

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

JANELLE WOLFE, ON BEHALF OF HER  
MINOR DAUGHTER, SLOANE WOLFE,

Plaintiffs,

v.

TWIN VALLEY SCHOOL DISTRICT

Defendant.

**Civil Action No.:** \_\_\_\_\_

**ELECTRONICALLY FILED**

**IMMEDIATE RELIEF SOUGHT**

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

On November 15, 2023 Plaintiff Janelle Wolfe, on behalf of her minor daughter Sloane Wolfe, filed a Verified Complaint in this Court against Defendant Twin Valley School District (“District”). The Complaint alleges that the District violated Sloane Wolfe’s rights under the First Amendment to the United States Constitution and the federal Equal Access Act, 20 U.S.C. § 4071, *et seq.*

For more than three years, the District has suppressed the free speech rights of students, including Plaintiff Sloane Wolfe and her older sister, Arden Wolfe. Since June 2020, the Wolfe sisters, along with other likeminded students in the District, have tried to establish a high school student club called “Retire the Raider,” focused on cultural competency and addressing Native American cultural appropriation. But the Wolfe sisters have faced tremendous pushback, and the District has refused to recognize Retire the Raider as an official student club.

The District’s refusal to recognize Retire the Raider as an official student club denies Sloane and other students basic privileges afforded to other school clubs, including, *inter alia*, the equal ability to hold regular meetings; equal access to sources of funding; recognition on the Twin

Valley High School Activities webpage; and the equal right to advertise club meetings, events, and activities. This denial of equal access violates the free speech clause of the First Amendment to the United States Constitution and the federal Equal Access Act.

For the reasons set forth in the accompanying memorandum, Plaintiffs hereby move this Court to issue a preliminary injunction, enjoining the District and its officers, agents, affiliates, subsidiaries, employees, successors, and all other persons or entities in active concert or privity or participation with them from continuing to unlawfully deny Retire the Raider the same access to District facilities that other noncurriculum-related student clubs enjoy, as well as other injunctive relief outlined in the Verified Complaint and Proposed Order that accompany this Motion.

Plaintiffs seek this Order pending final disposition of their claims that Defendant's customs, policies, and practices violate the Free Speech Clause of the First Amendment to the United States Constitution and the Equal Access Act.

In support of this Motion, Plaintiffs rely upon the Verified Complaint and Plaintiffs' Brief in Support of Their Motion for Preliminary Injunction.

Dated: November 15, 2023

*s/ Richard T. Ting*

Richard T. Ting (PA No. 200438)

*/s/ Sara J. Rose*

Sara J. Rose (PA No. 204936)

**ACLU OF PENNSYLVANIA**

PO Box 23058

Pittsburgh, PA 15222

(412) 681-7736

rting@aclupa.org

srose@aclupa.org

*/s/ Michael E. Neminski*

Michael E. Neminski (PA No. 333172)

**BAKER & HOSTETLER LLP**

1735 Market Street

Suite 3300

Philadelphia, PA 19103-7501

(215) 568-3100

mneminski@bakerlaw.com

*Attorneys for Plaintiffs*