

# Exhibit 476

## Federal Judge Orders Biden Administration to Stop Social Media Censorship Overview and Full Decision

"If the allegations made by Plaintiffs are true, the present case arguably involves the most massive attack against free speech in United States' history."

<https://aaronsiri.substack.com/p/federal-judge-orders-biden-administration>

# Federal Judge Orders Biden Administration to Stop Social Media Censorship

The First Amendment is given renewed meaning.



AARON SIRI

JUL 5, 2023



377



67



17

Share



In what could be one of the most important decisions of this century, a federal judge has ordered the Biden administration to end government directed and encouraged censorship on social media! Below are some great quotes from the decision that reflect its importance and likely impact.

If the Department of Justice, which represents the Biden administration, decides to appeal this decision, I suspect the appeal will not receive a friendly reception.

This is a huge blow for freedom and, no doubt, issued by the Court on Independence Day on purpose. Thank you, Judge Terry A. Doughty, for having the courage to breathe significant renewed life back into the promise of free speech, and hearty congratulations to the Attorneys General of Missouri and Louisiana who led the charge in this case!

"If the allegations made by Plaintiffs are true, the present case arguably involves the most massive attack against free speech in United States' history."

"The principal function of free speech under the United States' system of government is to invite dispute; it may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger."

"Freedom of speech and press is the indispensable condition of nearly every other form of freedom."

"'For if men are to be precluded from offering their sentiments ... reason is of no use to us; the freedom of speech may be taken away, and dumb and silent we may be led, like sheep, to the slaughter.' George Washington"

"'Whoever would overthrow the liberty of a nation must begin by subduing the free acts of speech.' Benjamin Franklin"

"'I may disapprove of what you say, but I would defend to the death your right to say it.' Evelyn Beatrice Hill"

"The White House Defendants made it very clear to social-media companies what they wanted suppressed and what they wanted amplified. Faced with unrelenting pressure from the most powerful office in the world, the social-media companies apparently complied."

"Like the White House Defendants and Surgeon General Defendants, the Plaintiffs are likely to succeed on the merits of Plaintiffs' First Amendment free speech claim against the CDC Defendants. ... The CDC became the 'determiner of truth' for social-media platforms, deciding whether COVID-19 statements made on social media were true or false. ... If the CDC said a statement on social media was false, it was suppressed, in spite of alternative views."

"Plaintiffs have shown that not only have the Defendants shown willingness to coerce and/or to give significant encouragement to social-media platforms to suppress free speech with regard to the COVID-19 pandemic and national elections, they have also shown a willingness to do it with regard to other issues, such as gas prices, parody speech, calling the President a liar, climate change, gender, and abortion."

"'Once a government is committed to the principle of silencing the voice of opposition, it has only one place to go, and that is down the path of increasingly repressive measures, until it becomes a source of terror to all its citizens and creates a country where everyone lives in fear.' Harry S. Truman"

"The Plaintiffs are likely to succeed on the merits in establishing that the Government has used its power to silence the opposition. Opposition to COVID-19



# FULL ORDER:

Case 3:22-cv-01213-TAD-KDM Document 293 Filed 07/04/23 Page 1 of 155 PageID #: 26792

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

STATE OF MISSOURI, ET AL. CASE NO. 3:22-CV-81213  
VERSUS JUDGE TERRY A. DOUGHTY  
JOSEPH R. BIDEN JR., ET AL. MAG. JUDGE KAYLA D. MCCLUSKEY

MEMORANDUM RULING ON REQUEST  
FOR PRELIMINARY INJUNCTION

At issue before the Court is a Motion for Preliminary Injunction [Doc. No. 10] filed by Plaintiffs.<sup>1</sup> The Defendants<sup>2</sup> oppose the Motion [Doc. No. 266]. Plaintiffs have filed a reply to the opposition [Doc. No. 276]. The Court heard oral arguments on this Motion on May 26, 2023 [Doc. No. 288]. Amicus Curiae briefs have been filed in this proceeding on behalf of Alliance Defending Freedom,<sup>3</sup> the Buckeye Institute,<sup>4</sup> and Children's Health Defense.<sup>5</sup>

<sup>1</sup> Plaintiffs consist of the State of Missouri, the State of Louisiana, Dr. Aaron Kheriaty ("Kheriaty"), Dr. Martin Kalldorf ("Kalldorf"), Jim Holt ("Holt"), Dr. Jayanta Bhattacharya ("Bhattacharya"), and Jill Hines ("Hines").

