

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

PAUL DOBROWOLSKI,

Plaintiff,

v.

CITY OF ANN ARBOR, and JOHN SETO, in
his official capacity as Chief of Police, City of
Ann Arbor,

Defendants.

No. 5:13-cv-11809-GAD-RSW

STIPULATED MOTION FOR
ENTRY OF ORDER

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Counsel for Defendants

Plaintiff Paul Dobrowolski (“Plaintiff”), by and through his undersigned counsel; and Defendants City of Ann Arbor and John Seto (“Defendants”), by and through their undersigned counsel, (collectively referred to as the “parties”), hereby stipulate to the entry of an order enjoining the enforcement of Ann Arbor City Code § 10:60 as applied to Plaintiff’s vehicle signs as set forth in the Complaint (Doc. No. 1) during the pendency of this action before this court.

In support of this motion, the parties show unto this court the following:

1. On April 23, 2013, Plaintiff filed his Complaint against Defendants, challenging

the constitutionality of Ann Arbor City Code § 10:60, facially and as applied to his vehicle signs.

2. On May 2, 2013, Plaintiff's counsel sent to each Defendant a notice of lawsuit and request to waive service of a summons. In the correspondence to Defendants, Plaintiff's counsel requested a meet-and-confer with Defendants' counsel as soon as practical to discuss the filing of a temporary restraining order ("TRO") / preliminary injunction to enjoin the enforcement of Ann Arbor City Code § 10:60 as applied to Plaintiff's vehicle signs during the pendency of this action.

3. On May 14, 2013, a meet-and-confer was held between counsel for the parties. During this conference, Defendants' counsel indicated that they will sign the waivers of service, and the parties discussed the proposed TRO / preliminary injunction motion.

4. During the discussion of the motion, counsel for the Defendants said that they would agree to not enforce Ann Arbor City Code § 10:60 as applied to Plaintiff's vehicle signs during the pendency of this action.

5. The parties agree that this stipulation is not a concession of liability and that it may not be used by either party for purposes of showing liability or lack thereof in this matter.

WHEREFORE, pursuant to this stipulation, the parties respectfully request that the court enter the attached order enjoining the enforcement of Ann Arbor City Code § 10:60 as applied to Plaintiff's vehicle signs as set forth in the Complaint (Doc. No. 1) during the pendency of this action before this court.

AMERICAN FREEDOM LAW CENTER

By: /s/ Robert J. Muise
Robert J. Muise, Esq.
David Yerushalmi, Esq.
Counsel for Plaintiff

OFFICE OF THE CITY ATTORNEY

By: /s/ Stephen K. Postema
Stephen K. Postema, Esq.
Robert W. West, Esq.
Counsel for Defendants

* * * * *

ORDER

Upon stipulation of the parties and for good cause shown, Defendants, their employees, agents, and successors in office, are hereby enjoined from enforcing Ann Arbor City Code § 10:60 as applied to Plaintiff's vehicle signs as set forth in the Complaint (Doc. No. 1) during the pendency of this action before this court.

SO ORDERED.

Dated: May 17, 2013

/s/Gershwin A Drain
Hon. Gershwin A. Drain
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on May 17, 2013.

/s/T. Banskton
Case Manager