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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO**

ELIZABETH E. MORRIS; and  
ALAN C. BAKER,

Plaintiffs,

v.

U.S. ARMY CORPS OF ENGINEERS,  
*et al.*,

Defendants.

Case No. 3:13-CV-00336-BLW

**PLAINTIFFS' UNOPPOSED MOTION FOR  
ORAL ARGUMENT**

Plaintiffs, by and through their undersigned attorneys, respectfully request that this Court schedule oral argument on Plaintiffs' Motion for Preliminary Injunction at this Court's earliest convenience. Defendants, through counsel, do not oppose the relief requested in this Motion. The grounds for this Motion are as follows:

1. On August 5, 2013, Plaintiffs filed a Complaint for Declaratory and Injunctive Relief (Doc. 1) challenging Defendants' maintenance and enforcement of 36 C.F.R. § 327.13, which prohibits possession of functional firearms on Army Corps of Engineers-administered public lands for the purpose of self-defense. Defendants' firearms ban is depriving Plaintiffs of the right to keep and bear arms in violation of the Second Amendment to the United States Constitution.

2. Concurrently, Plaintiffs filed a Motion for Preliminary Injunction (Doc. 4) asking this Court to enjoin Defendants' firearms ban.

3. On September 5, 2013, Defendants filed a Memorandum in Opposition to Plaintiffs' Motion for Preliminary Injunction (Doc. 18).

4. On September 23, 2013, Plaintiffs filed a Reply in Support of their Motion for Preliminary Injunction (Doc. 21).

5. Plaintiffs' Motion for Preliminary Injunction is now fully briefed.

6. Plaintiffs are suffering an ongoing deprivation of their constitutional rights in the absence of injunctive relief. *See Sanders County Republican Cent. Committee v. Bullock*, 698 F.3d 741, 744 (9th Cir. 2012); *Ezell v. City of Chicago*, 651 F.3d 684, 699 (7th Cir. 2011).

7. This case involves important legal issues concerning the enforcement of the Second Amendment.

8. Plaintiffs submit that oral argument would be helpful to clarify the important legal issues involved in this case.

WHEREFORE, Plaintiffs respectfully request that this Court schedule oral argument on Plaintiffs' Motion for Preliminary Injunction at this Court's earliest convenience.

DATED this 30th day of September 2013.

Respectfully submitted,

/s/ James M. Manley  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 30th day of September, 2013, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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