

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF KENTUCKY  
FRANKFORT DIVISION  
CIVIL ACTION NO. 3:23-cv-00008-GFVT

KENTUCKY CHAMBER OF COMMERCE;	)
CHAMBER OF COMMERCE OF THE	)
UNITED STATES OF AMERICA;	)
ASSOCIATED GENERAL CONTRACTORS OF	)
KENTUCKY, INC.;	)
HOME BUILDERS ASSOCIATION OF KENTUCKY;	)
PORTLAND CEMENT ASSOCIATION; and	)
GEORGIA CHAMBER OF COMMERCE,	)
	)
Plaintiffs,	)
	)
v.	)
	)
UNITED STATES ENVIRONMENTAL PROTECTION	)
AGENCY, ET AL.,	)
	)
Defendants.	)
	)

**PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs move this Court for the issuance of a preliminary injunction against enforcement of the Final Rule entitled Revised Definition of “Waters of the United States,” 88 Fed. Reg. 3,004 (Jan. 18, 2023). In support of this Motion, Plaintiffs rely on the following:

1. Plaintiffs’ memorandum in support of the motion for a preliminary injunction;
2. Plaintiffs’ complaint;
3. The Declaration of Louis Baer;
4. The Declaration of Martin Durbin;
5. The Declaration of Jason Heck;
6. The Declaration of Van Mitchell;

7. The Declaration of Jerry O'Bryan;
8. The Declaration of Daniela Perry;
9. The Declaration of Anetha Sanford;
10. The Declaration of Colin Stout;
11. The Declaration of Trip Tollison;
12. The Declaration of Richard Vincent;
13. The Declaration of Ashli Watts; and
14. A proposed order granting injunctive relief.

Plaintiffs respectfully request a hearing on their motion for a preliminary injunction.

Dated: February 22, 2023

/s/ Charles E. English, Jr.

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**CERTIFICATE OF SERVICE**

I certify that on this 22nd day of February 2023, I filed a copy of this Motion For A Preliminary Injunction with the Court's electronic-filing system, which will send an electronic copy to all counsel.

*/s/ Charles E. English*

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CHARLES E. ENGLISH, JR.