<sup>2</sup> Defendants consist of President Joseph R. Biden ("President Biden"), Jr., Karine Jean-Pierre ("Jean-Pierre"), Vivek H. Murthy ("Murthy"), Xavier Becerra ("Becerra"), Dept. of Health & Human Services ("HHS"), Dr. Hugh Auchincloss ("Auchincloss"), National Institute of Allergy & Infectious Diseases ("NIAID"), Centers for Disease Control & Prevention ("CDC"), Alejandro Mayorkas ("Mayorkas"), Dept. of Homeland Security ("DHS"), Jon Fustary ("Fustary"), Cybersecurity & Infrastructure Security Agency ("CSA"), Carol Crossland ("Crossland"), United States Customs Bureau ("Customs Bureau"), U.S. Dept. of Commerce ("Commerce"), Robert Solov ("Solov"), Samantha Vinograd ("Vinograd"), Ali Zaidi ("Zaidi"), Ross Izbicki ("Izbicki"), David Salado ("Salado"), Stuart F. Delery ("Delery"), Anshu Shah ("Shah"), Sarah Berner ("Berner"), Minn Hwang ("Hwang"), U. S. Dept. of Justice ("DOJ"), Federal Bureau of Investigation ("FBI"), Liana Isakson ("Isakson"), Eric M. Chan ("Chan"), Jay Dempsey ("Dempsey"), Kate Galbraith ("Galbraith"), Katherine Sealy ("Sealy"), Yolanda Byrd ("Byrd"), Christy Choi ("Choi"), Ashley Mince ("Mince"), Joshua Peck ("Peck"), Kym Wyman ("Wyman"), Laura Pressler ("Pressler"), Geoffrey Hale ("Hale"), Allison Steel ("Steel"), Brian Scully ("Scully"), Jennifer Shepleton ("Shepleton"), U. S. Food & Drug Administration ("FDA"), Eric Jefferson ("Jefferson"), Michael Murray ("Murray"), Brad Kimbrey ("Kimbrey"), U. S. Dept. of State ("State"), Leah Bray ("Bray"), Alexis Frobie ("Frobie"), Daniel Kinnage ("Kinnage"), U. S. Dept. of Treasury ("Treasury"), Wally Adreano ("Adreano"), U. S. Election Assistance Commission ("EAC"), Steven Frid ("Frid"), and Kristen Muthig ("Muthig").

<sup>3</sup> [Doc. No. 232]  
<sup>4</sup> [Doc. No. 236]  
<sup>5</sup> [Doc. No. 262]



377 Likes · 17 Restacks

## 67 Comments



Write a comment...



Yuri Bezmenov Writes How To Subvert Subversion with ... Jul 5

Take a bow, Judge Doughty! Here are timeless quotes about freedom that we should always remember: <https://yuribezmenov.substack.com/p/independence-day-quotes-memes>

LIKE (28) REPLY ...



Transcriber B Writes Transcriber B's Substack Jul 5

Thank you for this!!!! And a belated happy 4th of July!

LIKE (24) REPLY ...

65 more comments...

---

© 2023 Injecting Freedom LLC • [Privacy](#) • [Terms](#) • [Collection notice](#)  
[Substack](#) is the home for great writing

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**STATE OF MISSOURI, ET AL.**

**CASE NO. 3:22-CV-01213**

**VERSUS**

**JUDGE TERRY A. DOUGHTY**

**JOSEPH R BIDEN JR., ET AL.**

**MAG. JUDGE KAYLA D. MCCLUSKY**

**JUDGMENT**

For the reasons set forth in the Memorandum Ruling on the Request for Preliminary Injunction,

**IT IS ORDERED, ADJUDGED, AND DECREED** that Plaintiffs’ Motion for Preliminary Injunction [Doc. No. 10] is **GRANTED in part and DENIED in part**.

**IT IS FURTHER ORDERED** that: the **DEPARTMENT OF HEALTH AND HUMAN SERVICES** (“HHS”) and **THE NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES** (“NIAID”), and specifically the following employees of the HHS and NIAID: **XAVIER BECERRA**,<sup>1</sup> Secretary of HHS; **DR. HUGH AUCHINCLOSS**, Director of NIAID; **YOLANDA BYRD**, HHS Digital Engagement Team; **CHRISTY CHOI**, HHS Office of Communications; **ASHLEY MORSE**, HHS Director of Digital Engagement; **JOSHUA PECK**, HHS Deputy Assistant Secretary, Deputy Digital Director of HHS successor (formerly **JANELL MUHAMMED**); along with their secretaries, directors, administrators and employees; **SURGEON GENERAL VIVEK H. MURTHY**, **KATHARINE DEALY**, Chief Engagement Officer for the Surgeon General, along with her secretaries, directors, administrators, and employees; the **CENTERS FOR DISEASE CONTROL AND PREVENTION** (“CDC”), and specifically the following employees: **CAROL Y. CRAWFORD**, Chief of the Digital Media

---

<sup>1</sup> All individuals named in this Judgment are being sued in their official capacities.

