

*Jeanette Diechmann  
As the parent and guardian  
of B.S.*

IN THE CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT  
CLINTON COUNTY, ILLINOIS

**FILED**

AUG 30 2021

*R.D. Shook*  
CIRCUIT CLERK, CIRCUIT COURT  
FOURTH JUDICIAL CIRCUIT  
CLINTON COUNTY, ILLINOIS

RONALD PETERS as the )  
parent and guardian of student Z.P. )

Plaintiff, )

VS. )

Case No. 2021-CH- 67

CARLYLE C.U.S.D. #1, a body politic )  
and corporate, ANNIE GRAY as )  
Superintendent of CARLYLE )  
C.U.S.D. #10, )

Defendants. )

**ORDER FOR TEMPORARY RESTRAINING ORDER WITH ~~OUT~~ NOTICE**

This cause coming to be heard on Plaintiff's Motion for Temporary Restraining Order, notice having been given; the Court having considered Emergency Motion for a Temporary Restraining Order finds as follows:

1. Plaintiff's has filed a Verified Complaint for Writ of Injunction, as well as a Verified Motion for Temporary Restraining Order and Preliminary Injunction.
2. Plaintiff has shown there exists a clearly ascertainable right in need of protection, namely that Z.P.'s right to an in-person education has been taken away in violation of applicable law.
3. Plaintiff has shown, have shown there is a fair question that Plaintiff's will succeed on the merits in that in-person learning is required absent, inter alia, an order of quarantine issuing against Z.P. from the local health department.

4. Plaintiff has shown that they will suffer irreparable harm if an injunction does not issue, namely the minor Z.P. will be prohibited from exercising their right to an in-person education even in the absence of a quarantine order; and

5. It is clear from the pleadings that given nothing in this order in no way precludes the local health department from issuing an order of quarantine, which would authorize the Defendant to exclude Z.P. from in-person learning, balancing the equities lies in favor of the issuance of this order.

6. Plaintiff's have shown that it has no adequate remedy at law or in equity in that absent the issuance of a temporary restraining order, the Plaintiff has no way to temporarily restore Z.P.'s right to in-person learning.

WHEREFORE, IT IS HEREBY ORDERED:

- A. Defendants, are enjoined from excluding Z.P. from the facilities for being an individual public health risk unless an order of quarantine issues against Z.P. from the local health department as required by the Illinois State Board of Education.
- B. Defendants are enjoined from demanding Plaintiff provide the District a release from quarantine order in order for Z.P. to return to in-person learning, *unless an order of quarantine should issue.*
- C. Nothing in this order shall be construed to prohibit the local health department from issuing an order of quarantine against Z.P. in a manner prescribed by law.
- D. Nothing in this order shall be construed to prohibit the District from implementing a school wide, or district wide, remote learning program.
- E. This Temporary Restraining Order shall remain in full force and effect for ten days from the date hereof or until \_\_\_\_\_ [a.m.] [p.m.] on \_\_\_\_\_, 2021, unless sooner modified or dissolved by this Court.

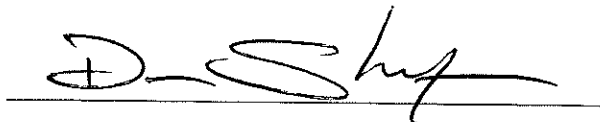
F. Bond is waived for good cause for the Court is satisfied that under no set of facts will the Defendants suffer any significant financial harm as a result of this temporary order.

G. <sup>STATUS</sup> A hearing on a Preliminary Injunction is set at 11:00 ~~[a.m.]~~ [p.m.] on Sep 27th, 2021,

H. This Temporary Restraining Order is entered at 12:00 [a.m.] [p.m.] on Aug 30th, 2020  
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Dated: Aug 30, 2021.

Enter: August 30, 2021



Judge

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