IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

RYAN, LLC, Plaintiff, v. FEDERAL TRADE COMMISSION, Defendant.	Civil Action No. 3:24-cv-986-E

RYAN, LLC'S MOTION FOR STAY OF EFFECTIVE DATE AND PRELIMINARY INJUNCTION

EXPEDITED TREATMENT REQUESTED

Plaintiff Ryan, LLC ("Ryan") files a motion for a stay of effective date and preliminary injunction under Federal Rule of Civil Procedure 65 and states the following:

1. Ryan seeks a stay of effective date and preliminary injunction in order to prevent the irreparable harms detailed in the attached brief in support of this motion. In particular, Ryan seeks an order staying the effective date of the Non-Compete Clause Rule released by the Defendant Federal Trade Commission's ("the Commission") and preliminarily enjoining the Commission from enforcing the Rule, including, but not limited to, through any ongoing or future administrative action. The Rule will be published on May 7, 2024, and take effect on September 4, 2024.

2. As explained in the attached brief in support of this motion, the Court should grant the motion because Ryan is likely to succeed on the merits, has demonstrated irreparable harm, has shown that the balance of equities tilts in its favor, and has shown that granting an injunction is in the public interest.

Respectfully submitted,

Dated: May 1, 2024

/s/ *Allyson N. Ho*

Allyson N. Ho
Texas Bar No. 24033667
Elizabeth A. Kiernan
Texas Bar No. 24105666
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201
Telephone: 214.698.3100
Facsimile: 214.571.2900
aho@gibsondunn.com
ekiernan@gibsondunn.com

Charles W. Fillmore
Texas Bar No. 00785861
H. Dustin Fillmore III
Texas Bar No. 06996010
THE FILLMORE LAW FIRM LLP
201 Main Street, Suite 700
Fort Worth, TX 76102
Telephone: 817.332.2351
chad@fillmorefirm.com
dusty@fillmorefirm.com

Eugene Scalia (*pro hac vice*)
Amir C. Tayrani (*pro hac vice*)
Andrew G. I. Kilberg (*pro hac vice*)
Aaron Hauptman (*pro hac vice*)
Joshua R. Zuckerman (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036
Telephone: 202.955.8500
Facsimile: 202.467.0539
escalia@gibsondunn.com
atayrani@gibsondunn.com
akilberg@gibsondunn.com
ahauptman@gibsondunn.com
jzuckerman@gibsondunn.com

Attorneys for Ryan, LLC

CERTIFICATE OF CONFERENCE

I hereby certify that on April 30, 2024, Andrew Kilberg and Aaron Hauptman, who are counsel for Plaintiff, conferred by telephone and email with Rachael Westmoreland and Madeline McMahon, who are counsel for Defendant, regarding Plaintiff's intention to file this motion. No agreement could be reached by the parties, and Defendant opposes Plaintiff's motion for a stay and preliminary injunction.

Dated: May 1, 2024

Respectfully submitted,

/s/ Andrew G. I. Kilberg

Andrew G. I. Kilberg
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036
202.955.8500
akilberg@gibsondunn.com

CERTIFICATE OF SERVICE

I hereby certify that, on May 1, 2024, I caused the foregoing motion to be filed with the Clerk for the U.S. District Court for the Northern District of Texas through the ECF system. Participants in the case who are registered ECF users will be served through the ECF system, as identified by the Notice of Electronic Filing.

Dated: May 1, 2024

Respectfully submitted,

/s/ Allyson N. Ho

Allyson N. Ho
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201
214.698.3100
aho@gibsondunn.com