

STATE OF INDIANA)
)
 COUNTY OF VANDERBURGH)
)
 JOHN DOE,)
)
 Plaintiff)
)
 VS.)
)
 UNIVERSITY OF SOUTHERN)
 INDIANA,)
)
 Defendant)

SS:IN THE VANDERBURGH CIRCUIT COURT

VANDERBURGH CIRCUIT COURT
FILED
 SEP 24 2021
S.A. Aguilera
 CLERK

CAUSE NO. 82C01-2109-PL-004615

COURT'S TEMPORARY RESTRAINING ORDER IN FAVOR OF JOHN DOE AND AGAINST THE UNIVERSITY OF SOUTHERN INDIANA

Comes now the Court and issues its Findings of Fact, Conclusions of Law, and Temporary Restraining Order in favor of John Doe and against the University of Southern Indiana (“USI”).

FINDINGS OF FACT

1. Plaintiff’s suspension from USI is set to begin at 12:00 p.m. Central Time on Saturday, September 25, 2021 and continue through January 1, 2023. Plaintiff received notice of the suspension in the afternoon of September 22, 2021, less than seventy-two (72) hours before USI intended to impose the suspension, and less than forty-eight (48) hours before Plaintiff filed his Verified Application for T.R. 65(B) Temporary Restraining Order.
2. Plaintiff will suffer the following injury and harm if a Temporary Restraining Order is not entered:
 - a. Loss of current and existing education,
 - b. The disruption and premature cessation of a current education semester,
 - c. The loss of current and existing scholarships, and

- d. The loss of current and existing extracurricular activities in association with the educational experiences.
3. Said injury and harm is immediate and irreparable for the following reasons:
 - a. No adequate remedy at law exists for the loss of a current and existing education,
 - b. The disruption and premature cessation of a current education semester,
 - c. The loss of current and existing scholarships, and
 - d. The imposed suspension is scheduled to begin tomorrow, September 25, 2021.
 4. Plaintiff's attorney has certified to the Court by affidavit the efforts which have been made to give notice to USI and the reasons why a Temporary Restraining Order should be entered without an opportunity for Defendant to be heard. Specifically, Plaintiff's attorney has done the following:
 - a. Emailed copies of the Complaint, Verified Application for T.R. 65(B) Temporary Restraining Order (and accompanying proposed order), Motion to Proceed Under Pseudonym (and accompanying proposed order), and this Attorney's Affidavit to Aaron Trump, USI's Chief Government and Legal Affairs Officer;
 - b. Called Mr. Trump on his work telephone number to advise of the filing of such matters;
 - c. Called and texted Mr. Trump on his mobile telephone number to advise of the filing of such matters;
 - d. Emailed copies of John Doe's Complaint, Verified Application for T.R. 65(B) Temporary Restraining Order (and accompanying proposed order), Motion to Proceed Under Pseudonym (and accompanying proposed order), and this Attorney's Affidavit to Ms. Beth Devonshire, Interim Title IX Coordinator for USI.

i. In both of these emails, Plaintiff's attorney indicated counsel would personally appear before the Court in the morning of September 24, 2021 in regards to the Verified Application for T.R. 65(B) Temporary Restraining Order.

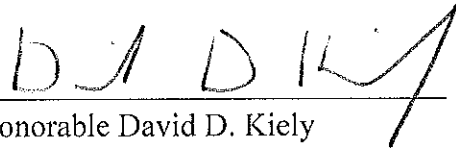
5. The Court gave notice to Mr. Trump via telephone of Plaintiff's filings in the morning of September 24, 2021.

CONCLUSIONS OF LAW

1. It clearly appears from specific facts shown by affidavit and the Verified Application for T.R. 65(B) Temporary Restraining Order that immediate and irreparable injury, loss, or damage will result to John Doe before USI or its attorney can be heard in opposition to John Doe's application for a Temporary Restraining Order.
2. This Temporary Restraining Order is entered on this 24th day of September, 2021 issued at 1:00 p.m.
3. This Temporary Restraining Order is granted without a hearing because USI's sanctions against Plaintiff take effect at 12:00 p.m. on September 25, 2021, and it is not possible to conduct a hearing to determine preliminary injunctive relief prior to that time.
4. This Temporary Restraining Order shall expire at 11:59 p.m. on September 30, 2021, unless within that time is extended by an Order for Good Cause Shown or unless Defendant consents that it may be extended for a longer period of time. Until such time, USI is restrained from suspending John Doe as a student at USI or otherwise imposing any sanction or restriction as a USI student against Plaintiff as USI advised Plaintiff by email on September 22, 2021.

5. Plaintiff's Motion for a Preliminary Injunction is set for hearing on September 30, 2021 at
10:00 a.m.

SO ORDERED.

A handwritten signature in black ink, appearing to read "D. D. Kiely", written over a horizontal line.

The Honorable David D. Kiely
Judge, Vanderburgh Circuit Court

Copies to:
K. Vonderhe
A. Trump

VANDERBURGH CIRCUIT COURT
FILED
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S. A. [Signature]
CLERK

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

IN THE VANDERBURGH CIRCUIT COURT

JOHN DOE)
) Plaintiff)
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) v.)
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UNIVERSITY OF SOUTHERN INDIANA)
) Defendant)

CAUSE NO. 82C01-2109-PL-004615

ORDER

Comes now the Court, upon the Plaintiff's Motion to Proceed Under Pseudonym, with the Court having reviewed the same and having been otherwise duly advised in the premises, and now GRANTS said Motion.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED that Plaintiff can proceed herein under the pseudonym "John Doe" and that any filings herein that contain Plaintiff's actual name shall and must be immediately sealed and shall and must remain under seal.

SO ORDERED this 24th day of September, 2021.

David D. Kiely

The Honorable David D. Kiely
Judge, Vanderburgh Circuit Court