

JAN 04 2007

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAN 04 2007

JAMES N. HATTEN, Clerk  
By: *[Signature]* Deputy Clerk

JAMES N. HATTEN, Clerk  
By: *[Signature]* Deputy Clerk

ROBERT STEWART, INC. d/b/a )  
BELLS FERRY MOBILE HOME PARK )  
JOHN DOE 1 )  
JOHN DOE 2 )  
JANE DOE 3 )  
JOHN DOE 4 )  
JOHN DOE 5 )  
JOHN DOE 6 )  
JOHN DOE 7 )

Plaintiffs,

v.

CHEROKEE COUNTY, GEORGIA, )  
Defendant. )

07 CV 0015

Civil Action Number: \_\_\_\_\_

JURY TRIAL DEMANDED

**TCB**

CONSENT ORDER GRANTING PLAINTIFFS' MOTION  
FOR TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION AND FOR STAY

This matter is before the Court on PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION.

In this action, Plaintiffs challenge the legality of an Ordinance the Board of Commissioners of Cherokee County, Georgia passed on December 5, 2006, Ordinance No. 2006-003, the stated purpose of which was "to establish penalties for the harboring of illegal aliens in Cherokee County, to promote the public health safety and welfare, and for other purposes." (The "Ordinance"). The effective date of the Ordinance was January 1, 2007. Plaintiffs challenge the Ordinance on the ground that the Ordinance may violate numerous provisions of the United States Constitution and the Georgia Constitution of 1983, as well as federal and state law.

Through their Motion, Plaintiffs seek an interlocutory order under Rule 65 Fed. R. Civ. P. to enjoin Defendant Cherokee County's implementation and enforcement of this Ordinance during the pendency of this action. In light of this lawsuit and Motion, Cherokee County is amenable to avoiding any further expense for all parties associated with pursuing injunctive relief and is willing to consent to this Motion without making any admissions as to the validity of Plaintiffs' claims.

IT IS HEREBY ORDERED that Defendant Cherokee County, its officers, agents, employees and attorneys are restrained and enjoined from implementing or enforcing the Ordinance during the pendency of this case or until further order of this Court.

With the parties' consent, and to insure a just and inexpensive determination of this action, IT IS FURTHER ORDERED that all proceedings in this case are stayed until a final judgment is entered and appeal avenues pursued in the prior pending cases referenced below or until further order of this Court.<sup>1</sup>

Because the parties have consented to this order the Court deems it proper that a minimum security of \$10 be posted by Plaintiffs.

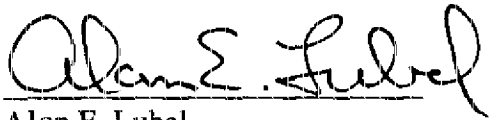
SO ORDERED, this 4th day of January, 2007

  
\_\_\_\_\_  
JUDGE, UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

<sup>1</sup> Lozano, et al. v. City of Hazelton, 2006 U.S. Dist. LEXIS 79301 (M.D. Pa. Oct. 31, 2006); Reynolds, et al. v. City of Valley Park, Mo., et al., In the Circuit Court of the County of St. Louis, State of Missouri, Cause No. 66-CC-3802, Order of September 25, 2006.

CONSENTED TO:

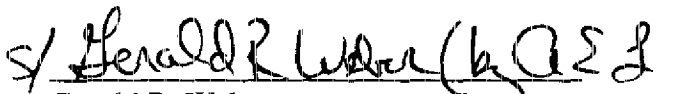
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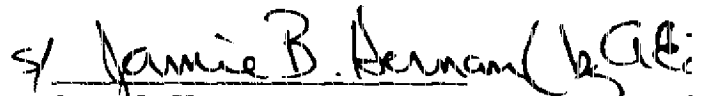
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