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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

19 DONALD J. TRUMP, et al.,  
20 Plaintiffs,  
21 v.  
22 TWITTER INC., et al.,  
23 Defendants.

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Civ. No: 3:21-cv-08378-JD

**PLAINTIFFS' UNOPPOSED  
ADMINISTRATIVE MOTION FOR  
LEAVE TO FILE STATEMENT OF  
RECENT DECISION**

Judge: Hon. James Donato

Pursuant to Civil Local Rule 7-11, Plaintiffs respectfully ask this Court for leave to file a Statement of Recent Decision. Plaintiffs' proposed Statement of Recent Decision is attached hereto as Exhibit A. The purpose of Plaintiffs' proposed Statement is to bring to the Court's attention an opinion of the Ninth Circuit Court of Appeals in *Twitter, Inc. v. Paxton*, 26 F.4th 1119, 1124-26 (9th Cir. 2022). That decision rejected First Amendment protections for alleged misleading statements by Defendant Twitter, Inc. A true and correct copy of that decision is attached hereto as Exhibit B. The decision was filed on March 2, 2022, after briefing and argument were completed on Defendants' Motion to Dismiss the First Amended Complaint and on Plaintiff Donald Trump's Motion for a Preliminary Injunction. Defendants believe the *Paxton* decision is pertinent additional precedent bearing on the pending motions, which were taken under submission on February 24, 2022.<sup>1</sup> Counsel for Defendants has advised the undersigned counsel that they consent to the relief sought by this administrative motion.

Dated: March 31, 2022

Respectfully submitted,

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By: /s/ Andrei Popovici  
Andrei Popovici

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<sup>1</sup> Consistent with Local Rule 7-3(d)(2), neither this motion nor the attached proposed Statement includes argument regarding how the *Paxton* decision bears on the pending motions.

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