

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

M.A.L, a minor child, by and through his
parents, M.L. and S.A.,

Plaintiff,

vs

Case No: 07-10391
Honorable Victoria A. Roberts

STEPHEN KINSLAND, ET AL,

Defendants.

_____ /

PRELIMINARY INJUNCTION

This Court issued an Opinion and Order this day on Plaintiff's Application for Temporary Restraining Order and Motion for Preliminary Injunction. A hearing on Plaintiff's Application was held on January 29, 2007. In accordance with the Opinion and Order, the Court finds that: (1) Plaintiff, M.A.L. ("Michael Amble-Lucas") will likely prevail on the merits of his claim; (2) Plaintiff will suffer irreparable harm in the absence of an injunction; (3) others will not suffer substantial harm; and (4) the public interest will be served by the issuance of an injunction.

Accordingly, the Court **ORDERS** that all named Defendants, in their official and individual capacities, their officers, agents, servants, employees, attorneys, as well as those in active concert or participation with them who receive actual notice of this order, are **ENJOINED** from enforcing the Defendants' Policy concerning the Distribution of Non-School Sponsored Literature Or Publications ("Distribution Policy").

Further, Defendants are enjoined from placing restrictions on the Plaintiff's distribution of non-school sponsored literature (specifically, his anti-abortion literature) in the absence of a showing that Plaintiff's possession and distribution of such literature would materially and substantially interfere with the requirements of appropriate discipline in the operation of Jefferson Middle School, or intrude upon the rights of other students.

Plaintiff is free to possess and distribute his anti-abortion literature during non-instructional times at Jefferson Middle School, and can do so in the halls, during his lunch period and on the school campus before and after school.

Further, the parties stipulate that:

1. Plaintiff is not to place tape over his mouth.
2. Plaintiff may place tape on his wrists.
3. Plaintiff may wear a black hooded sweatshirt which says on the front, "Pray to End Abortion."
4. Jefferson School District retains the right to control the conduct outlined in 1 through 3 above if there are material and substantial disruptions or the reasonable forecast of such disruptions.
5. Defendants do not take the position that the anti-abortion literature that is the subject of this lawsuit and that Plaintiff seeks to distribute would cause a substantial disruption or a material interference with the normal operation of Jefferson Middle School or its activities.

This Preliminary Injunction--including the stipulations of the parties--remains in full force and effect for the pendency of these proceedings, unless the Court modifies it.

No bond need be posted.

This Preliminary Injunction is effective immediately.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: January 30, 2007

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or fax on January 30, 2007.

s/Linda Vertriest
Deputy Clerk