

Perry

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

The Life Center, Inc., an Illinois)
not-for-profit corporation,)
operating as TLC Pregnancy)
Services, and on behalf of those)
who seek and may seek its)
reproductive healthcare services and)
support and their unborn children,)
)
Plaintiffs,)
)
v.)
)
CITY OF ELGIN, ILLINOIS,)
)
Defendant.)

No. 13 C 1759

TEMPORARY RESTRAINING ORDER

This matter came before the Court on the motion of Plaintiff The Life Center, Inc., an Illinois not-for-profit corporation, operating as TLC Pregnancy Services, (hereafter “TLC”) and on behalf of those who seek and may seek or benefit from its reproductive healthcare services and support and their unborn children, for a temporary restraining order, preliminary injunction and declaratory relief as a matter of law against the City of Elgin, Illinois (the “City”). Having considered the evidence in the record and supporting documents, and heard the arguments of counsel for both parties,

THE COURT HEREBY FINDS THE FOLLOWING:

1. TLC has presented sufficient evidence to indicate a substantial likelihood of success on the merits that:
 - a. Facially, Elgin’s “temporary land use” regulations are unconstitutionally overbroad and vague; or
 - b. Facially and as applied, Elgin’s “temporary land use” regulations impermissibly burden and deny TLC’s free speech rights on private property; and
 - c. As applied Elgin’s “temporary land use” regulations impermissibly burden and deny TLC’s free exercise rights; and
 - d. As applied, Elgin’s “temporary land use” regulations impermissibly interfere with TLC’s ability to provide the women of Elgin with free pregnancy information, support, and ultrasound care, and the women’s rights to receive such information and support, and to make decisions concerning their own pregnancies.
2. TLC has presented sufficient evidence to indicate that, as a result of the City’s temporary land use restrictions and application of the same, TLC has and will continue to suffer irreparable injury if TLC is not allowed to continue providing the free reproductive healthcare information, services, and support to the young women of Elgin from the private lots therein; and that there is no adequate remedy at law.
3. TLC has presented sufficient evidence to indicate that the irreparable harm to TLC and the women who seek or may seek or benefit from the free

information without this order outweighs the harm that the City will suffer with this order in place; and

4. TLC has presented sufficient evidence to indicate that entry of this order will serve the public interest and that no bond should be required of it.

IT IS THEREFORE ORDERED that a temporary restraining order is granted under Rule 65 and TLC shall be allowed to continue providing the free reproductive healthcare information, services, and support to the young women of Elgin from the private lots therein; no bond is required.

This temporary restraining order shall expire on March 27, 2013, at 12:00 noon.

IT IS FURTHER ORDERED that the parties shall appear for status on March 27, 2013 at 9:00 .a.m.

SO ORDERED

This the 13th day of March, 2013.



Samuel Der-Yeghiayan
United States District Judge