

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

THE BRIDGEPORT ROMAN)	
CATHOLIC DIOCESAN)	
CORPORATION,)	Civil Action No.
)	
Plaintiff,)	
)	
v.)	
)	
THOMAS K. JONES, in his official)	
capacity as Ethics Enforcement Officer for)	
the State of Connecticut Office of State)	
Ethics, and CAROL CARSON, in her)	
official capacity as Executive Director of)	
the State of Connecticut Office of State)	
Ethics,)	
)	
Defendants.)	MAY 29, 2009

MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Rule 65(a) of the Federal Rules of Civil Procedure and in accordance with the claims for relief stated in the Complaint, Plaintiff, The Bridgeport Roman Catholic Diocesan Corporation (the "Plaintiff"), hereby moves the Court to issue a preliminary injunction in the form attached hereto as Exhibit A.

Plaintiff, a Diocese of the Roman Catholic Church, brings this action to stop Connecticut state officials from chilling the exercise of its constitutionally protected freedoms of speech, assembly, and religion. Defendants, Thomas K. Jones and Carol Carson (the "Defendants"), are the Ethics Enforcement Officer and Executive Director, respectively, of the Connecticut Office of State Ethics. Defendants are applying Connecticut's lobbying statute (1) to penalize the Plaintiff for failing to register as a lobbyist before participating in a rally and making statements on its website urging its members to oppose legislation in the Connecticut General Assembly,

**ORAL ARGUMENT REQUESTED
TESTIMONY REQUIRED**

and (2) to force the Plaintiff to register as a lobbyist, file periodic reports of its expenditures, and submit to ongoing audits by the Defendants as a result of its participation in the rally and the statements on its website. Defendants' extension of the Connecticut lobbying statute to these basic communicative activities would impose on the Plaintiff fines, substantial burdens and costs, and intrusive state oversight on account of the Plaintiff's pursuit of its religious mission. Defendants' application of the state lobbying laws is pressuring the Plaintiff, which from time to time is compelled by its faith to take stands on legislation, to tailor its communications and scale back its activities to avoid being treated as a "lobbyist."

Plaintiff thus requests that the Court enjoin the Defendants and each of their agents, servants, employees and representatives, and those persons acting in concert or participation with them or any of them, from filing a complaint or otherwise initiating proceedings against Plaintiff for its failure to register as a lobbyist under Connecticut General Statutes Section 1-95 before or in connection with:

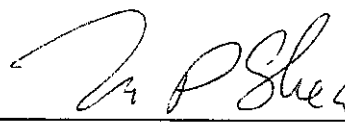
1. organizing, funding, providing transportation to, or participating in a rally held in front of the Connecticut State Capitol on March 11, 2009 to protest Raised Bill 1098;
2. making statements on Plaintiff's website opposing Raised Bill 1098 and Raised Bill 899 and urging viewers of the website to contact legislators to oppose Raised Bill 1098 and Raised Bill 899 and making the expenditures necessary to make such statements;
3. organizing, funding, providing transportation to, or participating in any rallies relating to any legislation in the future; and

4. making statements opposing legislation and urging website viewers to contact legislators to oppose legislation in the future.

The facts of this case are set forth in the Memorandum of Law in Support of this Motion for Preliminary Injunction, the Complaint, and the Affidavit of the Most Reverend William E. Lori. As set forth in the Memorandum of Law, these facts demonstrate that there is a likelihood that Plaintiff will succeed on the merits of its claims against Defendants under 42 U.S.C. § 1983 and Conn. Gen. Stat. § 52-571b and that Plaintiff will be irreparably harmed in the absence of the requested preliminary injunction.

The facts further demonstrate that there is good cause for the preliminary injunction to issue without bond as there is no evidence, or likelihood, that Defendants will suffer any costs or damages if it is later found that they have been wrongfully enjoined or restrained.

PLAINTIFF, THE BRIDGEPORT ROMAN
CATHOLIC DIOCESAN CORPORATION

By:  _____

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EXHIBIT A

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Defendants.)	

PROPOSED PRELIMINARY INJUNCTION ORDER

This matter came on for a hearing before the Court on Plaintiff's Motion for Preliminary Injunction.

Having considered the Motion for Preliminary Injunction of Plaintiff, The Bridgeport Roman Catholic Diocesan Corporation (the "Plaintiff"), the Memorandum of Law in Support thereof, the Affidavit of the Most Reverend William E. Lori, the Complaint, the opposition papers filed by Defendants, and the evidence presented and arguments made at the hearing, the Court finds, from the specific facts shown, that there is a likelihood that Plaintiff will succeed on the merits of its claims against Defendants, Thomas K. Jones and Carol Carson, in their official capacities as Ethics Enforcement Officer and Executive Director, respectively, of the Connecticut Office of State Ethics (the "Defendants"), under 42 U.S.C. § 1983 and Conn. Gen. Stat. § 52-571b and that Plaintiff will be irreparably harmed in the absence of a preliminary injunction.

Accordingly, the Motion for Preliminary Injunction is hereby GRANTED. It is hereby ORDERED, ADJUDGED, and DECREED that Defendants and each of their agents, servants, employees and representatives, and those persons acting in concert or participation with them or any of them, be preliminarily enjoined and restrained, until further order of this Court, from filing a complaint or otherwise initiating proceedings against Plaintiff for its failure to register as a lobbyist under Connecticut General Statutes Section 1-95 before or in connection with:

1. organizing, funding, providing transportation to, or participating in a rally held in front of the Connecticut State Capitol on March 11, 2009 to protest Raised Bill 1098;
2. making statements on Plaintiff's website opposing Raised Bill 1098 and Raised Bill 899 and urging viewers of the website to contact legislators to oppose Raised Bill 1098 and Raised Bill 899 and making the expenditures necessary to make such statements;
3. organizing, funding, providing transportation to, or participating in any rallies relating to any legislation in the future; and
4. making statements opposing legislation and urging website viewers to contact legislators to oppose legislation in the future.

Good cause having been shown, it is further ORDERED that the foregoing preliminary injunction shall issue without the posting of a bond.

SO ORDERED, this ____ day of _____, 2009.

United States District Judge