

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

AURORA PRIDE,

Plaintiff,

v.

CITY OF AURORA; KEITH CROSS, in  
his official capacity as Chief of the  
Aurora Police Department; and MIKE  
NELSON, in his official capacity as  
Aurora Community Events  
Coordinator,

Defendants.

Case No. 23-cv-00259

Judge Martha M. Pacold

**PRELIMINARY INJUNCTION ORDER**

For the reasons explained below, and as further explained in the accompanying Memorandum Opinion and Order, plaintiff Aurora Pride's motion for a preliminary injunction is granted in part and denied in part.

The court held an evidentiary hearing on Plaintiff's Amended Motion for Preliminary Injunction [31] on March 28, 2023. [55], [56]. Having considered the parties' briefs and exhibits, and the testimony adduced in depositions and at the hearing, the court finds that Aurora Pride is likely to succeed on the merits of its claim that the provisions of the Aurora Special Events Ordinance, Aurora Code Ch. 41.5 (the "Ordinance") listed at the conclusion of this order violate the First Amendment as applied against the states through the Fourteenth Amendment.

The court also concludes that Aurora Pride has shown that absent preliminary relief it will suffer irreparable harm for which there is no adequate remedy at law. The balance of hardships and public interest weigh in favor of granting a limited preliminary injunction in this case. *See Christian Legal Soc'y v. Walker*, 453 F.3d 853, 859 (7th Cir. 2006); *Joelner v. Village of Washington Park*, 378 F.3d 613, 620 (7th Cir. 2004).

Pursuant to Federal Rule of Civil Procedure 65, and until further order of court, defendants City of Aurora, Keith Cross, and Mike Nelson are hereby enjoined from enforcing the following provisions of the Amended Special Events Ordinance

when approving, denying, adjusting, revoking, or imposing costs or charges related to any Aurora Pride permit application to hold a special event in the city:

- § 41.5-114(a);
- In § 41.5-114(b)(1), the phrases “event security” and “police services”;
- § 41.5-114(b)(4), (5);
- § 41.5-114(c)(4), (5), (7);
- In § 41.5-116(a), the phrases “holding the city harmless from all liability resulting from the operation of the special event”; and “its invitees.”

The court holds that these provisions are severable from the remainder of Chapter 41.5. *See Bell v. Keating*, 697 F.3d 445, 463–64 (7th Cir. 2012).

Pursuant to Federal Rule of Civil Procedure 65(c), Aurora Pride must post a \$15,000 bond with the Clerk of the Court, on or before June 1, 2023.

It is so ordered.

Date: May 18, 2023

/s/ Martha M. Pacold  
United States District Judge