

and on behalf of her minor child, §
 AYIANA GALLASPY; §
 MISTY SHORT, §
 on behalf of her minor child §
 SAVANNAH SHORT; and §
 PATRICE SONNIER, §
 on behalf of her minor child §
 NAHISSAA BILAL §

Plaintiffs, §

v. §

KOUNTZE INDEPENDENT §
 SCHOOL DISTRICT and KEVIN §
 WELDON, in his individual and §
 official capacity as Superintendent, §

Defendants. §

ORDER ON PLAINTIFFS'
APPLICATION FOR TEMPORARY INJUNCTION

CAME ON FOR CONSIDERATION Coti Matthews, on behalf of her minor child, Macy Matthews, Elizabeth O. Hadnot, on behalf of her minor child, T'mia Hadnot, Kim Haynes, on behalf of her minor child, Adrianna Haynes, Rhonda Kemp, on behalf of her minor child, Morgan DeRouen, Charles & Christy Lawrence, on behalf of their minor child, Ashton Lawrence, Tonya Moffett, on behalf of her minor child, Kieara Moffett, Beth Richardson, on behalf of her minor child, Rebekah Richardson, Shyloa Seaman, on behalf of her minor child, Ayiana Gallaspy, Misty Short, on behalf of her minor child, Savannah Short, Patrice

Sonnier, on behalf of her minor child, Nahissaa Bilal (“Plaintiffs”), application for a temporary injunction, presented to the Court today. The Court examined the pleadings of Plaintiffs, the evidence presented, and the argument of counsel, and after due consideration finds that:

- 1) a cause of action against the defendants exists;
- 2) Plaintiffs have a probable right to the relief sought; and
- 3) Plaintiffs will suffer a probable, imminent, and irreparable injury in the interim.

Therefore, Plaintiffs are entitled to a temporary injunction.

It is therefore ORDERED that the clerk of this Court issue a temporary injunction enjoining Defendants, Kountze Independent School District (hereinafter “KISD”) and its Superintendent, Kevin Weldon, and any other person(s) with knowledge of this Order, to cease and desist from preventing the cheerleaders of Kountze Independent School District from displaying banners or run throughs at sporting events and/or censoring the sentiments expressed thereon. This order shall stand until further Order of this Court.

Plaintiffs have shown a probable injury because the harm is imminent; if the temporary injunction does not issue, the injury would be irreparable; and the applicant has no other adequate legal remedy.

If the temporary injunction is not issued, the Defendants' unlawful policy prohibiting private religious expression will remain in effect and the Plaintiffs will be prohibited from exercising their constitutional and statutory rights at all football games and other school sporting events. The Plaintiffs wish to engage in religious expression at sporting events in the future, including the remaining football games; therefore, the harm to their constitutional and statutory rights is imminent.

Plaintiffs claims of constitutional injury present a substantial threat that irreparable injury would result if the temporary injunction does not issue.

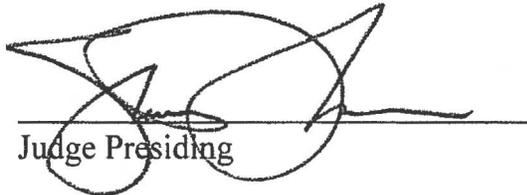
Finally, Plaintiffs have no other adequate remedy at law because no amount of money can compensate them for the loss of their constitutional and statutory rights. However, Plaintiffs are not required to prove that they have no adequate remedy at law when they have a statutory right to an injunction, as provided by sections 106.002(a) and 110.005(a)(2) of the Texas Civil Practice and Remedies Code.

This temporary injunction is effective immediately and shall continue in force and effect until further order of this Court. This order shall be binding on Defendants, and any other person(s) who receive actual notice of this order by personal service or otherwise. It is further,

ORDERED that this temporary injunction be effective immediately and the bond paid by Plaintiffs in the amount of \$250.00 for each Defendant, \$500.00 total payable to Defendants will extend to this temporary injunction. The Clerk of this Court is hereby ORDERED to issue citation and notice to Defendant KISD and its Superintendent, Kevin Weldon to cease and desist preventing the cheerleaders of Kountze Independent School District from displaying banners or run throughs containing expressions of a religious viewpoint at sporting events.

This cause is set for trial on June 24, 2013.

SIGNED on October 18, 2012 at 1:00 p.m.



Judge Presiding