

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

TARA JILL CICCARONE, ET AL

CIVIL ACTION

VERSUS

NO. 13-133

THE CITY OF NEW ORLEANS, ET AL

SECTION "N" (3)

**ORDER ON MOTION FOR TEMPORARY RESTRAINING ORDER**

Considering the Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction,

The Court finds that enforcement of Section 3(j) and Section 4 of M.C.S. 24-913, as well as any portion of the Super Bowl XLVII Permit and Code Enforcement Guide governing the permitting and approval of temporary signs and banners, as well as all media set forth in Section 3(j) of the Ordinance, may result in an infringement of plaintiffs' rights of free speech, and that plaintiffs have demonstrated a likelihood of success that this likely infringement is impermissible under the First Amendment to the United States Constitution. Accordingly,

**IT IS ORDERED ADJUDGED, and DECREED** that Plaintiffs' Motion for Temporary Restraining Order is hereby **GRANTED IN PART**, and Defendants the City of New Orleans, Mayor Mitch Landrieu, and NOPD Superintendent Ronal Serpas, and their respective agents or employees, are hereby enjoined from enforcing or attempting to enforce Sections 3(j) and 4 of Municipal Code §24-913 ("the Ordinance"), as well as any portion of the Super Bowl XLVII Permit and Code Enforcement Guide governing the permitting and approval of temporary signs and banners, as well as all other media set forth in Section 3(j) of the Ordinance, **EXCEPT**

**IN THE FOLLOWING AREA:**

The area bounded by Earhart Boulevard to Loyola Avenue; Loyola Avenue to Tulane Avenue; Tulane Avenue to North Broad; and North Broad to Earhart Boulevard; and including the Louisiana Superdome Property (Champion Square), and the New Orleans Arena,

as to which the requested temporary restraining order is hereby **DENIED**.

**IT IS FURTHER ORDERED** that the Court will hold a status conference in this matter on Monday, January 28, 2013, at 10:30 a.m., at which time the Court will set a date and time at which the Court will hear the motion for preliminary injunctive relief.

New Orleans, Louisiana, this 24<sup>th</sup> day of January, 2013.

  
KURT D. ENGELHART  
UNITED STATES DISTRICT JUDGE