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STATE OF NEW HAMPSHIRE

CHESHIRE, SS.

SUPERIOR COURT

CITY OF KEENE

vs.

JAMES CLEAVELAND
GARRETT EAN
KATE AGER
IAN BERNARD A/K/A IAN FREEMAN
GRAHAM COLSON
PETE EYRE

Docket No. 213-2013-CV-00098

ORDER ON PETITIONER'S REQUEST FOR PRELIMINARY INJUNCTION

A hearing on Petitioner's Request for Preliminary Injunction in the captioned matter was held before the Court on June 11, 2013. All parties were present. The City was represented by Counsel, and the Respondents appeared Pro Se.

After consideration of the evidence presented by the Parties, the Court concludes as follows:

Based on the course of conduct of the Respondents in connection with the City's Parking Enforcement Officers, the City has demonstrated that it is threatened with immediate and irreparable harm from the potential loss of employment of the Parking Enforcement Officers if the conduct is allowed to continue unabated before a full hearing on the merits, and that the City has no adequate alternative remedy at law. The City has also demonstrated that it has a reasonable likelihood of success on the merits of its claim that the Respondents' course of conduct constitutes an intentional and improper interference with the City's employment contract with the officers. Further, the City has

demonstrated that the potential hardship to the City is greater than that to the Respondents as the Respondents retain their rights to otherwise protected conduct, and that interests of the public, including the Respondents, will not be adversely affected by the issuance of the preliminary injunction.

Accordingly, the Court issues the following ORDER:

1. Petitioner's request for a Preliminary Injunction is GRANTED.
2. Respondents shall immediately maintain a distance of at least 50 (fifty) feet from the Parking Enforcement Officers effective at all times, at all places and in all directions where the Parking Enforcement Officers may be located. By way of further definition but not limitation, in the presence of angled parking spaces, the Respondents shall remain at least six (6) parking spaces away from the Parking Enforcement Officers, and in the presence of parallel parking spaces, the Respondents shall remain at least three (3) parking spaces away from the Parking Enforcement Officers.
3. The Preliminary Injunction shall remain in full force and affect until the completion of the hearing on the merits, at which time the Court shall issue appropriate further orders.

So, Ordered:
