

Priority   
Send   
Enter   
Closed   
JS-5/JS-6   
JS-2/JS-3   
Scan Only

ENTERED  
CLERK, U.S. DISTRICT COURT  
**APR - 3 2007**  
CENTRAL DISTRICT OF CALIFORNIA  
BY *[Signature]* DEPUTY

FILED  
CLERK, U.S. DISTRICT COURT  
**APR - 2 2007**  
CENTRAL DISTRICT OF CALIFORNIA  
*D.A.*

**THIS CONSTITUTES NOTICE OF ENTRY  
AS REQUIRED BY FRCP, RULE 77(d).**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

JEWS FOR JESUS; CYRIL GORDON;  
and TUVYA ZARETSKY,

Plaintiffs,

v.

CITY OF LOS ANGELES, CALIFORNIA;  
LT. NEAL FINE #16986; SGT.  
TENNISON #27902; SGT. HENSLEY  
#27214; SGT. PICKERING #26248;  
OFFICER BRUCE #34511; OFFICER  
CHAVARRIA #37560; and STEVE  
DEVIR,

Defendants.

CV 06-7445 ABC (AJWx)

ORDER GRANTING PLAINTIFF'S  
MOTION FOR PRELIMINARY  
INJUNCTION

On March 6, 2006, Plaintiffs Jews for Jesus, Inc., Cyril Gordon ("Gordon"), and Tuvya Zaretsky ("Zaretsky") (collectively, "Plaintiffs") filed a Motion for Preliminary Injunction against Defendants City of Los Angeles (the "City"), Los Angeles Police Department officers Lt. Neal Fine, Sgt. Tennison, Sgt. Hensley, Sgt. Pickering, Officer Bruce, and Officer Chavarria, and Steve Devir, an individual (note that the City and police officer Defendants are

24

FILED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

1 referred to herein collectively as "Defendants"). Defendants opposed  
2 on March 19, 2007, and Plaintiffs replied on March 26, 2007.  
3 Plaintiffs' motion came on regularly for hearing before this Court on  
4 April 2, 2007. After reviewing the materials submitted by the  
5 parties, argument of counsel, and the case file, the Court hereby  
6 GRANTS Plaintiffs' Motion for Preliminary Injunction.

7 **I. FACTUAL AND PROCEDURAL BACKGROUND**

8 Plaintiffs assert that since 2001, they have routinely  
9 participated in the distribution of free religious and political  
10 literature in Woodley Park, a public park in Los Angeles, concurrently  
11 with an annual event known as the "Israeli Independence Day Festival"  
12 ("Festival"). (First Amended Complaint ("FAC") ¶¶21-22). Every year  
13 prior to the Festival, Festival organizers obtain a permit from the  
14 City authorizing the Festival to be held in Woodley Park. The  
15 Festival is held in a fenced-off portion of Woodley Park, and may only  
16 be entered after paying an admission fee.

17 On April 26, 2006, the Los Angeles City Council ("City Counsel")  
18 approved the permit for the 2006 Festival to be held on May 7, 2006.  
19 Plaintiffs assert that the permit for the 2006 Festival contains  
20 similar terms to those issued in prior years, and Plaintiffs contend  
21 that similar terms will likely appear in future permits. Paragraph 15  
22 of the permit for the 2006 Festival stated that "the PERMITEE shall  
23 conduct its business on City premises in accordance with all the laws,  
24 ordinances, rules, and regulations applicable to such businesses as  
25 set forth by the City, County, State and Federal governments."  
26 (Oppositon, Ex. B, ¶15).

27 Plaintiffs assert that every year at the Festival, the police  
28 have allowed Festival organizers to create a "Demonstration Area"

1 outside the portion of Woodley Park covered by the permit for the  
2 Festival (i.e., outside the area fenced-off for the Festival), and  
3 have required people to remain in the Demonstration Area when  
4 distributing literature. (Nelson Decl., ¶4). Additionally, every  
5 year on the morning of the Festival, the police meet with the Festival  
6 organizers and jointly agree on the location of the Demonstration  
7 Area. (Id.).

