

EXHIBIT A

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10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 12 WESTERN DIVISION
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 15 **AMERICANS FOR PROSPERITY**
FOUNDATION,
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 Plaintiff,
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 v.
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 19 **KAMALA HARRIS, in her Official**
Capacity as Attorney General of the
State of California,
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 Defendant.
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2:14-CV-09448
DEFENDANT ATTORNEY
GENERAL KAMALA D.
HARRIS’S OBJECTION TO
PROPOSED ORDER GRANTING
MOTION FOR PRELIMINARY
INJUNCTION
 Date: February 17, 2015
 Time: 10:00 a.m.
 Courtroom: 8
 Judge: Hon. Manuel L. Real
 Action Filed: December 9, 2014

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 23 Defendant Kamala D. Harris, Attorney General of California, objects to the
 24 Proposed Order Granting Motion for Preliminary Injunction (Doc. #30-1) as
 25 follows:

26 The scope of the proposed order is greater than the preliminary injunction
 27 requested in the Complaint (Doc. #1, p. 14), or in the Notice of Motion and Motion
 28 for Preliminary Injunction (Doc. # 15, p. 2). The Complaint requested an “order

1 preliminarily enjoining the Attorney General from demanding the Foundation’s
2 Schedule B that contains its donor information or from taking any action to
3 implement or enforce her demand for the Foundation’s Schedule B.” (Doc. #1,
4 p. 14.) The Notice of Motion requested an order preliminarily enjoining the
5 Attorney General “from demanding, or from taking any action to implement or
6 enforce her demand for, the names and addresses of the Foundation’s donors, as
7 contained in Schedule B to IRS Form 990.” (Doc. #15, p. 2.)

8 In contrast, the Proposed Order would impose an injunction that goes beyond
9 enjoining the Attorney General from enforcing her demand for the Foundation’s
10 Schedule B, and would also enjoin the Attorney General from demanding “any
11 other document that would disclose the names and addresses of the Foundation’s
12 donors.” (Doc. #30-1) The Attorney General requests that the Court cross out or
13 otherwise delete the quoted language before signing or filing the order.

14 The Attorney General objects to the scope of the Proposed Order, and requests
15 that consistent with due process, the Court enter an order no broader than the relief
16 requested by motion. Relief as broad as that in the Proposed Order would interfere
17 with the Attorney General’s law enforcement function as it would arguably prevent
18 her from issuing a subpoena for that information even if circumstances were to arise
19 in which there is evidence of wrongdoing. Because the Complaint and the motion
20 did not challenge the Attorney General’s authority to issue such a subpoena, neither
21 should the relief granted restrict that authority.

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1 Dated: February 18, 2015

Respectfully submitted,

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KAMALA D. HARRIS
Attorney General of California

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/s/ Alexandra Robert Gordon
ALEXANDRA ROBERT GORDON
Deputy Attorney General
Attorneys for Defendant

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CERTIFICATE OF SERVICE

Case Name: **Americans for Prosperity** No. **2:14-CV-09448**
Foundation v. Kamala Harris

I hereby certify that on February 18, 2015, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

DEFENDANT ATTORNEY GENERAL KAMALA D. HARRIS’S OBJECTION TO PROPOSED ORDER GRANTING MOTION FOR PRELIMINARY INJUNCTION

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on February 18, 2015, at San Francisco, California.

N. Newlin
Declarant

/s/ N. Newlin
Signature
