

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

X.AI LLC,

Civil No. 26-3425 (DWF/DTS)

Plaintiff,

v.

ORDER

Keith Ellison, *in his official capacity, as
Attorney General of Minnesota,*

Defendant.

This matter is before the Court on Plaintiff X.AI LLC's ("xAI") emergency motion for temporary restraining order and preliminary injunction asking the Court to bar enforcement of Minnesota's Nudification Ban, H.F. 1606, 94th Leg., Reg. Sess. (Minn. 2026), against xAI. (Doc. No. 11.) xAI seeks an order before the law takes effect on August 1, 2026. (Doc. No. 13 at 35.) Defendant opposes the request for a temporary restraining order and asks the Court to hear the motion for preliminary injunction on the regular schedule. (Doc. No. 20.)

The Court respectfully denies the request for a temporary restraining order before tomorrow. xAI filed the motion on July 29, 2026, nearly three months after the law was signed, and only three days before the law is set to take effect. Such a delay in bringing the action and the motion suggests that harm is not immediate. *Cf. Kohls v. Ellison*, No. 24-cv-3754, 2025 WL 66765, at *8 (D. Minn. Jan. 10, 2025) (finding that an action challenging a statute could have been brought on the day it was enacted and therefore that delay in seeking relief cut against a preliminary injunction).

The Court will instead hear the emergency motion as a motion for preliminary injunction. The Court directed the parties to meet and confer on a potential agreement to maintain the status quo so that the Court could hear the motion on a regular schedule. The parties were unable to agree. Therefore, an expedited schedule is warranted.

IT IS HEREBY ORDERED that:

1. Defendant shall file a response to the emergency motion for preliminary injunction (Doc. No. [11]) no later than August 12, 2026.
2. Plaintiff shall file a reply no later than August 17, 2026.
3. The Court will hold a hearing on the emergency motion for preliminary injunction on August 19, 2026 at 9:30 a.m. in the Edward J. Devitt Courtroom, 1st Floor, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota.

Dated: July 31, 2026

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge