462 S. Fourth Street  
Louisville, KY 40202  
(502) 561-2005  
www.justiceky.com  
*Counsel for all Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2014, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following:

Clay A. Barkley  
Brian Judy  
Assistant Attorney Generals  
Office of the Attorney General  
Suite 118  
700 Capital Avenue  
Frankfort, KY 40601  
*Counsel for Defendants Steve Beshear and  
Jack Conway*

*/s/ Daniel J. Canon*

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

*ELECTRONICALLY FILED*

GREGORY BOURKE, ET AL.	)	
	)	
PLAINTIFFS	)	
	)	CIVIL ACTION NO.
and	)	
	)	3:13-CV-750-JGH
TIMOTHY LOVE, ET AL.	)	
	)	
INTERVENING PLAINTIFFS	)	
	)	
v.	)	
	)	
STEVE BESHEAR, ET AL.	)	
	)	
DEFENDANTS	)	
	)	

\*\*\*\*\*

**ORDER GRANTING MOTION FOR IMMEDIATE INJUNCTIVE RELIEF**

Upon Motion of the Intervening Plaintiffs, and the Court being otherwise sufficiently advised, Defendants are hereby Ordered to immediately issue licenses to same-sex couples who are otherwise qualified and apply for a marriage license in the Commonwealth of Kentucky.