

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLENTOWN WOMEN’S CENTER, INC.,

Plaintiff,

v.

JOHN DUNKLE

and

ANTHONY J. SULPIZIO

and

MARK MICHAEL BOGUNOVICH

and

JOHN DOE NOS. 1-5,
Defendants.

Civil Action No.: _____

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65 and 18 U.S.C. § 248(c)(1)(B), Plaintiff Allentown Women’s Center, Inc. (“AWC” or “Clinic”), by and through its undersigned counsel, hereby moves the Court for a preliminary injunction against Defendants John Dunkle (“Dunkle”), Anthony J. Sulpizio (“Sulpizio”), Mark Michael Bogunovich (“Bogunovich”), and their agents, servants, employees, and attorneys, and all persons who are in active concert or participation with them (collectively, “Defendants”) and prohibiting Defendants from: (1) further violations of the Freedom of Access to Clinic Entrances Act, 18 U.S.C. § 248; (2) engaging in the use of force and/or physical obstruction of AWC employees, volunteers, and/or patients; (3) trespassing on the private property of AWC; (4) standing in, walking across, traversing around any of the driveway entrances to the AWC clinic located at 100 South Commerce Way in Hanover Township, Northampton County, in the Commonwealth of Pennsylvania, or coming

within a 25-foot buffer zone extending from the Clinic driveways, as fully described in the proposed order.

As set forth in the accompanying Memorandum of Law, along with Plaintiff's Complaint and the Declarations submitted in support of this Motion, Plaintiff has satisfied each and every element required for securing a preliminary injunction. Plaintiff has demonstrated: (1) a reasonable probability of success on the merits of at least one of its claims against each and every named Defendant; (2) that Plaintiff has been and will continue to be irreparably harmed by Defendants' tortious and illegal actions; (3) if the injunction should issue, the possibility of harm to Defendants or other interested parties is slight or non-existent but, if the injunction does not issue, the possibility of harm to Plaintiff and to other interested parties (such as the patients and visitors of AWC) is high; and (4) the public interest warrants the entry of the injunction.

For any and all of the reasons cited in this Motion and in the accompanying Memorandum of Law, Plaintiff has demonstrated that preliminary injunctive relief against Defendants is warranted and should issue. A proposed preliminary injunction order is attached.

Respectfully submitted,

WOMEN'S LAW PROJECT

/s/ Susan Frietsche

Susan Frietsche (PA 65240)

Amal Bass (PA 202954)

Women's Law Project

125 S. 9th Street, Suite 300

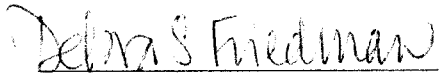
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