

(not to exceed fourteen (14) days) as a preliminary hearing can be held and, at that time upon hearing evidence, grant the requested preliminary injunction.

2. Pursuant to Fed. R. Civ. P. 65(b)(1)(A), the verified Complaint filed in this case demonstrates that the Defendant District has adopted a vague policy that imposes, under threat of discipline, a categorical prohibition on the use of any school fora for speech on any topic the District arbitrarily deems “sexual” in nature. Such policy constitutes a content-based restriction on free speech that inflicts ongoing and irreparable harm. Because the District’s policy includes threats of discipline, it has a chilling effect and operates as an impermissible prior restraint that effectively prevents Maverick Couch from participating in a debate concerning a matter of public concern.

3. Undersigned counsel certifies, pursuant Fed. R. Civ. P. 65(b)(1)(B) and Local Civil Rule 65.1(b), that she attempted to give notice to Defendants by serving this Application, the Memorandum in Support, the Verified Complaint and all other pleadings on Attorney William Deters II of Ennis Roberts Fischer Co., L.P.A., 1714 West Galbraith Road, Cincinnati, Ohio 45239-4812 by regular U.S. Mail and by email. Mr. Deters previously indicated that he represented the school board of the Defendant Wayne Local School District. Undersigned counsel believes, but has not yet confirmed, that Mr. Deters will represent all of the Defendants in this matter. Undersigned counsel also telephoned Mr. Deters informing him of these proceedings.

WHEREFORE, for the foregoing reasons, and for the reasons set forth in the memorandum filed in support of this application, Plaintiff respectfully asks this Court to enter orders temporarily restraining and preliminarily enjoining Defendants from prohibiting Maverick

from wearing the “Jesus Is Not A Homophobe” T-shirt, or any other T-Shirt or clothing that urges tolerance of differences, respect for diversity, or opposition to bullying of LGBT students, unless the Defendants can reasonably forecast substantial disruption of or material interference with school activities

Respectfully submitted,

/s/ Lisa T. Meeks_____

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/s/ Christopher R. Clark

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Attorneys For Plaintiff

Certificate of Service

I certify that, on April 3, 2012, a copy of this APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION was sent by ordinary U.S.

Mail and electronic email to:

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/s/ Lisa T. Meeks

Lisa T. Meeks
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