8 Plaintiffs allege that prior to 2006, they have never had any  
9 conflict with the Festival regarding the use of Woodley Park, or  
10 Plaintiffs' activities. (FAC ¶¶22-28). However, on May 7, 2006,  
11 Plaintiffs were confronted with resistance to their practice of  
12 distributing literature outside the Festival, and as a result  
13 Plaintiff Gordon was arrested for trespass. Plaintiffs describe the  
14 details of the events of May 7, 2006 as follows:

15 On the day of the Festival, at approximately 10:00 a.m., Gordon  
16 and several volunteer missionaries affiliated with Plaintiffs were  
17 standing approximately 60 (sixty) yards away from the Festival  
18 entrance (i.e., in a grassy area outside the gated area of Woodley  
19 Park containing the Festival), and were wearing Jews for Jesus logo t-  
20 shirts. (FAC ¶¶26, 49). They had not yet begun to distribute  
21 literature, when they were approached by a Festival representative  
22 wearing a yellow shirt. The Festival staff member approached Gordon  
23 and the volunteers and directed their attention to a sign that stated  
24 "No Soliciting, No Handouts." (FAC ¶49).

25 Gordon was planning to discuss the matter with two Los Angeles  
26 police officers when a golf cart containing two additional Festival  
27 organizers (one of whom was wearing a blue shirt bearing the

1 Festival's logo) approached them. (FAC ¶50). The individual in the  
2 blue shirt ordered Gordon and the volunteers to leave the area and  
3 threatened them with citizen's arrest. (Id.) The individual in the  
4 blue shirt indicated that Gordon and his team were not authorized to  
5 occupy the portion of the park where they were located, and that the  
6 Festival was authorized to control the entire park. (Id.).

7 Following this, several additional police officers approached  
8 Gordon and the volunteers. (Id.). Gordon spoke with three of the  
9 officers. The officers advised Gordon that the Festival organizers  
10 "had a permit to close off access to the park" from the City Council.  
11 (FAC ¶51). The officers stated that "the entire park was a private  
12 event and that included the area outside the fenced line," and that  
13 Plaintiffs were trespassing and would have to leave the premises.  
14 (FAC ¶53-54).

15 Gordon told the officers that he was leaving the area in order to  
16 speak with his supervisor, Zaretsky, and asked what action would be  
17 taken if he were to return later in the day to distribute literature  
18 in Woodley Park outside the Festival. The officers advised Gordon  
19 that he would be arrested if he did so. (FAC ¶55).

20 Gordon then telephoned his supervisor, Zaretsky, and explained  
21 the situation. (FAC ¶56). From 2001 through 2005, Zaretsky either  
22 supervised or participated in the distribution of literature within  
23 Woodley Park concurrent with the Festival. (FAC ¶57). Zaretsky  
24 informed Gordon that he believed the threat of arrest to be  
25 inconsistent with his treatment in prior years, and that Gordon's  
26 arrest would be unconstitutional. (Id.). Thus, Zaretsky instructed  
27

1 Gordon to return to Woodley Park and distribute literature near, but  
2 not within, the portions of the park occupied by the Festival. (Id.).

3 At approximately 1:00 p.m., on May 7, 2006, Gordon returned to a  
4 location near the entrance of the Festival and proceeded to distribute  
5 literature. (FAC ¶58). Shortly thereafter, police officers informed  
6 Gordon that a Festival organizer was making a citizen's arrest and  
7 that he would be charged with the crime of trespass. (FAC ¶59).  
8 Gordon was then arrested and transported to the Van Nuys police  
9 station. The charges against Gordon were later dismissed.

10 Plaintiffs intend to distribute literature in the common areas  
11 open to the public in Woodley Park near the 2007 Festival scheduled  
12 for April 29, 2007. (FAC ¶79). However, Plaintiffs assert that  
13 because of the events at the 2006 Festival, they are uncertain as to  
14 whether they will be arrested if they distribute literature at the  
15 2007 Festival or any future Festivals. (FAC ¶71). Similarly,  
16 Plaintiffs argue that they are uncertain whether they will be arrested  
17 in the future when the City Council grants a similar permit for any  
18 other event in a public area - e.g., in a public park or other areas  
19 commonly open to the public. (FAC ¶72). Thus, Plaintiffs assert that  
20 Defendants' actions "have chilled Plaintiffs' constitutional and civil  
21 rights to the point that they fear arrest for their desired future  
22 literature distribution activities. . ." (FAC ¶84).

