

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

UNIVERSITY AT BUFFALO YOUNG AMERICANS FOR FREEDOM; JUSTIN HILL; JACOB CASSIDY; and AMELIA SLUSARZ,

*Plaintiffs,*

v.

UNIVERSITY AT BUFFALO STUDENT ASSOCIATION, INC.; BRIAN HAMLUCK in his official capacity as the University at Buffalo Vice President for Student Life; TOMÁS AGUIRRE in his official capacity as the University at Buffalo Interim Dean of Students; and PHYLLIS FLORO in her Official Capacity as the University at Buffalo Director of Student Engagement,

*Defendants.*

CASE No.: 1:23-cv-00480

THE HONORABLE  
LAWRENCE J. VILARDO

**Jury Trial Demanded**

**PLAINTIFFS' PRELIMINARY INJUNCTION MOTION**

Under FED. R. CIV. P. 65, Plaintiffs University at Buffalo Young Americans for Freedom, Justin Hill, Jacob Cassidy, and Amelia Slusarz request a preliminary injunction to stop Defendants from violating the First Amendment to the United States Constitution. Plaintiffs ask that the preliminary injunction enjoin Defendants (as well as their officers, agents, servants, employees, and those participating or acting in concert with Defendants) from enforcing their Legal Status Ban to the extent it (1) requires the derecognition of, or prohibits the recognition of, Young Americans for Freedom or (2) justifies the denial to Young Americans for Freedom of the benefits of recognized or registered status.

Absent a preliminary injunction, Plaintiffs will suffer irreparable harm: the continued violation of their rights guaranteed by the United States Constitution. Plaintiffs are also likely to succeed on the merits, the preliminary injunction serves the public interest, and the balance of equities favors Plaintiffs.

In support of their motion, Plaintiffs rely on any oral argument permitted and

the following documents:

- Plaintiffs’ Second Amended Verified Complaint and all exhibits to it (*i.e.*, Docs. 37, 37-1–37-12);
- Memorandum of Law in Support of Plaintiffs’ Preliminary Injunction Motion;
- Any supplemental declarations in support of Plaintiffs’ preliminary injunction motion and related documents; and
- Plaintiffs’ reply in support of their preliminary injunction motion (if filed) and any documents filed in support of that reply.

Plaintiffs also request that this Court waive any bond requirement because this requested injunction serves the public interest by vindicating First Amendment rights and causes no harm to Defendants or New York. *See Int’l Controls Corp. v. Vesco*, 490 F.2d 1334, 1356 (2d Cir. 1974) (“district court may dispense with security where there has been no proof of likelihood of harm to the party enjoined”).

Plaintiffs also request oral argument to be heard at the date and time set by the Court.

Respectfully submitted this 22nd day of March, 2024.

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*/s/ Travis C. Barham*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 22, 2024, I electronically filed the foregoing using the CM/ECF system, which automatically sends an electronic notification with this filing to all attorneys of record.

Respectfully submitted this 22nd day of March, 2024.

*/s/ Travis C. Barham*

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