

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

J.S., a minor, by and through her parents,)
TERRY SNYDER and STEVEN)
SNYDER, individually and on behalf of)
their daughter,)

No: 3:07-cv-585

Plaintiffs,)

ELECTRONICALLY FILED

v.)

BLUE MOUNTAIN SCHOOL)
DISTRICT; DR. JOYCE E.)
ROMBERGER, Superintendent Blue)
Mountain School District; and JAMES)
S. MCGONIGLE, Principal Blue)
Mountain Middle School, both in their)
official and individual capacities,)

Defendants.)
_____)

TEMPORARY RESTRAINING ORDER

AND NOW, this _____ day of March, 2007, after due consideration of plaintiffs’
Verified Complaint, Motion for Preliminary Injunction and Memorandum of
Support thereof, the plaintiff and defendants having appeared before the Court by
their attorneys and presented argument and evidence; and it further appearing that
plaintiffs will suffer immediate and irreparable harm, and injury and damage from
defendants’ conduct unless defendants are enjoined and restrained as requested in

plaintiffs' motion, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Court makes the following findings:

a. There is a likelihood that Plaintiffs will succeed on the merits of their claims that defendants have committed unlawful and unconstitutional acts by retaliating against plaintiff J.S.'s constitutionally protected speech and by interfering with the Snyders' parental authority to direct their daughter's conduct when she is not in school and that this conduct will continue unless restrained;

b. Substantial and irreparable injury to plaintiffs will follow unless this order is entered;

c. As the relief granted below, greater injury will be inflicted upon plaintiffs by the denial of relief than will be inflicted upon defendants by the granting of relief;

d. Plaintiffs have no adequate remedy at law; and

e. The public interest will be served by the injunction.

2. A Temporary Restraining Order is issued, as provided under Fed. R. Civ. P. 65, and defendants, together with their representatives, agents, servants, and all others acting on their behalf or in concert with them, be hereby are ENJOINED and RESTRAINED FROM punishing or penalizing

J.S. in any way on account of her Internet parody of Principal McGonigle, and from interfering with her education. More specifically, defendants shall forthwith allow J.S. to resume her normal class attendance, pending further Order of this Court.

3. This being a non-commercial case involving a relatively small amount of money, and the balance of hardships favoring the Plaintiffs, the Fed. R. Civ. P. 65(c) security bond requirement is hereby waived. *Elliot v. Kiesewetter*, 98 F.3d 47, 59-60 (3d Cir. 1996); *Temple University v. White*, 941 F.2d 201, 219-20 (3d Cir. 1991).
4. Plaintiffs, by their attorneys, agents or others designated by it, may serve copies of this Preliminary Injunction upon defendants and upon any person acting in concert or participating with them in the activities referred to above.

BY THE COURT

J.