Branch of the CDC Division of Public Affairs; **JAY DEMPSEY**, Social-media Team Leader, Digital Media Branch, CDC Division of Public Affairs; **KATE GALATAS**, CDC Deputy Communications Director; **UNITED STATES CENSUS BUREAU** (“Census Bureau”), and specifically the following employees: **JENNIFER SHOPKORN**, Census Bureau Senior Advisor for Communications, Division Chief for the Communications Directorate, and Deputy Director of the Census Bureau Office of Faith Based and Neighborhood Partnerships, along with their secretaries, directors, administrators and employees; the **FEDERAL BUREAU OF INVESTIGATION** (“FBI”), and specifically the following employees: **LAURA DEHMLOW**, Section Chief, FBI Foreign Influence Task Force; **ELVIS M. CHAN**, Supervisory Special Agent of Squad CY-1 in the FBI San Francisco Division; **THE UNITED STATES DEPARTMENT OF JUSTICE**, along with their secretary, director, administrators, and employees; the following members of the Executive Office of the President of the United States: White House Press Secretary **KARINE JEAN-PIERRE**, Counsel to the President; **STUART F. DELERY**, White House Partnerships Manager; **AISHA SHAH**, Special Assistant to the President; **SARAH BERAN**, **MINA HSIANG**, Administrator of the United States Digital Service within the Office of Management and Budget; **ALI ZAIDI**, White House National Climate Advisor; White House Senior COVID-19 Advisor successor (formerly **ANDREW SLAVITT**); Deputy Assistant to the President and Director of Digital Strategy successor (formerly **ROB FLAHERTY**); **DORI SALCIDO**, White House COVID-19 Director of Strategic Communications and Engagement; White House Digital Director for the COVID-19 Response Team successor (formerly **CLARKE HUMPHREY**); Deputy Director of Strategic Communications and Engagement of the White House COVID-19 Response Team successor (formerly **BENJAMIN WAKANA**); Deputy Director for Strategic Communications and External Engagement for the White House COVID-



19 Response Team successor (formerly **SUBHAN CHEEMA**); White House COVID-19 Supply Coordinator successor (formerly **TIMOTHY W. MANNING**); Chief Medical Advisor to the President, **DR. HUGH AUCHINCLOSS**, along with their directors, administrators and employees; the **CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY** (“**CISA**”), and specifically the following employees: **JEN EASTERLY**, Director of CISA; **KIM WYMAN**, Senior Cybersecurity Advisor and Senior Election Security Leader; **LAUREN PROTENTIS**; **GEOFFREY HALE**; **ALLISON SNELL**; **BRIAN SCULLY**, Officials of CISA; the **UNITED STATES DEPARTMENT OF HOMELAND SECURITY** (“**DHS**”), and specifically the following employees: **ALEJANDRO MAYORKAS**, Secretary of DHS; **ROBERT SILVERS**, Under-Secretary of the Office of Strategy, Policy and Plans; **SAMANTHA VINOGRAD**, Senior Counselor for National Security in the Official of the Secretary for DHS, along with their secretary, directors, administrators, and employees; the **UNITED STATES DEPARTMENT OF STATE** (“**State Department**”), and specifically the following employees: **LEAH BRAY**, Acting Coordinator of the State Department’s Global Engagement Center (“**GEC**”); **ALEX FRISBIE**, State Department Senior Technical Advisor and member of the Technology Engagement Team at the GEC; **DANIEL KIMMAGE**, Acting Coordinator of the GEC, along with their secretary, directors, administrators, and employees **ARE HEREBY ENJOINED AND RESTRAINED** from taking the following actions as to social-media companies:<sup>2</sup>

---

<sup>2</sup> “Social-media companies” include Facebook/Meta, Twitter, YouTube/Google, WhatsApp, Instagram, WeChat, TikTok, Sina Weibo, QQ, Telegram, Snapchat, Kuaishou, Qzone, Pinterest, Reddit, LinkedIn, Quora, Discord, Twitch, Tumblr, Mastodon, and like companies.

