

1 ROB BONTA
Attorney General of California
2 ANYA M. BINSACCA, State Bar No. 189613
Supervising Deputy Attorney General
3 KRISTIN A. LISKA, State Bar No. 315994
Deputy Attorney General
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
5 Telephone: (415) 510-3916
Fax: (415) 703-5480
6 E-mail: Kristin.Liska@doj.ca.gov
Attorneys for Defendants
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10 SACRAMENTO DIVISION
11

12 CHRISTOPHER KOHLS, et al.,
13
14 Plaintiffs,
15
16 v.
17 ROB BONTA, in His Official Capacity as
Attorney General of the State of California,
18 and SHIRLEY N. WEBER, in Her Official
Capacity as California Secretary of State,
19 Defendants.
20
21
22
23
24
25
26
27
28

Case No. 2:24-cv-02527-JAM-CKD

**STIPULATION AND ORDER
REGARDING AB 2655 ENFORCEMENT**

Dept: 6
Judge: The Honorable John A.
Mendez
Trial Date: Not scheduled
Action Filed: 9/17/2024

1 Plaintiffs Christopher Kohls, The Babylon Bee, LLC, and Kelly Chiang Rickert, and
2 Defendants Attorney General Rob Bonta and Secretary of State Shirley N. Weber, by and through
3 their respective counsel, agree and stipulate as follows:

4 1. On August 5, 2025, the Court held a hearing on Plaintiffs' Motion for Summary
5 Judgment Against Assembly Bill ("AB") 2655 (ECF No. 46) and Defendants' Cross-Motion for
6 Summary Judgment on AB 2655 (ECF. No. 49).

7 2. At the hearing, the Court ruled from the bench and (1) granted Plaintiffs' Motion for
8 Summary Judgment because AB 2655 violates and is preempted by Section 230 of the
9 Communications Decency Act of 1996 (47 U.S.C. § 230) and (2) denied Defendants' Cross-
10 Motion for Summary Judgment for the reasons stated on the record during oral argument on
11 August 5, 2025.

12 3. After the Court issued its ruling at the August 5, 2025 hearing, the Parties met and
13 conferred at the Court's direction about Plaintiffs' constitutional claims against AB 2655.

14 4. As a result of that process, Defendants have agreed to not to enforce AB 2655 against
15 any "provider" of "an interactive computer service," as those terms are defined in 47 U.S.C.
16 § 230(c) and § 230(f)(2).

17 5. In light of this agreement, the Court need not address the Parties' Cross-Motions for
18 Summary Judgment as to the constitutionality of AB 2655 under (1) the First Amendment to the
19 United States Constitution, (2) Article I, Section 2, of the California Constitution, or (3) the First
20 and Fourteenth Amendments to the United States Constitution on vagueness grounds at this time.

21 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
22 undersigned counsel, that:

23 1. Defendants shall not enforce AB 2655, in its entirety, against any "provider" of "an
24 interactive computer service," as those terms are defined in 47 U.S.C. § 230(c) and § 230(f)(2).
25 Such providers include Facebook, Instagram, and YouTube.

26 2. This agreement shall take effect immediately.

27 3. If Defendants appeal from the final judgment entered in this matter and an appellate
28 court vacates the judgment granted as to AB 2655, this agreement shall terminate.

4. A proposed order is attached to this joint stipulation.

Dated: August 27, 2025

Respectfully submitted,

s/ Johannes Widmalm-Delphonse

Johannes Widmalm-Delphonse

VA Bar No. 96040

Alliance Defending Freedom

44180 Riverside Parkway

Lansdowne, VA 20176

(571) 707-4655

jwidmalmdelphonse@adflegal.org

Jonathan A. Scruggs

AZ Bar No. 030505

Alliance Defending Freedom

15100 N. 90th Street

Scottsdale, AZ 85260

(480) 444-0020

jscruggs@ADFLegal.org

Brian R. Chavez-Ochoa

CA Bar No. 190289

Chavez-Ochoa Law Offices, Inc.

4 Jean Street, Suite 4

Valley Springs, CA 95252

(209) 772-3013

brianr@chavezocholaw.com

*Counsel for Plaintiffs The Babylon
Bee, LLC and Kelly Chang Rickert*

ROB BONTA

Attorney General of California

ANYA M. BINSACCA

Supervising Deputy Attorney General

/s/ Kristin Liska

KRISTIN A. LISK

Deputy Attorney General

Attorneys for Defendants

s/ Adam E. Schulman

Adam E. Schulman

DC Bar No. 1001606

Theodore H. Frank

CA Bar No. 196332

Hamilton Lincoln Law Institute

1629 K Street NW, Suite 300

Washington, DC 20006

(610) 457-0856

adam.schulman@hlli.org

ted.frank@hlli.org

Counsel for Plaintiff Christopher Kohls

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER KOHLS, et al.,

Plaintiffs,

v.

**ROB BONTA, in His Official Capacity as
Attorney General of the State of California,
and SHIRLEY N. WEBER, in Her Official
Capacity as California Secretary of State,**

Defendants.

Case No. 2:24-cv-02527-JAM-CKD

**ORDER ON STIPULATION
REGARDING AB 2655 ENFORCEMENT**

Before the Court is the Parties' Joint Stipulation Regarding AB 2655 Enforcement. Having considered the Parties' Joint Stipulation, the Court hereby ORDERS:

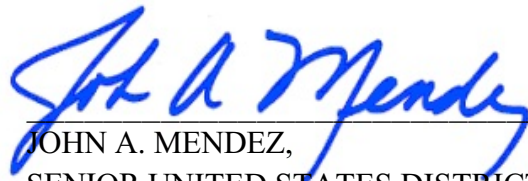
1. Defendants Attorney General Rob Bonta and Secretary of State Shirley N. Weber, in their official capacities, shall not enforce AB 2655, in its entirety, against any "provider" of "an interactive computer service," as those terms are defined in 47 U.S.C. § 230(c) and § 230(f)(2). Such providers include Facebook, Instagram, and YouTube.

2. In light of this the Court need not address the Parties' Cross-Motions for Summary Judgment as to the constitutionality of AB 2655 under (1) the First Amendment to the United

1 States Constitution, (2) Article I, Section 2, of the California Constitution, or (3) the First and
2 Fourteenth Amendments to the United States Constitution on vagueness grounds at this time.

3 3. This Order shall take immediate effect. If Defendants appeal from the final judgment
4 entered in this matter and an appellate court vacates the judgment granted as to AB 2655, this
5 Order shall terminate.

6
7 August 28, 2025



8 JOHN A. MENDEZ,

9 SENIOR UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28