

**STAY NEEDED BY DECEMBER 4, 2015**

No. 15-17318

**In the United States Court of Appeals for the Ninth Circuit**

**In re The Center for Medical Progress, BioMax Procurement Services,  
LLC, David Daleiden, and Troy Newman,**

*Defendants-Petitioners,*

v.

**United States District Court for the Northern District of California,**

*Respondent,*

National Abortion Federation,

*Real Party in Interest.*

On Appeal and on Petition for a Writ of Mandamus from the  
United States District Court for the Northern District of California,  
No. 3:15-cv-3522-WHO (William Horsley Orrick, III, J.)

**Petitioners' Emergency Motion for Temporary Stay**

December 3, 2015

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### Motion for Temporary Stay

Petitioners move for a temporary stay of the discovery order herein for 14 days to apply for a stay of discovery and writ of mandamus from Supreme Court Justice Anthony Kennedy, Circuit Justice for the U.S. Court of Appeals for the Ninth Circuit. A temporary stay is needed by December 4, 2015, when the district court's discovery order goes into effect or Petitioners will suffer the very harms that they seek relief from in this emergency motion for a temporary stay of the discovery order.

Petitioners filed an Emergency Motion for Stay of Discovery Order Pending Appeal and Pending Writ of Mandamus to the Ninth Circuit on November 25, 2015, regarding Civil Action No. 3:15-cv-3522-WHO, currently pending in the United States District Court for the Northern District of California, to protect their First Amendment rights. *See Perry v. Schwarzenegger*, 591 F.3d 1147 (9th Cir.), *cert. dismissed*, 559 U.S. 1118 (2010). This Court has denied the Emergency Motion for Stay of Discovery and Pending Writ of Mandamus.

Wherefore, Petitioners move the Court to allow them 14 days from the date of this Court's grant of this motion to seek the relief described above.

December 3, 2015

Respectfully submitted,

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### Certificate of Service

I certify that today I electronically filed the foregoing with the clerk of court using the CM/ECF system with copies by e-mail as indicated:

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