

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

INDY 10 BLACK LIVES MATTER,	)	
BRE ROBINSON, ASIAH BASSETT,	)	
SHANIECE LEWIS,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:20-cv-01660-JMS-DLP
	)	
THE CITY OF INDIANAPOLIS,	)	
	)	
Defendant.	)	

**Motion for Preliminary Injunction**

Plaintiffs, by counsel, say that:

1. They are likely to prevail on their claim that the actions of defendant, its officers, agents, and employees, as outlined more fully in their complaint (Dkt. 1), violated both the First and Fourth Amendments to the United States Constitution.
2. Defendant has done nothing to indicate that this conduct will not be repeated and as the individual plaintiffs, and the members of Indy 10 Black Lives Matter, continue to peacefully assemble and demonstrate they continue to be threatened with the unconstitutional actions summarized in their complaint.
3. Plaintiffs are being caused irreparable harm for which there is no adequate remedy at law.
4. The balance of harms favors the plaintiffs.

5. A preliminary injunction is in the public interest.
6. A preliminary injunction will not expose the defendant to the risk of any monetary harm. Accordingly, the preliminary injunction should issue without bond.
7. In support of this motion plaintiffs will timely submit both evidentiary material and their memorandum of law.

WHEREFORE, plaintiffs request that this Court:

- a. Establish a briefing schedule in this matter followed by a preliminary injunction hearing.
- b. Enter a preliminary injunction, without bond, enjoining defendant and its officers, agents, and employees from
  - i. taking any actions designed to interfere with or stop lawful protest activities.
  - ii. utilizing objectively unreasonable force against protest activities including, but not limited to, employing tear gas, pepper-ball projectiles, stun grenades, and rubber bullets.
- c. Award all other proper relief.

Kenneth J. Falk  
Gavin M. Rose  
Stevie J. Pactor  
ACLU of Indiana  
1031 E. Washington St.

Indianapolis, IN 46202  
317/635-4059  
fax: 317/635-4105  
kfalk@aclu-in.org  
grose@aclu-in.org  
spactor@aclu-in.org

Attorneys for Plaintiffs

### **Certificate of Service**

I certify that a copy of the foregoing was served on the below named persons by first class U.S. postage, pre-paid, on this 18th day of June 2020.

City of Indianapolis  
c/o Office of the Mayor  
Suite 2501  
200 E. Washington St.  
Indianapolis, IN 46204

Kenneth J. Falk  
Attorney at Law

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THE CITY OF INDIANAPOLIS, )

Defendant. )

**Order**

Plaintiffs, having filed their Motion for Preliminary Injunction, and the Court having reviewed the motion, and being duly advised, finds that the matter should be set for a briefing schedule followed by a hearing.

IT IS THEREFORE ORDERED that the motion for preliminary injunction shall be briefed according to the following schedule:

-Plaintiffs' memorandum in support due no later than July 6, 2020

-Defendant's response in opposition due no later than 21 days after the filing of plaintiffs' memorandum in support

-Plaintiffs' reply memorandum due no later than 10 days after the filing of defendant's response

IT IS FURTHER ORDERED that this matter is set for hearing on the \_\_\_\_ day of \_\_\_\_\_, 2020 at \_\_M.

\_\_\_\_\_

Date

\_\_\_\_\_

Judge, United States District Court

To: ECF registered counsel of record