

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PEOPLE AGAINST POLICE VIOLENCE,)
THOMAS MERTON CENTER, and)
NATIONAL ASSOCIATION FOR THE)
ADVANCEMENT OF COLORED PEOPLE,)
PITTSBURGH BRANCH,)

Plaintiffs,)

v.)

CITY OF PITTSBURGH,)

Defendant.)

Civil Action No. 03-1649

PRELIMINARY INJUNCTION ORDER

The court entered a temporary restraining order on October 31, 2003 and continued it as a preliminary injunction on November 25, 2003. On February 27, 2004, the court, with the consent of plaintiffs and defendant, continued the preliminary injunction as modified in accordance with this order:

Preliminary Injunction:

Any person seeking to hold a public event in the City of Pittsburgh on city streets or sidewalks must obtain a special event permit ("permit") from defendant using defendant's current special event permit application form as modified in accordance with this order. Permit applications must be filed at least seven (7) days prior to a scheduled public event; provided, however, that if a party certifies that an exigent circumstance triggered a need for immediate activity protected by the First Amendment to the United States Constitution, that party may file an accelerated permit application no later than two (2) days prior to a scheduled public event. Defendant must respond to non-accelerated permit requests within twenty-four (24) business

hours and must respond to a party's accelerated permit application within twelve (12) business hours.

Permit applicants shall pay to defendant a \$21 administrative fee if the event involves closure of a sidewalk and/or a \$68 administrative fee if the event involves a street closing. Until further order of court, defendant shall not charge any fee for police protection or cost recovery for public events.

With respect to defendant's special event permit application form, defendant shall delete all references to a 45-day time period required for submission of a permit on the permit application form. Defendant shall also delete the statement in bold printing in Part IX of the special event permit application form which refers, among other things, to providing defendant with a certificate of insurance and hold harmless provisions. Defendant shall remove Addendum A from the special event permit application form. In the text box following Part X of the special event permit application form, immediately following "SIGNATURE OF APPLICANT," defendant shall delete the sentence in the first bulleted item that states: "Pending review by the Special Events Committee you will be notified of any requirements, fees and/or restrictions pertaining to your event." Defendant shall replace that sentence with the following sentence: "An applicant for a permit shall pay to defendant a \$21 administrative fee if the event involves closure of a sidewalk and/or a \$68 administrative fee if the event involves a street closing." The second bulleted item, which states "The 2004 permit fee can be obtained by calling (412) 255-2641," shall also be deleted.

The cover page to the special event permit application form shall be revised (a) by deleting the sentence stating: "Any event that will require cost bearing City services must be paid in full prior to the event"; and (b) to otherwise contain information consistent with this order.

The modifications to defendant's permit application form required by this order shall be made no later than Wednesday, March 3, 2004, and no literature, informational packet, website, or any other source where information is provided by defendant regarding special event permits and permit application forms shall contain requirements or information inconsistent with this order.

By the court:


Joy Flowers Conti
United States District Judge

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