

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

NOELL and CRYSTAL ALLEN, a married couple;)
JACKIE and LISA PHILLIPS-STACKMAN,)
a married couple and L.J.P-S, by her mother)
and next friend, Lisa Phillips-Stackman)

Plaintiffs,)

-vs-)

DR. JEROME M. ADAMS, in his official capacity as)
Indiana State Health Commissioner;)
DR. VIRGINIA A. CAINE, in her official capacity)
as Director and Health Officer of the)
Marion County Health Department;)
DARREN KLINGLER, Adminstrator, Vital Records,)
Marion County Health Department;)
DR. JAMES MINER, GREGORY S. FEHRIBACH,)
LACY M. JOHNSON, CHARLES S. EBERHARDT II,)
DEBORAH J. DANIELS, DR. DAVID F. CANAL, and)
JOYCE Q. ROGERS, all in their official capacities)
as Trustees, Health 85 Hospital Corporation)
of Marion County)

No. 1:15-cv-01929-RLY-MJD

Defendants.)

MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Rule 65 of the Federal Rules of Civil Procedure,
Plaintiffs Plaintiffs Crystal Allen, a married couple; and, Jackie and Lisa
Phillips-Stackman, a married couple and L.J.P-S, by her mother and
next friend, Lisa-Phillips-Stackman, by counsel ("Plaintiffs"), respectfully
move the Court for a preliminary injunction that: (1) enjoins Defendants
from enforcing I.C. § 31-14-7-1(1) so as to prohibit Noell Allen and
Jackie Phillips-Stackman from being named on the birth certificates of

the children born to their respective spouses; and (2) enjoins Defendants from enforcing I.C. § 31-9-2-15 and -16 in any manner which would define Ashton and Alivea Allen or L.J.P-S as a child born out-of-wedlock.

A Memorandum of Law in Support of Plaintiffs' Motion is filed herewith or the Court's consideration. A proposed order is attached.

Plaintiffs request that they be exempted from the Federal Rule of Civil Procedure 65(c) bond requirement.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 14, 2015, a copy of the foregoing *Motion for Preliminary Injunction* was filed electronically and a copy of the foregoing has been served via first class mail, postage prepaid upon:

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