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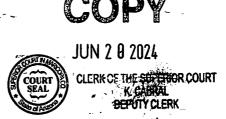
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Phoenix, AZ 85004-1592
Telephone: (602) 542-8099



Attorney for Plaintiff
Additional Counsel on Signature Page

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA, ex rel.
KRISTIN K. MAYES, Attorney General of the State of Arizona

Plaintiff,

vs.

THE ARIZONA DEPARTMENT OF ADMINISTRATION, a public entity, and ELIZABETH ALVARADO-THORSON, in her official capacity as its Cabinet Executive Officer & Executive Deputy Director,

Defendants.

No. CV2024-016033

[PROPOSED] ORDER RE: EMERGENCY INJUNCTION AND OTHER RELIEF

Plaintiff Kristin K. Mayes, in her capacity as the Attorney General, filed a Complaint and Emergency Motion for Temporary Restraining Order and Other Relief pursuant to A.R.S. § 35-212 and Arizona Rule of Civil Procedure 65. This Court has considered the Complaint, Motion and Memorandum of Points and Authorities, and the accompanying declaration and exhibits, and finds that:

- 1. This Court has jurisdiction over the subject matter of this case and there is good cause to believe it has jurisdiction over the defendants.
 - 2. Venue properly lies with this Court.

- 3. There is good cause to believe that absent this Order Defendants are likely to transfer the sum of \$115,000,000 from the consumer remediation subaccount of the consumer restitution and remediation revolving fund to the State Department of Corrections.
- 4. There is good cause to believe that the Department of Corrections has not used and has no current plans to use \$115,000,000 for Approved Uses, as that term is defined in the State's settlement agreements with certain manufacturers, distributors, and pharmacies in the opioid supply chain; the consent judgments entered in those actions; and the One Arizona Agreement.
- 5. Plaintiff is likely to succeed on the merits of her claims because the diversion of the \$115,000,00 from their Approved Uses in contravention to this Court orders and the State's contractual obligations, which are inviolate under the United States and Arizona Constitutions, would be illegal.
- 6. If the funds are illegally diverted from their Approved Uses, Arizona and its citizens are likely to suffer irreparable harm both because the funds will not be used to abate the opioid epidemic and because the diversion risks the funds being clawed back and future funds intended to abate the epidemic being reduced.
- 7. The diversion of these funds from their intended use and the jeopardy such diversion poses to the receipt of future funds tips the balance of equities sharply in Plaintiff's favor.
- 8. Public policy factors also favor the issuance of an injunction to ensure these and any future funds are expended to abate the opioid epidemic.

IS THEREFORE ORDERED that Defendants, and any and all other persons in concert or participation with it, are prohibited, restrained, and enjoined from transferring

1	the sum of \$115,000,000 from the consumer remediation subaccount of the consumer
2	restitution and remediation revolving fund to the State Department of Corrections.
3	IT IS FURTHER ORDERED that a hearing is scheduled for 27 day of
40	we long 2024, to discuss a plan for efficiently conducting discovery into the
5	issues bearing on Plaintiff's forthcoming application for preliminary injunction and a
6	schedule for briefing. This Ordinanan Injunction TRO IT IS HEREBY ORDERED. This Ordinanan Injunction TRO
7	IT IS HEREBY ORDERED. THE SHAPE S, 2024
8	DATED this 20th day of June, 2024
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