

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING and
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK
CAR AUTO RACING, LLC and JAMES
FRANCE,

Defendants.

**STIPULATED PRELIMINARY
INJUNCTION ORDER**

Civil Action No. 3:24-cv-00886-KDB-SCR

THIS MATTER is before the Court pursuant to the Consent Motion for a stipulated preliminary injunction by Plaintiff 2311 Racing LLC d/b/a 23XI Racing (“23XI”) and Defendants National Association for Stock Car Auto Racing, LLC (“NASCAR”) and James France. (Dkt. 93). 23XI and Defendants have agreed to stipulate to this injunction, which concerns NASCAR’s approval of a transfer of a Charter Agreement currently owned by Stewart-Haas Racing, LLC to 23XI. For the reasons stated in the Consent Motion, it is GRANTED.

IT IS THEREFORE STIPULATED AND ORDERED:

1. NASCAR is preliminarily enjoined from refusing to approve 23XI’s purchase of a Stewart-Haas Racing, LLC charter, which 23XI will be entitled to use to race in all 2025 NASCAR Cup races on the same terms as other charter teams, again with the exception of the application of the release language to 23XI’s claims in this action.
2. Entry of this Order does not deprive the Fourth Circuit of jurisdiction over, or otherwise impair the Fourth Circuit’s ability to hear for any reason, Defendants’

appeal of the grant of the preliminary injunction regarding to the transfer of a charter signed by Stewart-Haas Racing LLC to 23XI.

3. Entry of this Order is without prejudice to and has no impact on Defendants' right to assert counterclaims.

Signed: December 24, 2024



Kenneth D. Bell
United States District Judge



SO STIPULATED:

By: /s/ Tricia Wilson Magee
Tricia Wilson Magee (N.C. Bar No.
31875)
**SHUMAKER, LOOP, &
KENDRICK, LLP**
101 S Tryon Street, Suite 2200
Charlotte, NC 28280
Tel: 704-945-2911
Fax: 704-332-1197
tmagee@shumaker.com

Christopher S. Yates*
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Telephone: (415) 395-8240
Facsimile: (415) 395-8095
chris.yates@lw.com

Lawrence E. Buterman*
LATHAM & WAKINS LLP
1271 Avenue of the Americas
New York, NY 10020
Telephone: (212) 906-1200
Facsimile: (212) 751-4864
lawrence.buterman@lw.com

Anna M. Rathbun*
Christopher J. Brown*
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-2201
anna.rathbun@lw.com
chris.brown@lw.com

* Admitted *pro hac vice*

*Counsel for Defendants National
Association for Stock Car Auto Racing,
LLC and James France*

By: /s/ Jeffrey L. Kessler
Jeffrey L. Kessler*
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166
Tel: (212) 294-6700
Fax: (212) 294-4700
jkessler@winston.com

Danielle T. Williams
WINSTON & STRAWN LLP
300 South Tryon Street
16th Floor
Charlotte, NC 28202
Tel: (704) 350-7700
Fax: (704) 350-7800
dwilliams@winston.com

Jeanifer Parsigian*
Michael Toomey*
WINSTON & STRAWN LLP
101 California Street
San Francisco, CA 94111
Tel: (415) 591-1000
Fax: (415) 591-1400
jparsigian@winston.com
mtoomey@winston.com

Matthew R. DalSanto*
WINSTON & STRAWN LLP
35 W. Wacker Drive
Chicago, IL 60601
Tel: (312) 558-5600
Fax: (312) 558-5700
mdalsanto@winston.com

* Admitted *pro hac vice*

*Counsel for Plaintiffs 2311 Racing
LLC d/b/a 23XI Racing*