

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF ALABAMA
 NORTHEASTERN DIVISION**

NATIONAL SMALL BUSINESS)
 UNITED d/b/a/ the NATIONAL SMALL)
 BUSINESS ASSOCIATION, et al.)

Plaintiffs,)

vs.)

JANET YELLEN, *et al.*)

Defendants.)

Case No. 5:22-cv-01448

ORAL ARGUMENT
REQUESTED

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT

Plaintiffs, National Small Business Association and Isaac Winkles, respectfully move under Federal Rule of Civil Procedure 56 for summary judgment against all the Defendants on all the claims asserted in their complaint. Plaintiffs respectfully request a hearing on this motion, and respectfully ask that the Court rule before January 1, 2024, the date the Defendants have announced that they first intend to enforce the requirements the Corporate Transparency Act.

In support of this motion, Plaintiffs rely on the pleadings, as well as the statement of material undisputed facts, arguments, and legal authorities in the attached memorandum of law. For all the reasons set forth therein, there is no genuine dispute as to any material fact, and Plaintiffs are entitled to judgment as a

matter of law. Plaintiffs also have attached to this motion, for the Court's reference, a copy of the Corporate Transparency Act.

Plaintiffs are therefore entitled to all relief requested in their complaint, including:

- (a) a declaratory judgment that the Corporate Transparency Act is unconstitutional;
- (b) a declaratory judgment that the Corporate Transparency Act violates the due process requirements of the Fifth Amendment;
- (c) an injunction prohibiting Defendants and any other agency or employee acting on behalf of the United States from enforcing the Corporate Transparency Act against the Plaintiffs, and requiring them to take such actions as are necessary and proper to remedy their violations deriving from any such actual or attempted enforcement; and
- (d) an award of costs and such other relief as the Court may deem just and proper.

WHEREFORE, premises considered, Plaintiffs respectfully ask that this Court grant this motion and enter summary judgment in their favor on all their claims against the Defendants in this matter.

Dated: February 15, 2023

Respectfully submitted,

s/ John C. Neiman, Jr.

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