

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY KATHRYN BROWN,)	
)	CIVIL ACTION NO. 06-0393
Plaintiff,)	
)	Judge Thomas M. Hardiman
v.)	
)	
CITY OF PITTSBURGH, et al.,)	
)	
Defendants.)	

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION

Plaintiff Mary Kathryn Brown, through her counsel, respectfully moves this Court for a preliminary injunction to restrain Defendants, and all persons acting at their command or direction, from enforcing against her §§ 623.03 and 623.04 of Ordinance No. 49 of the Pittsburgh Code of Ordinances because it is unconstitutional as applied to her peaceful speech of sidewalk counseling and leafleting in the public way and sidewalk area.

In support of this Motion, Plaintiff relies on her affidavit in support of the motion and memorandum of law, and its attached Exhibit A (Verified Complaint) and Exhibit B (*Halfpap v. City of West Palm Beach*, No. 05-80900 (S.D. Fla. Apr. 11, 2006)), and the Rule 65 Affidavit of Elizabeth A. Murray in Support of Plaintiff’s Motion for Preliminary Injunction, which are filed herewith.

Submitted this 28th day of June, 2006, by: /s/ Elizabeth A. Murray

David A. Cortman
GA Bar No. 188810
ALLIANCE DEFENSE FUND
1000 Hurricane Shoals Road, NE
Suite D-600
Lawrenceville, GA 30043
Telephone: (770) 339-0774
Facsimile: (770) 339-6744

Elizabeth A. Murray
MO Bar No. 52891
Jeffrey A. Shafer
OH Bar No. 0067802
ALLIANCE DEFENSE FUND
801 G Street, NW
Washington, DC 20001
Telephone: (202) 637-4610
Facsimile: (303) 347-3622

Lawrence G. Paladin, Jr.
PA Bar No. 44799
PALADIN LAW OFFICES
10700 Frankstown Road, Suite 305
Pittsburgh, PA 15235
Telephone: (412) 244-0826
Facsimile: (412) 244-1690

Benjamin W. Bull
AZ Bar No. 009940
ALLIANCE DEFENSE FUND
15333 N. Pima Road, Suite 165
Scottsdale, AZ 85260
Telephone: (480) 444-0020
Facsimile: (480) 444-0028

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2006, a copy of the foregoing Motion for Preliminary Injunction was filed electronically. Notice of this filing will be sent to counsel for Defendants by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Elizabeth A. Murray
Elizabeth A. Murray
ALLIANCE DEFENSE FUND