23 As a result, Plaintiffs seek an order enjoining Defendants from  
24 restricting and limiting their rights under the First and Fourteenth  
25 Amendments to the United States Constitution to distribute literature  
26 in the area adjacent to the Festival scheduled for April 29, 2007.  
27 Specifically, Plaintiffs seek an order enjoining Defendants from

1 "intimidating, harassing, threatening, coercing, arresting or causing  
2 to have arrested Plaintiffs, or otherwise restricting Plaintiffs'  
3 right to distribute literature in public areas not within the  
4 Festival's exclusive and lawful control, and, particularly, in the  
5 public park/areas adjacent to or adjoining the Festival." (Motion at  
6 4:12-17).

## 7 **II. LEGAL STANDARD FOR A PRELIMINARY INJUNCTION**

8 To obtain a preliminary injunction, a plaintiff must show  
9 "either: (1) a likelihood of success on the merits and the possibility  
10 of irreparable injury; or (2) that serious questions going to the  
11 merits were raised and the balance of hardships tips sharply in its  
12 favor." Walczak v. EPL Prolong, Inc., 198 F.3d 725, 731 (9th Cir.  
13 1999). "These two alternatives represent extremes of a single  
14 continuum, rather than two separate tests." Id. (internal quotations  
15 omitted). "Thus, the greater the relative hardship to [a plaintiff],  
16 the less probability of success must be shown." Id.; see also  
17 International Jensen, Inc. v. Metrosound U.S.A., Inc., 4 F.3d 819, 822  
18 (9th Cir. 1993). A preliminary injunction is an "extraordinary  
19 remedy" for which the need must be "clear and unequivocal." Shelton  
20 v. National Collegiate Athletic Ass'n, 539 F.2d 1197, 1199 (9th Cir.  
21 1976).

## 22 **III. ANALYSIS**

### 23 **A. Likelihood of Success on the Merits.**

24 The Supreme Court of the United States has held that courts must  
25 apply a three part analysis when evaluating free speech cases. Courts  
26 must: (1) determine if the speech in question is protected under the  
27 First Amendment; (2) identify the nature of the forum in which the

1 speech would take place; and (3) assess whether the government's  
2 exclusion of the speech from the forum is justified by the requisite  
3 standard. See e.g., Cornelius v. NAACP Legal Defense and Educ. Fund,  
4 473 U.S. 788, 797 (1985). The Court's application of this three part  
5 analysis to this case is as follows.

6 **1. Plaintiffs' Desired Speech is Entitled to Protection.**

7 "Our precedent establishes that private religious speech, far  
8 from being a First Amendment orphan, is as fully protected under the  
9 Free Speech Clause as secular private expression." Capitol Square  
10 Review and Advisory Board v. Pinette, 515 U.S. 753, 760 (1995). It is  
11 well settled that religious worship and discussion is a form of speech  
12 protected by the First Amendment. Widmar v. Vincent, 454 U.S. 263,  
13 269 (1981). Thus, the discussion of religious beliefs sought by  
14 plaintiffs constitutes classic free speech. Similarly, "peaceful  
15 picketing and leafletting are expressive activities involving 'speech'  
16 protected by the First Amendment." United States v. Grace, 461 U.S.  
17 171, 176 (1983).

18 Thus, Plaintiffs' desired speech (i.e., the distribution of  
19 religious literature and engaging in oral communication regarding  
20 their religious beliefs) is entitled to protection under the free  
21 exercise and free speech clauses of the First Amendment to the United  
22 States Constitution.

23 **2. Woodley Park is a Public Forum.**

24 First Amendment precedent contemplates three types of government  
25 property (or fora) in which speech occurs: (1) traditional, (2)  
26 designated or limited, and, (3) non-public. See Cornelius, 473 U.S.  
27 at 802. It is well settled that public streets, public sidewalks,  
28

1 public squares, public parks, public grounds and other public right-  
2 of-ways are the "quintessential" public fora. Frisby v. Schultz, 487  
3 U.S. 474, 481 (1988).

