

IN THE CIRCUIT COURT FOR THE STATE OF OREGON

FOR THE COUNTY OF MARION

SANDRA KUCERA, an elector of Oregon and candidate for Vice President of the United States,

SARAH THERESE WINDER, KRISTIN ZUBEL, and NATALIE BOLTON, each an elector of Oregon and signor of a petition for nomination of Ralph Nader for President of the United States and Sandra Kucera as Vice-President of the United States and as a circulator of said nominating petition,

PHILLIP SALISBURY and SAMANTHA BERG, each an elector of and signor of a petition for nomination of Ralph Nader for President of the United States and Sandra Kucera as Vice-President of the United States,

TIMOTHY JOHNSON, a circulator of said nominating petition who is not an elector of Oregon, GREGORY KAFOURY, an individual, an elector of Oregon and Co-Chair, Nader for President 2004 in Oregon,

Plaintiffs,

v.

BILL BRADBURY, Secretary of State,

Defendant.

Case No. \_\_\_\_\_

**MOTION FOR PRELIMINARY  
INJUNCTION**

Pursuant to ORCP 79 plaintiffs hereby apply for a preliminary injunction against Bill Bradbury, the Oregon Secretary of State:

1. Prohibiting the printing of 2004 general election ballot without including Ralph Nader and Sandra Kucera on the ballot; and
2. Ordering that Defendant fulfill his duty under law to certify the Nader/Kucera ticket for the 2004 general election ballot, without rejecting the valid and verified signatures submitted in support of the nominating petition.

A preliminary injunction is required to uphold the substantial rights of 18,000 electors whose signatures have been verified on petitions seeking to place Ralph Nader (presidential candidate) and Sandra Kucera (Vice-Presidential candidate) on the Oregon ballot.

The candidates and electors face irreparable harm of 18,000 electors are disenfranchised and disqualified from exercising their First Amendment rights including rights of association and voting rights. There is no monetary remedy adequate to address the harm plaintiffs and others will suffer in the absence of the requested injunction.

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This motion is supported by the complaint on file with the Court and plaintiffs memorandum in support of motion for injunctive relief, the Affidavits of Travis Diskin, Norman Frink, John Slevin (2), Sandra Kucera, Timothy Johnson, Gregory Kafoury and Ruth Bendl filed herewith.

Dated: September 3, 2004

Respectfully Submitted:

*/s/ Daniel W. Meek*  
*(Conformed with permission)*  
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Of Attorneys for Plaintiffs  
KUCERA, WINDER, ZUBEL,  
BOLTON, SALISBURY, BERG,  
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