

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

HEATHER AKOU, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:24-cv-1469-TWP-MJD
	)	
	)	
THE TRUSTEES OF INDIANA	)	
UNIVERSITY, in their official capacities, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**Motion for Preliminary Injunction**

Plaintiffs, by their counsel, move this Court for a preliminary injunction to enjoin so much of defendants’ new Expressive Activity Policy that prohibits such activity taking place between 11:00 p.m. and 6:00 a.m. In support of this motion they say that:

1. The defendants’ total ban on all activity otherwise protected by the First Amendment because it is taking place between 11:00 p.m. and 6:00 a.m. is unconstitutional.
2. The challenged temporal limitation on First Amendment expression is currently in effect and is being enforced by defendants.
3. In the absence of a preliminary injunction, plaintiffs will suffer irreparable harm for which there is no adequate remedy at law.
4. This harm outweighs any harm that an injunction would cause defendants.

5. The public interest will not be disserved by the grant of a preliminary injunction.
6. The injunction should issue without bond as the injunction will not expose defendants to the risk of any financial harm.
7. Plaintiffs intend to separately submit documentary or other evidence in support of their preliminary-injunction request prior to or at a preliminary-injunction hearing in this matter. Additionally, plaintiffs will submit their memorandum of law in support of this motion within the time period established in any briefing schedule set by the Court. That to-be-filed memorandum is incorporated herein by reference.
8. Plaintiffs further request that the Magistrate Judge conduct a conference for the purpose of establishing a briefing schedule for this motion.

WHEREFORE, plaintiffs request that this Court issue a preliminary injunction enjoining defendants from enforcing Indiana University's Expressive Activity Policy to the extent that the policy prohibits expressive activity occurring between 11:00 p.m. and 6:00 a.m., and all other proper relief.

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### **Certificate of Service**

I certify that on this 30th day of May 2024, a copy of the foregoing was filed electronically with the Clerk of this Court and was served on the below-named party by first class U.S. Postage, pre-paid.

The Trustees of Indiana University  
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