

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

HOPE RISING COMMUNITY CHURCH,
a Pennsylvania nonprofit corporation,

Plaintiff,

Civil Action No. 2:15-cv-01165-RCM

v.

Filed Electronically

MUNICIPALITY OF PENN HILLS,
a Pennsylvania municipal corporation,

Defendant.

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Plaintiff HOPE RISING COMMUNITY CHURCH, by and through its attorneys, respectfully requests that this Court issue a Preliminary Injunction pursuant to Fed. R. Civ. P. 65(a), in order to enjoin enforcement of certain provisions of the Defendant Municipality of Penn Hills's Zoning Ordinance and allow it to occupy and use its leased premises for religious assembly for the reasons outlined in the attached Brief in Support.

WHEREFORE, Plaintiff requests that this Court GRANT its Motion and Order the following:

- a. Enjoin and restrain the Defendant, directly or indirectly, whether alone or in concert with others, including any officer, agent, employee and/or representative of its municipal corporation, until further order of this Court, from doing any of the following:
 - i. Enforcing the Penn Hills Zoning Ordinance in any way that discriminates against religious uses such as that contemplated by Plaintiff;
 - ii. Denying the Plaintiff use of the Property at 1405 Frey Road, Pittsburgh, Pennsylvania 15235 for religious assembly;

- b. Allow immediate discovery and Order that all electronic mail of Penn Hills appointed, elected or retained individuals who have commented on Hope Rising's application be maintained, collected and provided to Plaintiff within 10 days;
- c. Order any further relief as deemed necessary and appropriate by the Court.

Respectfully Submitted,

September 17, 2015

/s/ Lawrence G. Paladin, Jr.
Lawrence G. Paladin, Jr., Esq.
PA ID #44799
Paladin Law Offices, P.C.
15 Duff Rd., Suite 6C
Pittsburgh, PA 15235
lpaladin@paladinlawoffices.com
(412) 244-0826
(412) 244-1690 (facsimile)
Attorney for Plaintiff

/s/ Daniel P. Dalton Mich Bar No P 44056
Admitted Pro Hac Vice
Dalton & Tomich PLC
The Chrysler House
719 Griswold Street, Suite 270
Detroit, MI 48226
Tel. (313) 859-6000
Fax. (313) 859-8888
ddalton@daltontomich.com
Lead Attorney for Plaintiff