

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

FILED

Steven Michael Schwarzbach, II (Mikey), a minor
by and through his parents Steven M. Schwarzbach
and Jeanette Schwarzbach

Plaintiffs

vs.

North Shore District 112, Guy Schumacher
individually and in his official capacity as Assistant
Supervisor for Curriculum of North Shore School
District 112

AUG 30 2005

Judge Robert W. Gettelman
United States District Court

Case No. 05 C 4653

Judge Robert G. Gettelman

Emergency Motion for Injunctive Relief

Now comes the Plaintiff, Steven Michael Schwarzbach, II (Mikey), a minor, by his attorney, Steven M. Schwarzbach, and in support of this Emergency Motion for Injunctive Relief states as follows:

1. Plaintiff restates the allegations contained in Plaintiff's previously filed (August 9th, 2005) Complaint for Temporary and Permanent Relief Count I paragraphs 1 - 26 and paragraphs 2 - 6 of Count IV as paragraph 1 of this motion.
2. In summary Plaintiff alleges that "Mikey" is unable to attend mainstream public school starting August 29th, 2005 due to the wrongful acts of Defendant.
3. That by reason of Defendants' wrongful conduct Mikey has been and continues to be caused substantial and irreparable injury by losing his opportunity to be

educated in a public school and also to begin public school on the first date of class with his peers.

4. That there are no other public schools which will accept Mikey in attendance since the current IEP and formal hearing Order forbids Mikey's attendance at a public school.
5. That there are no other adequate remedies for Mikey other than injunctive relief.

Wherefore, for the above stated reasons your Plaintiff requests that this Honorable Court hear this Emergency Motion for Injunctive Relief and enter an Order directing and mandating the Defendants and their employees immediately to amend the IEP to allow immediate full enrollment for Mikey Schwarzbach to attend the SAS program located at Braeside School in Highland Park, Illinois.

By: 

Steven M. Schwarzbach
Attorney for and as
Guardian of Steven
Michael Schwarzbach, II

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