

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

THE AMERICAN CIVIL LIBERTIES	)	
UNION OF ILLINOIS,	)	
	)	
Plaintiff,	)	
	)	Case No. 1:10-cv-05235
v.	)	
	)	Judge Sharon Johnson Coleman
ANITA ALVAREZ, Cook County State's	)	
Attorney, in her official capacity,	)	
	)	
Defendant.	)	

**PRELIMINARY INJUNCTION AND OTHER RELIEF**


Pursuant to FRCP 65(d)(1)(A) and *Am. Civil Liberties Union of Illinois v. Alvarez*, 679 F.3d 583, 2012 WL 1592618 (7th Cir. 2012), this Court hereby finds and orders:

1. The amended complaint (Dkt. 36-1) shall be allowed and entered.
2. Pursuant to the mandate of the Seventh Circuit, the ACLU has demonstrated: (1) a reasonable likelihood of success on the merits for its First Amendment claim; (2) no adequate remedy at law; (3) that it will suffer irreparable harm because it involves the loss of First Amendment freedoms which, absent injunctive relief, outweighs any irreparable harm to defendant Anita Alvarez (“Alvarez”) if the injunction is granted; and (4) the injunction will not harm the public interest because the public interest is not harmed by preliminarily enjoining the enforcement of a statute that is probably unconstitutional.

3. Accordingly, Alvarez, her officers, agents, servants, employees, and attorneys, and any other person acting in concert or participation or privity with Alvarez, are preliminarily enjoined from prosecuting plaintiffs The American Civil Liberties Union of Illinois (the “ACLU”), Colleen Connell, and Allison Carter, and other ACLU employees as directed by

Connell, under the Illinois Eavesdropping Act, 720 ILCS 5/14, for openly audio recording police officers, and civilians talking to such officers, without the consent of the officers and civilians, when (a) the officers are performing their public duties, (b) the officers are in public places, (c) the officers are speaking at a volume audible to the unassisted ear of the person making the recording, and (d) the manner of recording is otherwise lawful.

Dated: July 6, 2012

A handwritten signature in black ink, appearing to read "Sharon Johnson Coleman", written over a horizontal line.

SHARON JOHNSON COLEMAN  
UNITED STATES DISTRICT JUDGE