

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

**AMERICAN FREEDOM DEFENSE
INITIATIVE, et al.,**

Plaintiffs,

v.

Case No. 10-CV-12134
Hon. Denise Page Hood

**SUBURBAN MOBILITY AUTHORITY
FOR REGIONAL TRANSPORTATION
(SMART), et al.,**

Defendants.

**ORDER GRANTING PLAINTIFFS' MOTION TO FILE SUPPLEMENTAL
BRIEF IN FURTHER SUPPORT OF PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

Plaintiffs filed this Motion to File Supplemental Brief in Further Support of Plaintiffs' Motion for Summary Judgment (Docket No. 68). Plaintiffs' Supplemental Motion is limited to addressing what it claims to be an incorrect assertion of facts by Defendants' counsel at the hearing on the cross motions for summary judgment. At the hearing, Defendants' counsel asserted that Defendant Beth Gibbons, a witness at the preliminary injunction hearing, was not a decision maker at SMART, either at the time of the hearing or any time prior to the hearing relative to the submission of the advertisement at issue in this case. Plaintiffs' claim that assertion is untrue and seek

to supplement their motion with evidence of Defendant Beth Gibbons' decision making authority, including a transcript of the preliminary injunction hearing. Defendants responded to the Plaintiffs' motion to supplement.

Having reviewed the submissions of the parties, the Court GRANTS Plaintiffs' Motion to File Supplemental Brief in Further Support of Plaintiffs' Motion for Summary Judgment. (Docket No. 68, filed December 5, 2013).

SO ORDERED.

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

Dated: April 14, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 14, 2015, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager