

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Court Courtesy Copy

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

Case No. 10-civ-5947-VM

Plaintiffs,

**ORDER TO SHOW CAUSE
FOR TEMPORARY
RESTRAINING ORDER /
PRELIMINARY
INJUNCTION**

- against -

METROPOLITAN TRANSPORTATION AUTHORITY
("MTA"); and JAY H. WALDER, in his official
capacity as Chairman and Chief Executive Officer
of MTA,

ECF Case

Defendants.

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Upon the Summons and Complaint, filed with this Court on August 6, 2010, and upon the declaration of Pamela Geller, hereto annexed, together with any papers of record filed concurrently herewith, it is

ORDERED, that the above named Defendants show cause before a motion term of this Court, at Room ____, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on August ____, 2010, at _____ o'clock in the noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Defendants during the pendency of this action from enforcing Defendants' restriction on Plaintiffs' right to engage in protected speech in a public forum created by Defendants based on the content and viewpoint of Plaintiffs' message (hereinafter "Free Speech Restriction"). Defendants' Free Speech Restriction prohibited Plaintiffs from displaying the advertisement attached to the declaration of Pamela Geller at Exhibit E on MTA buses that travel the public streets of New York City. And, and it is further

ORDERED that, sufficient reason having been shown therefore, pending the hearing of Plaintiffs' application for a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure, Defendants are temporarily restrained and enjoined from enforcing Defendants' Free Speech Restriction and are hereby ordered to permit the display of the advertisement attached to the declaration of Pamela Geller at Exhibit E on MTA buses per the CBS-FDI Agreement II referenced in the declaration and attached as Exhibit D. And, it is further

ORDERED that personal service of a copy of this order, annexed declaration of Pamela Geller, the Memorandum of Law filed concurrently herewith, and the Summons and Complaint upon Defendants or their respective counsel on or before _____ o'clock in the noon, August ____, 2010, shall be deemed good and sufficient service thereof.

DATED: August ____, 2010

New York, New York

ISSUED: _____M

United States District Judge