

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE

FREDERICK W. PAYNE *et al.*,
Plaintiffs,

v.

Case No. CL17000145-00

CITY OF CHARLOTTESVILLE, VIRGINIA *et al.*,
Defendants

ORDER


On October 4, 2017 this Court heard testimony from witnesses, admitted exhibits and heard argument on Plaintiffs' Motion for Supplemental Injunctive Relief.

Upon consideration of the evidence and arguments and for the reasons set forth by the Court at the hearing, the Court ORDERS as follows:

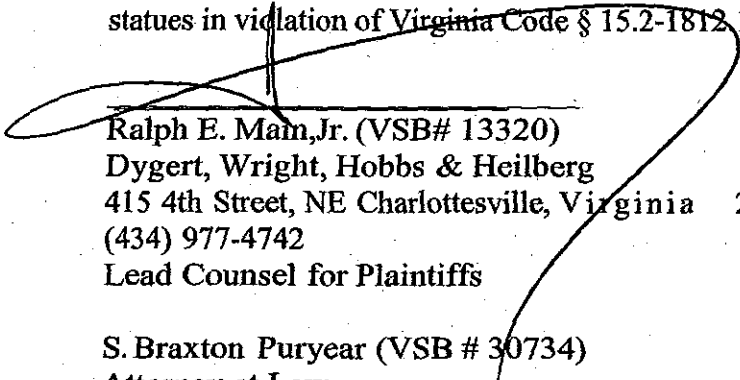
1. The Court DENIES, at this time, Plaintiffs' request that Defendants be enjoined and ordered to remove the coverings on the two statues. The Court finds that the Plaintiffs have not shown irreparable harm because of the City's assurance that the coverings are temporary.
2. The Court ORDERS that its Temporary Injunction Order entered June 6, 2017 be expanded to include the statue of Stonewall Jackson in what is currently named Justice Park, formerly Jackson Park.
3. The Court takes under advisement Plaintiffs' request to extend the current Temporary Injunction Order entered June 6, 2017 (including the expansion authorized by Paragraph 2 above), pending the Plaintiffs' amendment of the Complaint in accord with permission granted *sua sponte* October 4, 2017.

The Court notes the objections of the respective parties to all adverse rulings as to such parties. The Clerk shall forward certified copies of this Order to all counsel of record.

Entered this 6th day of December, 2017.


JUDGE

Seen And Excepted To with respect to refusal to order coverings removed from Robert E. Lee statue and Stonewall Jackson statue, as such coverings, by obscuring statues, interfere with statues in violation of Virginia Code § 15.2-1812.1:


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We ask for this, as to the Court's ruling denying Plaintiffs' Motion to require Defendants to remove the mourning coverings on the two statues, and refusing to extend the Temporary Injunction Order entered June 6, 2017 beyond November 2, 2017. We object to this, and note our objections as follows: objection to the Court's expansion of the Temporary Injunction Order entered June 6, 2017 to include the Jackson statue in Justice Park; objection to the Temporary Injunction Order entered June 6, 2017 and to this Court's new Order expanding that injunction; also, we note that the Court found that the Plaintiffs failed to establish actual damage to either statue or other irreparable damage that would result if the covers aren't removed; and further, Defendants continue to object to the Court's ruling in its October 3, 2017 opinion letter that §15.2-1812 and §15.2-1812.1 are subject to retroactive application.



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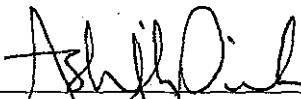
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