

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**FLORIDA PREBORN RESCUE,
INC., ALLEN TUTHILL,
ANTONIETTE M. MIGLIORE,
SCOTT J. MAHURIN and JUDITH
GOLDSBERRY,**

Plaintiff,

v.

Case No: 8:23-cv-1173-MSS-AAS

**CITY OF CLEARWATER,
FLORIDA,**

Defendants.

_____ /

PRELIMINARY INJUNCTION ORDER

THIS MATTER is before the Court on the mandate of the Eleventh Circuit Court of Appeals. (Dkt. 50) For the reasons set forth in the opinion of the Court on appeal, the findings made on appeal, and the mandate issued thereon, the Court hereby enters an **ORDER** of Preliminary Injunction as follows:

1. The City of Clearwater is hereby preliminarily enjoined from enforcing the Clearwater City Code § 28.10, otherwise known as Ordinance 9665-23, pending entry of final judgment in this case.
2. The bond under Fed. R. Civ. P. 65(c) is fixed at zero dollars.
3. The Parties shall file an agreed upon Case Management Report **within 14 days** of the date of this Order if the matter will proceed further in litigation.

DONE and **ORDERED** in Tampa, Florida on this 8th day of January 2026.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Copies to:
Counsel of record