4 The Supreme Court has been consistently clear that traditional  
5 public fora occupy "a special position in terms of First Amendment  
6 protection" and "the government's ability to restrict expressive  
7 activities [in a traditional public forum] is very limited." Boos v.  
8 Barry, 485 U.S. 312, 318 (1988) (internal citations omitted). Thus,  
9 the First Amendment guarantees the utmost protection in traditional  
10 public fora.

11 Here, it is clear that Woodley Park constitutes a traditional  
12 public forum. Additionally, Plaintiffs assert that they are not  
13 seeking access to the area reserved for the Festival itself, but  
14 merely to areas outside the Festival within Woodley Park. In other  
15 words, Plaintiffs are not seeking to participate in the Festival,  
16 block entrances or sidewalks, or to be otherwise included in the  
17 Festival. Rather, they merely desire to be in Woodley Park, outside  
18 the area fenced off for the Festival. Thus, given that Plaintiffs  
19 seek to be present only in the non-restricted areas of Woodley Park, a  
20 public forum, their right to do so deserves the utmost protection.

21 **3. Defendants' Exclusion of Plaintiffs' Speech is Not**  
22 **Justified.**

23 The government may impose reasonable time, place, and manner  
24 restrictions on speech in traditional public fora. See Ward v. Rock  
25 Against Racism, 491 U.S. 781, 791 (1989). In order for a time, place,  
26 and manner restriction on expressive activity in traditional public  
27 fora to pass constitutional muster, the restriction must: (1) be  
28

1 content-neutral; (2) serve a significant governmental interest; (3) be  
2 narrowly tailored to serve that interest; and, (4) leave open ample  
3 alternative channels of communication. See Grace, 461 U.S. at 177  
4 (citing Perry Educ. Assn. v. Perry Local Educators' Assn., 460 U.S. 36  
5 (1983)).

6 Further, within traditional public fora, "the government's  
7 ability to permissibly restrict expressive conduct is very limited.  
8 ." Id. at 177. Similarly, "the government's authority to restrict  
9 speech is at its minimum." Gaudrya Vaishrava Soc'y v. City and County  
10 of San Francisco, 952 F.2d 1059, 1065 (9th Cir. 1991).

11 **a. Defendants' policy and actions are not content-**  
12 **neutral.**

13 Removing an individual from an event held in a public place  
14 merely because the event organizer disagrees with the individual's  
15 presence near the event is not a content-neutral time, place or manner  
16 restriction. See Gathright v. City of Portland, 439 F.3d 573 (9th  
17 Cir. 2006); see also Parks v. City of Columbus, 395 F.3d 643 (6th Cir.  
18 2005).

19 Here, Plaintiffs assert that there were other members of the  
20 general public in the park (i.e., other individuals not affiliated  
21 with the Festival), but only Gordon was removed from the park. Thus  
22 Plaintiffs contend that the police, along with Festival organizers,  
23 removed Gordon from the park pursuant to a citizen's arrest, based on  
24 the content of his speech - i.e., based on his desire to hand out  
25 religious literature. Given this, the Court finds that Defendants'  
26 actions at the 2006 Festival with respect to Gordon were not content-  
27 neutral. Removal of Plaintiffs' representative from the 2007 Festival

1 due to Defendants' disagreement with Plaintiffs' message would also  
2 not be content-neutral.

3 **b. Defendants' policy and actions do not serve a  
4 legitimate governmental interest.**

5 Given the facts of this case, the Court finds that Defendants can  
6 offer no significant government interest served by suppressing  
7 Plaintiffs' legitimate speech in Woodley Park, a traditional public  
8 forum, on the outskirts of the Festival. See e.g., Parks, 395 F.3d  
9 643, (holding that a permit over a nonexclusive use area cannot be  
10 used to constitutionally exclude demonstrators at nonexclusive,  
11 permitted events).

12 **c. Defendants' policy and actions are not narrowly  
13 tailored.**

14 "The policy of allowing permittees unfettered discretion to exclude  
15 private citizens on any (or no) basis is not narrowly tailored to the  
16 City's legitimate interest in protecting its permittee's right[s]. . ."  
17 Gathright, 439 F.3d at 577 (citing Hurley v. Irish-American Gay, Lesbian  
18 and Bisexual Grp. of Boston, 515 U.S. 557 (1995); Ward v. Rock Against  
19 Racism, 491 U.S. 781, 798-800 (1989)); see also Kuba v. A-1 Agricultural  
20 Association, 387 F.3d 850 (9th Cir. 2004)

21 Here, a restriction allowing the arrest of people outside the area  
22 of the park gated-off for the Festival is not a narrowly tailored  
23 restriction on speech activities. In other words, allowing Defendants  
24 to effectuate a citizen's arrest of Gordon, while Gordon was in an area  
25 open to the general public, was not a narrowly tailored time, place and  
26 manner restriction.

27 \\\

28 \\\

1  
2 **d. Defendants' policy and actions do not leave open**  
3 **alternative channels of communication.**

4 A specific place where a message is communicated may be just as  
5 important as the message itself. See City of Ladue v. Gilleo, 512 U.S.  
6 43, 56 (1994). Thus, "a location across the street is not an ample  
7 alternative channel of communication when [a person] could have been  
8 standing in the park." See World Wide Street Preachers' Fellowship v.  
9 Reed, 430 F. Supp. 2d 411, 415 (M.D. Pa. 2006). In other words, "one is  
10 not to have the exercise of his liberty of expression in appropriate  
11 places abridged on the plea that it may be exercised in some other  
12 place." Schneider v. State of New Jersey, 308 U.S. 147, 163 (1939).

13 Here, Plaintiffs assert that they strategically sought to speak  
14 within Woodley Park due to the significant number of people in the area.  
15 Specifically, Plaintiffs argue that they placed themselves in Woodley  
16 Park just outside the Festival for the purpose of distributing free  
17 religious and political literature, and that any alternative avenue of  
18 communication (e.g., allowing Plaintiffs to disseminate literature  
19 across the street from Woodley Park) is not sufficient. The Court  
20 agrees.

21 Additionally, the Court notes that Plaintiffs have made clear that  
22 they do not seek to enter the gated portion of the park reserved for the  
23 Festival. Nor do they seek to block access to the Festival, or in any  
24 other way interfere with the flow of traffic to and from the Festival.  
25 Plaintiffs simply seek to distribute literature in an area of Woodley  
26 Park outside the Festival. The fact that Plaintiffs engaged in similar  
27 distribution of literature without incident at the Festival between 2001  
28 and 2005 strongly supports Plaintiffs' contention that they do not seek

1 to interfere with the Festival, and that they are capable of exercising  
2 their First Amendment rights without unduly interfering with the ability  
3 of Festival attendees to participate in the Festival.

4 Further, Defendants admit that in prior years, Defendants and  
5 Festival organizers have worked together to designate a "Demonstration  
6 Area" within Woodley Park, but outside the Festival. In other words,  
7 Defendants have in the past actively participated in ensuring that  
8 Plaintiffs and any other protestors' right to be present and to  
9 distribute literature is preserved. However, as events at the 2006  
10 Festival make clear, while this is a positive step toward protecting  
11 Plaintiffs' First Amendment rights, these actions are not sufficient.  
12 Put plainly: if Defendants and the Festival organizers truly had a clear  
13 understanding of the need to protect Plaintiffs' First Amendment rights,  
14 the citizen's arrest of Gordon at the 2006 Festival would not have  
15 occurred. Thus, Defendants' actions in prior years to ensure that a  
16 "Demonstration Area" existed were not sufficient to protect Plaintiffs'  
17 First Amendment rights.

18 In sum, Plaintiffs have demonstrated that the religious speech in  
19 question is protected under the First Amendment, that Woodley Park is a  
20 traditional public forum in which Plaintiffs' right to engage in  
21 protected speech must be strongly guarded, and that Defendants'  
22 exclusion of Plaintiffs speech was not justified. As a result,  
23 Plaintiffs have demonstrated a likelihood of success on the merits of  
24 their First Amendment claim.

25 \\\

26 \\\

27 \\\

1           **B. Irreparable Injury.**

2           "The loss of First Amendment freedoms, for even minimal periods of  
3 time, unquestionably constitutes irreparable injury." Elrod v. Burns,  
4 427 U.S. 347, 373 (1976). Here, Plaintiffs argue that unless Defendants  
5 are ordered not to harass, intimidate, threaten, coerce, arrest or cause  
6 to have arrested Plaintiffs, Plaintiffs will suffer irreparable harm.

7           Plaintiffs argue that they are uncertain whether they will be  
8 arrested at a future Festival, or when the City Council approves a  
9 similar permit for any other event in public areas. The Court agrees.

10           Defendants assert that the permit issued by the City for the 2006  
11 Festival contained language admonishing the permittee (i.e., the  
12 Festival) to conduct its business in accordance with all applicable law,  
13 ordinances and rules. (Opposition, Ex. B, ¶15). This would include  
14 requiring the Festival to respect Plaintiffs' First Amendment rights.  
15 However, the events that occurred at the 2006 Festival demonstrate that  
16 this admonishment is insufficient. Similarly, as discussed in greater  
17 detail above, Defendants' actions in prior years to set up a  
18 "Demonstration Area" were also insufficient.

19           As a direct result of Defendants' actions, Plaintiffs have been  
20 deterred from speaking in Woodley Park, either by oral communication, or  
21 by leaflets, or with a sign. Thus, irreparable harm is present and  
22 continuing.

23           Given that the Court has found that Plaintiffs have shown both a  
24 likelihood of success on the merits as well as irreparable harm, it is  
25 unnecessary for the Court to address the parties' arguments regarding  
26 the balance of hardships.

0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **IV. CONCLUSION**

2 The Court concludes that Plaintiffs have demonstrated a likelihood  
3 of success on the merits as well as the possibility of irreparable harm.  
4 As a result, Plaintiffs' Motion for a Preliminary Injunction is hereby  
5 GRANTED. The Court hereby ORDERS as follows:

6 1. Plaintiffs, their agents, employees, representatives, and all  
7 persons acting in concert, or participating with them, are  
8 hereby restrained and enjoined from distributing literature  
9 and/or conversing with the general public (a) within ten (10)  
10 yards of the gated entrance(s) to the Festival, and (b) inside  
11 of the fenced area separating the Festival from the remainder  
12 of Woodley Park.

13 2. Defendants, their officers, agents, employees,  
14 representatives, and all persons acting in concert, or  
15 participating with them, are hereby restrained and enjoined  
16 from engaging directly or indirectly in any act that would  
17 result in the harassment, arrest and/or detention of  
18 Plaintiffs, or otherwise restricting Plaintiffs' right to  
19 distribute literature and/or converse with the general  
20 public in any area of Woodley Park which is (a) greater than  
21 ten (10) yards from the Festival entrance(s), and (b)  
22 outside of the fenced area separating the Festival from the  
23 remainder of Woodley Park, during the Festival scheduled for  
24 April 29, 2007.

25 \\\  
26 \\\  
27 \\\

SEARCHED  
SERIALIZED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

3. Defendants, their officers, agents, employees, representatives, and all persons acting in concert, or participating with them, are hereby ordered to train the police officers who will be present in Woodley Park at the 2007 Festival regarding Plaintiffs' First Amendment rights. Specifically, the officers are to be informed of the terms of this Preliminary Injunction, the boundaries of the Festival, the existence of any "Demonstration Area" which has been agreed upon by both Plaintiffs and Defendants, and that Plaintiffs' First Amendment rights to distribute literature in the areas (a) greater than ten (10) yards from the Festival entrance(s), and (b) outside of the fenced area separating the Festival from the remainder of Woodley Park, must be respected regardless of any protest by Festival organizers.

4. Defendants, their officers, agents, employees, representatives, and all persons acting in concert, or participating with them, are hereby ordered to meet with Festival organizers prior to the Festival scheduled for April 29, 2007 for the purpose of informing the Festival organizers of the terms of this Preliminary Injunction, the boundaries of the Festival, the existence of any "Demonstration Area" which has been agreed upon by both Plaintiffs and Defendants, and that Plaintiffs' First Amendment rights to distribute literature in the areas (a) greater than ten (10) yards from the Festival entrance(s), and (b) outside of the fenced area separating the Festival

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

from the remainder of Woodley Park, must be respected  
regardless of any protest by Festival organizers.

**IT IS SO ORDERED.**

DATED: April 2, 2007

Audrey B. Collins  
AUDREY B. COLLINS  
UNITED STATES DISTRICT JUDGE