

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

DEC 1 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

B & L PRODUCTIONS, INC., et al.

Plaintiffs - Appellees,

v.

GAVIN NEWSOM, in his official capacity  
as Governor of the State of California, et al.

Defendants - Appellants

TODD SPITZER, in his official capacity as  
District Attorney of Orange  
County and DOES, 1-10,

Defendants.

No. 23-3793

D.C. No.

8:22-cv-01518-JWH-JDE

Central District of California, Santa  
Ana

ORDER

The appeal filed November 27, 2023 is a preliminary injunction appeal.

Accordingly, Ninth Circuit Rule 3-3 shall apply.

The mediation questionnaire is due three days after the date of this order.

If they have not already done so, within 7 calendar days after the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal.

The opening brief and excerpts of record are due December 26, 2023; the answering brief is due January 23, 2024 or 28 days after service of the opening

brief, whichever is earlier; and the optional reply brief is due within 21 days after service of the answering brief. *See* 9th Cir. R. 3-3(b).

No streamlined extensions of time will be approved. *See* 9th Cir. R. 31-2.2(a)(3). Any request for an extension of time to file a brief must be made by written motion under Ninth Circuit Rule 31-2.2(b).

Failure to file timely the opening brief will result in the automatic dismissal of this appeal by the Clerk for failure to prosecute. *See* 9th Cir. R. 42-1.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT