IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

S.W., by his parents and next friends, SETH WOLFE and AMANDA WOLFE; and J.S., by his parents and next friends, JEFFERY SMITH and RENAE SMITH; *Plaintiffs*, v. LOUDOUN COUNTY SCHOOL BOARD, *Defendant*.	**Oral Hearing Requested** Case No. 1:25-cv-1536

PLAINTIFFS' MOTION FOR *EX PARTE* TEMPORARY RESTRAINING ORDER
(IMMEDIATE RELIEF REQUESTED)

Plaintiffs S.W. and J.S., both minors, by and through their parents as next friends and through their undersigned counsel, file this Motion for *Ex Parte* Temporary Restraining Order.

As explained more fully in the accompanying memorandum of law in support of their motion, the Plaintiffs seek immediate relief from this Court and state:

1. Plaintiff S.W. is a student at Stone Bridge High School. Plaintiff J.S. currently attends school in a different jurisdiction, but the Defendant has continued to pursue a Title IX investigation and discipline against him.
2. The School Board issued its decision and punishment to the students on August 15, 2025. The School year started on August 21, 2025.
3. The Plaintiffs appealed the decision on August 19, 2025. During the pendency of the appeal, the punishment was stayed.
4. On September 10, the School Board informed counsel for the Plaintiffs that the administrative appeal had been denied. At that time the appeal of the suspension reverted back into an active status for consideration.
5. On September 11, counsel requested that any suspension be held in abeyance for a TRO hearing in this Court. Exhibit B. On September 12, the School Board denied that request. Exhibit C.

6. On September 15, at 1:00 PM the Chief of Schools informed counsel for the Plaintiffs that the appeal of suspension was denied and that the ten-day suspension would begin Tuesday, September 16. Exhibit A.

Plaintiffs are entitled to preliminary relief. The School Board's policies are in violation of federal statutory and constitutional law as well as state constitutional law. Moreover, the investigation and punishment are violations of the Plaintiff's Due Process rights under both state and federal law. Deprivations of constitutional rights are presumptively irreparable. Moreover, school classes, once missed, cannot be made up. Because Plaintiffs are likely to prevail on the merits of their claims, the equities and public interest necessarily favor an injunction. For all these reasons, which are detailed in the accompanying brief, the Court should grant this motion and enter a temporary restraining order against the School Board, preventing the imposition of discipline.

Dated: September 15, 2025

Respectfully Submitted,

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** Pro Hac Vice application forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2025, I served the foregoing document with the Clerk of Court using the Court's ECF system, thereby serving all counsel who have appeared in this case. Because Defendants have not yet entered an appearance, I am also serving the foregoing by email and by certified mail, return receipt requested, at the address below:

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