

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

INDY 10 BLACK LIVES MATTER,)	
BRE ROBINSON, ASIAH BASSETT,)	
SHANIECE LEWIS,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:20-cv-01660-JMS-DLP
)	
THE CITY OF INDIANAPOLIS,)	
)	
Defendant.)	

Motion for Preliminary Injunction

Plaintiffs, by counsel, say that:

1. They are likely to prevail on their claim that the actions of defendant, its officers, agents, and employees, as outlined more fully in their complaint (Dkt. 1), violated both the First and Fourth Amendments to the United States Constitution.
2. Defendant has done nothing to indicate that this conduct will not be repeated and as the individual plaintiffs, and the members of Indy 10 Black Lives Matter, continue to peacefully assemble and demonstrate they continue to be threatened with the unconstitutional actions summarized in their complaint.
3. Plaintiffs are being caused irreparable harm for which there is no adequate remedy at law.
4. The balance of harms favors the plaintiffs.

5. A preliminary injunction is in the public interest.
6. A preliminary injunction will not expose the defendant to the risk of any monetary harm. Accordingly, the preliminary injunction should issue without bond.
7. In support of this motion plaintiffs will timely submit both evidentiary material and their memorandum of law.

WHEREFORE, plaintiffs request that this Court:

- a. Establish a briefing schedule in this matter followed by a preliminary injunction hearing.
- b. Enter a preliminary injunction, without bond, enjoining defendant and its officers, agents, and employees from
 - i. taking any actions designed to interfere with or stop lawful protest activities.
 - ii. utilizing objectively unreasonable force against protest activities including, but not limited to, employing tear gas, pepper-ball projectiles, stun grenades, and rubber bullets.
- c. Award all other proper relief.

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Attorneys for Plaintiffs

Certificate of Service

I certify that a copy of the foregoing was served on the below named persons by first class U.S. postage, pre-paid, on this 18th day of June 2020.

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Order

Plaintiffs, having filed their Motion for Preliminary Injunction, and the Court having reviewed the motion, and being duly advised, finds that the matter should be set for a briefing schedule followed by a hearing.

IT IS THEREFORE ORDERED that the motion for preliminary injunction shall be briefed according to the following schedule:

-Plaintiffs' memorandum in support due no later than July 6, 2020

-Defendant's response in opposition due no later than 21 days after the filing of plaintiffs' memorandum in support

-Plaintiffs' reply memorandum due no later than 10 days after the filing of defendant's response

IT IS FURTHER ORDERED that this matter is set for hearing on the ____ day of _____, 2020 at __M.

Date

Judge, United States District Court

To: ECF registered counsel of record