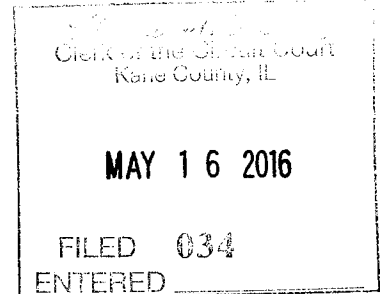


**IN THE CIRCUIT COURT OF SIXTEENTH JUDICIAL CIRCUIT  
KANE COUNTY, ILLINOIS  
IN CHANCERY**

JEANETTE WARD )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 BOARD OF EDUCATION OF COMMUNITY )  
 UNIT SCHOOL DISTRICT 46 )  
 )  
 Defendant. )

Case No. 16 MR 545



TEMPORARY RESTRAINING ORDER  
(with notice)

This cause coming on to be heard on Plaintiff's Motion for Temporary Restraining Order, notice having been given and Defendant having appeared through counsel; the court having considered Plaintiff's Verified Complaint, Plaintiff's Motion for Temporary Restraining Order, and the affidavit of Jeanette Ward; and the court having considered the arguments of counsel, finds as follows:

- A. Plaintiff has shown that there is at least a fair question that she has an ascertainable right in need of protection, to wit: the right of a Board member to have access to records that she is being asked to vote to destroy.
- B. Plaintiff has shown that there is a fair question that Plaintiff will succeed on the merits, to wit; in exercise of the right identified in A, a Board Member would then have a right to examine the record she is being asked to destroy.
- C. Plaintiff has shown that it will suffer irreparable harm if an injunction does not issue, to wit: if the record is destroyed, the case issue becomes moot as it cannot then be recovered.
- D. Plaintiff has shown that it has no adequate remedy at law or in equity, to wit: no monetary judgment could recover a destroyed record.
- E. The Court has considered and has balanced the comparative hardships and the equities between the parties and finds that the equities favor granting the Temporary Restraining Order which will preserve the record pending resolution of the issue.
- F. The Court has also considered the public interest and public benefit presented. Notably, this Court gave no consideration to proposals to change the existing law.

Wherefore, **IT IS HEREBY ORDERED** as follows:

1. Defendant and any of its officers, employees or agent, are temporarily restrained from destroying or altering the verbatim record of the closed session of the Defendant Board from January 25, 2014.
2. This Temporary Restraining Order shall remain in full force and effect from the date and hour hereof until further order of the Court.
3. This case is set for status on 06, 09 2016 at 9:30 A.M..

This Temporary Restraining Order is entered at 4:30 P.M. on the 16th day of May, 2016.

**David Akemann**

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Circuit Judge