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10 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
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12 STATE OF ARIZONA, EX REL.
TERRY GODDARD, ATTORNEY
13 GENERAL,

14 Plaintiff,

15 v.

16 GANNETT CO., INC.;
CITIZEN PUBLISHING COMPANY;
17 LEE ENTERPRISES,
INCORPORATED;
18 STAR PUBLISHING COMPANY; and
19 TNI PARTNERS,

20 Defendants.

Case No.: _____

**PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION**

ORAL ARGUMENT REQUESTED

21 Pursuant to § 4 of the Sherman Act, Ariz. Rev. Stat. Ann. § 44-1407, and Federal
22 Rules of Civil Procedure 65(a) and 65(b), Plaintiff State of Arizona hereby moves this
23 Court for a temporary restraining order and preliminary injunction to enjoin Defendants
24 from dismissing editorial staff, taking action to eliminate or reduce publication or
25 distribution of the *Tucson Citizen* from levels equivalent to those on January 15, 2009, or
26 otherwise reducing or eliminating competition among Tucson-area daily local
27 newspapers. As explained in the accompanying Memorandum in Support of Plaintiff's
28

1 Motion for Temporary Restraining Order and Preliminary Injunction, Plaintiff seeks this
2 relief because there is a strong likelihood the State will succeed on the merits of its
3 federal and state antitrust claims, irreparable harm is likely in the absence of the relief
4 sought, a balance of hardships favors relief, and relief would advance the public interest.

5 WHEREFORE, the State of Arizona prays that Defendants and all persons acting
6 on their behalf be enjoined from dismissing editorial staff, taking action to eliminate or
7 reduce publication or distribution of the *Tucson Citizen* from levels equivalent to those
8 on January 15, 2009, or otherwise reducing or eliminating competition among Tucson-
9 area daily local newspapers, pending entry by the Court of a final judgment in this action.

10 Dated: May 15, 2009

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1 CERTIFICATE OF SERVICE

2 I hereby certify that, on May 15, 2009, I caused the foregoing Plaintiffs' Motion
3 for Temporary Restraining Order and Preliminary Injunction to be served via electronic
4 mail and first class mail, postage prepaid, upon:

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29 Dated: May 15, 2009