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8 Attorneys for Objectors/Respondents  
Kinch Hoekstra and Edward Keonjian, Trustees of the  
9 L.L. Nunn Trust

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF INYO

13 In re the Matter of the  
14 L.L. Nunn Trust for the benefit of Deep  
15 Springs College under the Deed of Trust dated  
November 5, 1923

Case No. SI CV PM 1253232

**RESPONDENTS' NOTICE OF  
MOTION AND MOTION FOR  
PRELIMINARY INJUNCTION**

**DATE: October 30, 2012**

**TIME: 9:00 AM**

**DEPT: 4**

**JUDGE: Hon. Dean T. Stout**

**ACTION FILED: February 6, 2012**

1 TO PETITIONERS AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on October 30, 2012, at 9:00 a.m. or soon thereafter as the  
3 matter may be heard, before the Honorable Dean T. Stout, Department 4, Inyo County Superior  
4 Court, 301 West Line Street, Bishop, California, objectors/respondents Kinch Hoekstra and  
5 Edward Keonjian (“Respondents”), who are Trustees of the L.L. Nunn Trust, will and hereby do  
6 move for an order granting Respondents Motion for Preliminary Injunction pursuant to California  
7 Code of Civil Procedure Section 526 et seq. This motion in made on the grounds that  
8 Respondents are likely to prevail on the merits of the Petition and that the balance of harms favors  
9 granting the injunction. The motion is based on this Notice of Motion and Motion, the  
10 Memorandum of Points and Authorities filed herewith, the Declarations of Kinch Hoekstra,  
11 Edward Keonjian, Jeffrey Johnson, the papers on file on this action, any matter of which the  
12 Court may or must take judicial notice, oral argument at the hearing, and any other matter which  
13 the Court deems appropriate.

14 Respondents request:

15 1. That Petitioner, the Trustees of the Trust, the Deep Springs Corporation, the  
16 Directors of the Deep Springs Corporation, and all agents, servants, employees, aiders, abettors,  
17 corporate affiliates, related entities, and persons acting under, for, or in concert with any of the  
18 aforementioned persons or entities (collectively the “Enjoined Persons”), be enjoined,  
19 preliminarily to preserve the status quo until a final decision on the merits of the Petition, and  
20 permanently upon a decision on the merits, from engaging in the following actions:


- 21 (a) Admitting women as students at Deep Springs College;
- 22 (b) Soliciting or accepting applications from women to be students at Deep  
23 Springs College;
- 24 (c) Soliciting or accepting donations or other material support based in whole  
25 or in part on the representation or implication that Deep Springs College (i)  
will admit women as students and/or (ii) is not fundamentally governed by  
the Purpose of its Deed of Trust;
- 26 (d) Soliciting or accepting funds or other material support for present or future  
27 female students, for the recruitment of female students, or for planning for  
or transition to coeducation;
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- (e) Using any assets or resources (including but not limited to funds, facilities, and employee time) of Deep Springs College, the Trustees of Deep Springs, the Deep Springs College Corporation, the LL Nunn LLC, and any other entities associated with Deep Springs College, for the recruitment, education, or support of female students or for preparing for a transition to coeducation;
- (f) To the extent necessary (if at all), selling, transferring, or otherwise disposing of assets of Deep Springs College (whether held by the Trust, the Deep Springs Corporation, or otherwise) so as to facilitate coeducation or a transition to coeducation.
- (g) Communicating that Deep Springs College will be, or is likely to be, admitting women as students;
- (h) Using support for or opposition to a transition toward or a policy of coeducation at Deep Springs as a criterion for hiring faculty, staff, employees or selecting members of the Board of Trustees or the Directors of the Deep Springs College Corporation; and
- (i) Such other actions that the Court may deem proper that are consistent with:
  - preserving the status quo
  - preventing Enjoined Persons from taking actions in relation to coeducation before a decision on the merits from this Court
  - preventing Enjoined Persons from taking actions in relation to coeducation that may prompt lawsuits against Deep Springs College by donors, women applicants, women students, and/or other individuals or organizations, and
  - preserving the outstanding reputation of Deep Springs College

Dated: October 2, 2012

JOSEPH C. LIBURT  
Orrick, Herrington & Sutcliffe LLP

By:   
JOSEPH C. LIBURT  
Attorneys for Objectors/Respondents  
Kinch Hoekstra and Edward Keonjian, Trustees  
of the L.L. Nunn Trust