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# **Federal Judge Grants Preliminary Injunction to Prevent Enforcement of California's Controversial New Independent Contractor Statute to Independent Truckers**

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As we have written [here](#), the day before California's controversial AB 5 was set to go into effect, U.S. District Court Judge Roger Benitez issued a temporary restraining order to block enforcement of the law as to approximately 70,000 independent truckers.

Subsequently, [Judge Benitez granted a preliminary injunction](#) to prevent enforcement of the statute to those truckers.

In reaching his decision, Judge Benitez concluded that, as to independent truckers, the Federal Aviation Administration Authorization Act preempts AB 5.

The preliminary injunction is a significant victory for the California Trucking Association – and another blow to the hastily passed statute that is being attacked left and right.

The matter is far from resolved. California's attorney general and the Teamsters, who intervened in the lawsuit, have already announced that they intend to appeal the ruling to the Ninth Circuit. Whatever the Ninth Circuit decides, that could just be the next step before the matter ultimately reaches the United States Supreme Court.

We will continue to monitor developments in the case.

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