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8 Attorney for Plaintiffs

9 **UNITED STATES DISTRICT COURT**
10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11 CORAZON DE CRISTO CANO,
12 *et al.*,

13 *Plaintiffs,*

14 v.

15 JOSEPH R. BIDEN, in his official
16 capacity as President of the United
17 States, *et al.*,

18 *Defendants.*

Case No.: 3:22-cv-00193-CAB-AHG

**PLAINTIFFS' EX PARTE
APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE WHY A PRELIMINARY
INJUNCTION SHOULD NOT
ISSUE**

Date:
Time:
Courtroom: 15A
Location: 333 West Broadway, San
Diego. CA 92101
Judge: Honorable Cathy Bencivengo
Action Filed: February 10, 2022

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24 Plaintiffs Federal employees and employees of Federal contractors
25 (collectively "Federal Workers") hereby apply, *ex parte*, to the Court, pursuant to
26 Federal Rule of Civil Procedure 65 and Local Rule 65-1, for a Temporary
27 Restraining Order, temporarily enjoining Defendants ("Federal Government")
28 from enforcing the September 9, 2021, Executive Orders, #14042 and 14043,

1 unnecessarily forcing Covid-19 vaccinations upon Federal Workers, as well as
2 implementing any and all directives and guidance mandated by the Safer Federal
3 Workforce Task Force.

4 If not preliminarily enjoined, the Federal Government will irreversibly
5 place the Federal Worker plaintiffs at risk of imminent financial duress and/or
6 physical injury. Such Temporary Restraining Order should issue with an Order to
7 Show Cause Why a Preliminary Injunction Should Not Issue.

8 As described in the concurrently filed notice to counsel, Plaintiffs'
9 Counsel has advised Defendants, and Defendant' Counsel of the date and
10 substance of this Application by written notice on February 14, 2022. Plaintiffs'
11 counsel sent by overnight mail to the United States Attorney General, the United
12 States Attorney for the Southern District of California, each named Federal
13 officer and agency named as Defendant, and notice of the Ex Parte Application
14 for Temporary Restraining Order.

15 This application is made on the grounds set forth in the accompanying
16 Memorandum in Support; and Exhibits in Support; all pleadings and papers filed
17 in this action; the argument of counsel; and further evidence as the Court may
18 consider at or before a hearing regarding this Application or the hearing
19 regarding the Order to Show Cause and preliminary injunction requested herein.

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21 Dated this February 14, 2022

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23 /s/ Gary G. Kreep
24 Gary G. Kreep
25 Attorney at Law
26 932 D Street, Ramona, CA 92066
27 Phone: 760-803-4029
28 gary@ggkmail.us
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

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3 I hereby certify that I caused a true and correct copy of Plaintiffs'
4 Application for Temporary Restraining Order and Order to Show Cause,
5 including supporting memoranda, exhibits, declarations, and proposed order, to
6 be served via overnight mail to the following Defendants, United States Attorney
7 General, and the United States Attorney for the Southern District of California:

8 Joseph R. Biden, President of the United States
9 1600 Pennsylvania Avenue NW
10 Washington, DC 20500

11 Jeffrey Zients, White House COVID-19 Response Team Coordinator, and
12 co-chair of the Safer Federal Workforce Task Force
13 1600 Pennsylvania Avenue NW
14 Washington, DC 20500

15 Kiran Ahuja, Director of the Office of Personnel Management, and co-
16 chair of the Safer Federal Workforce Task Force
17 1900 E Street, NW
18 Washington, DC 20415

19 Robin Carnahan, Administrator of the General Services Administration,
20 and co-chair of the Safer Federal Workforce Task Force
21 1800 F Street NW
22 Washington, DC 20006

23 Rochelle, P. Walensky, Director of the Centers for Disease Control, and
24 member of the Safer Federal Workforce Task Force
25 1600 Clifton Road
26 Atlanta, GA 30333

27 Denis McDonough, Secretary of the Department of Veteran Affairs, and
28 member of the Safer Federal Workforce Task Force
425 I Street NW
Washington, DC 20001

Deanne Criswell, Administrator of the Federal Emergency Management

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Agency, and member of the Safer Federal Workforce Task Force
500 C Street SW
Washington, DC 20024

L. Eric Patterson, Director of the Federal Protective Service, and member
of the Safer Federal Workforce Task Force
301 7th Street SW #G217
Washington, DC 20407

James M. Murray, Director of the United States Secret Service, and
member of the Safer Federal Workforce Task Force
950 H Street NW #7800
Washington, DC 20223

Shalanda Young, Director of the Office of Management and Budget, and
member of the Safer Federal Workforce Task Force
725 17th Street, NW
Washington, DC 20503

Merrick B. Garland
United States Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Randy Grossman
United States Attorney for the Southern District of California
U.S. Attorney's Office Southern District of California
Federal Office Building
880 Front Street, Room 6293
San Diego, California 92101-8893

Dated this February 14, 2022

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