(1) meeting with social-media companies for the purpose of urging, encouraging, pressuring, or inducing in any manner the removal, deletion, suppression, or reduction of content containing protected free speech posted on social-media platforms;<sup>3</sup>

(2) specifically flagging content or posts on social-media platforms and/or forwarding such to social-media companies urging, encouraging, pressuring, or inducing in any manner for removal, deletion, suppression, or reduction of content containing protected free speech;

(3) urging, encouraging, pressuring, or inducing in any manner social-media companies to change their guidelines for removing, deleting, suppressing, or reducing content containing protected free speech;

(4) emailing, calling, sending letters, texting, or engaging in any communication of any kind with social-media companies urging, encouraging, pressuring, or inducing in any manner for removal, deletion, suppression, or reduction of content containing protected free speech;

(5) collaborating, coordinating, partnering, switchboarding, and/or jointly working with the Election Integrity Partnership, the Virality Project, the Stanford Internet Observatory, or any like project or group for the purpose of urging, encouraging, pressuring, or inducing in any manner removal, deletion, suppression, or reduction of content posted with social-media companies containing protected free speech;

(6) threatening, pressuring, or coercing social-media companies in any manner to remove, delete, suppress, or reduce posted content of postings containing protected free speech;

---

<sup>3</sup> “Protected free speech” means speech that is protected by the Free Speech Clause of the First Amendment to the United States Constitution in accordance with jurisprudence of the United States Supreme Court, Courts of Appeal and District Courts.

(7) taking any action such as urging, encouraging, pressuring, or inducing in any manner social-media companies to remove, delete, suppress, or reduce posted content protected by the Free Speech Clause of the First Amendment to the United States Constitution;

(8) following up with social-media companies to determine whether the social-media companies removed, deleted, suppressed, or reduced previous social-media postings containing protected free speech;

(9) requesting content reports from social-media companies detailing actions taken to remove, delete, suppress, or reduce content containing protected free speech; and

(10) notifying social-media companies to Be on The Lookout (“BOLO”) for postings containing protected free speech.

This Preliminary Injunction precludes said named Defendants, their agents, officers, employees, contractors, and all acting in concert with them from the aforementioned conduct. This Preliminary Injunction also precludes said named Defendants, their agents, officers, employees, and contractors from acting in concert with others who are engaged in said conduct.

**IT IS FURTHER ORDERED** that the following actions are **NOT** prohibited by this Preliminary Injunction:

(1) informing social-media companies of postings involving criminal activity or criminal conspiracies;

(2) contacting and/or notifying social-media companies of national security threats, extortion, or other threats posted on its platform;

(3) contacting and/or notifying social-media companies about criminal efforts to suppress voting, to provide illegal campaign contributions, of cyber-attacks against election infrastructure, or foreign attempts to influence elections;

(4) informing social-media companies of threats that threaten the public safety or security of the United States;

(5) exercising permissible public government speech promoting government policies or views on matters of public concern;

(6) informing social-media companies of postings intending to mislead voters about voting requirements and procedures;

(7) informing or communicating with social-media companies in an effort to detect, prevent, or mitigate malicious cyber activity;

(8) communicating with social-media companies about deleting, removing, suppressing, or reducing posts on social-media platforms that are not protected free speech by the Free Speech Clause in the First Amendment to the United States Constitution.

**IT IS FURTHER ORDERED** that no security is required to be posted by Plaintiffs under Federal Rule of Civil Procedure 65.

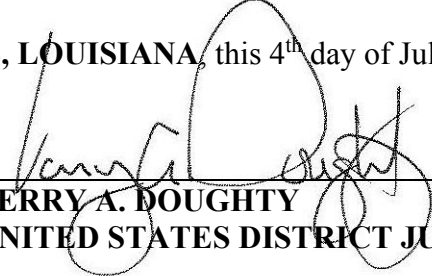
**IT IS FURTHER ORDERED** that this Preliminary Injunction Order shall remain in effect pending the final resolution of this case or until further orders issue from this Court, the United States Court of Appeals for the Fifth Circuit, or the Supreme Court of the United States.

**IT IS FURTHER ORDERED** that the Motion for Preliminary Injunction [Doc. No. 10] is **DENIED** as to the following Defendants: U.S. Food and Drug Administration; U. S. Department of Treasury; U.S. Election Assistance Commission; U. S. Department of Commerce and employees Erica Jefferson, Michael Murray, Wally Adeyemo, Steven Frid, Brad Kimberly, and Kristen Muthig; and Disinformation Governance Board (“DGB”) and its Director Nina Jankowicz.

**IT IS FURTHER ORDERED** that no evidentiary hearing is required at this time.

**IT IS FURTHER ORDERED** that Plaintiffs’ request for certification of this proceeding as a class action pursuant to Fed. R. Civ. P. Article 23 (b)(2) is **DENIED**.

**THUS, DONE AND SIGNED IN MONROE, LOUISIANA**, this 4<sup>th</sup> day of July 2023.



---

**TERRY A. DOUGHTY**  
**UNITED STATES DISTRICT JUDGE**