

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:24-CV-00886-FDW-SCR**

**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.)

NOTICE AND ORDER

THIS MATTER is before the Court on Plaintiffs’ Motion for Preliminary Injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure, (Doc. No. 20).

Plaintiffs bring this lawsuit alleging Defendants violated Sections 1 and 2 of the Sherman Act, 15 U.S.C. §§ 1–2. (Doc. No. 1.) Plaintiffs seek preliminary injunctive relief, permanent injunctive relief, and damages based on Defendants’ alleged Sherman Act violations. (Id.) Presently, Plaintiffs seek a preliminary injunction “(i) requiring Defendants to offer two NASCAR Cup Series Charter Member Agreements to 23XI Racing with the same terms as the NASCAR Cup Series Charter Member Agreements that NASCAR offered to Plaintiffs on September 6, 2024; (ii) requiring Defendants to offer two NASCAR Cup Series Charter Member Agreements to Front Row Motorsports with the same terms as the NASCAR Cup Series Charter Member Agreements that NASCAR offered to Plaintiffs on September 6, 2024; and (iii) enjoining Defendants from enforcing Section 10.3 of any NASCAR Cup Series Charter Member Agreement that is granted, or transferred (pursuant to the pending transactions with Stewart-Haas Racing, LLC), to either

Plaintiff as a defense to any antitrust claim that either Plaintiff is pursuing in this action.” (Doc. No. 20, pp. 1–2.)

TAKE NOTICE that a hearing on Plaintiffs’ Motion for a Preliminary Injunction shall take place on Wednesday, October 16, 2024, at 9:00 a.m. in Courtroom #5B of the Charles R. Jonas Federal Building, 401 W. Trade Street, Charlotte, North Carolina. At the hearing, each side shall have thirty (30) minutes for a brief presentation of critical evidence and argument. The Court **ORDERS** Defendants to file a response to Plaintiffs’ Motion for Preliminary Injunction, (Doc. No. 20), no later than Monday, October 14, 2024.

IT IS SO ORDERED.

Signed: October 9, 2024



Frank D. Whitney
United States District Judge