

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

THE AMERICAN CIVIL LIBERTIES	)	
UNION OF ILLINOIS, on behalf of itself	)	
and all similarly situated organizations;	)	
and MARY DIXON, on behalf of herself	)	
and all similarly situated persons,	)	Case No. 09 C 7706
	)	
Plaintiffs,	)	Hon. Joan B. Gottschall
	)	
v.	)	
	)	
JESSE WHITE, Illinois Secretary of	)	
State, in his official capacity,	)	
	)	
Defendant.	)	

**TEMPORARY RESTRAINING ORDER**

This matter coming before the Court on Plaintiffs’ Motion for a Temporary Restraining Order and a Preliminary Injunction (the “Motion”), and following presentment of written and oral argument on the Motion by all parties, this Court, as explained more fully in a Memorandum Opinion & Order dated December 23, 2009, finds the following:

1. Plaintiffs have shown that they have a reasonable likelihood of success on the merits of their challenge to the size of the levy imposed against not-profit organizations under amendments to 25 ILCS 170 set to take effect on January 1, 2010 (the “Act”);
2. Plaintiffs have also shown that they have a reasonable likelihood of success on the merits of their establishment clause challenge to the Act based on the Act’s exemption for certain activities of religious organizations;
3. Plaintiffs will suffer irreparable harm during the pendency of this litigation for which there is no adequate remedy at law because enforcement of the Act constitutes a prior restraint on expressive activities; and

4. The balance of harms and the public interest weigh in favor of providing preliminary relief here.

THEREFORE, it is hereby ordered that:

5. Plaintiffs' Motion is granted;

6. Defendant Jesse White, in his official capacity as Illinois Secretary of State, is hereby enjoined from requiring any non-profit organization or any registered lobbyist employed by such organization to pay any fee set forth in the Act; and

7. This Temporary Restraining Order shall be in effect beginning January 1, 2010, and continuing through and including January 14, 2010, unless extended by this Court or by consent of all parties.

ENTER:

\_\_\_\_\_/s/\_\_\_\_\_  
JOAN B. GOTTSHCALL  
United States District Judge

DATED: December 29, 2009