

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

AMERICAN FREEDOM DEFENSE  
INITIATIVE, PAMELA GELLER, and  
ROBERT SPENCER,

Plaintiffs,

v.

Case No. 10-cv-12134  
Honorable Denise Page Hood

SUBURBAN MOBILITY AUTHORITY  
FOR REGIONAL TRANSPORTATION  
("SMART"); GARY L. HENDERICKSON,  
Individually and in his official capacity as  
Chief Executive of SMART, JOHN HERTEL,  
Individually and in his official capacity as  
General Manager of SMART, and BETH  
GIBBONS, individually and in her official  
capacity as Marketing Program Manager of  
SMART,

Defendants.

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**ORDER DEEMING MOOT DEFENDANTS' MOTION FOR STAY AND EMERGENCY  
MOTION FOR RULING ON PENDING MOTION TO STAY**

Now before the Court is Defendants' Emergency Motion for Stay of Order Granting Plaintiff's Preliminary Injunction Pending Appeal and Emergency Motion Requesting Ruling on Pending Motion to Stay. In their Motion for Stay, Defendants requested that the Court stay its enforcement of the preliminary injunction pending appeal to the Sixth Circuit Court of Appeals. The Sixth Circuit issued an Opinion reversing the grant of the preliminary injunction on October 25, 2012.

Accordingly,

**IT IS ORDERED** that Defendant's Motion for Stay [**Docket No. 27, filed April 21, 2011**] and Emergency Motion Requesting Ruling on Pending Motion for Stay [**Docket No. 35, filed July 19, 2011**] are deemed **MOOT**.

**IT IS SO ORDERED.**

S/Denise Page Hood  
Denise Page Hood  
United States District Judge

Dated: November 19, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 19, 2012, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry  
Case Manager