

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY**

TONI FLOYD and CHERI NICHOLSON
On behalf of themselves and all those similarly
situated

Plaintiffs,

Civil Action No. _____

v.

ANNE HAYNIE, in her official capacity as Chief
Judge of the Jefferson County District Court
Defendant.

**MOTION FOR A PRELIMINARY INJUNCTION AND
FOR A HEARING ON THIS MATTER IN THE NEXT 24-48 HOURS**

Come now the Named Plaintiffs, by and through counsel, to seek the entry of a preliminary injunction under Fed.R.Civ.P. 65(a) in this matter enjoining the Jefferson County District Court from conducting hearings in forcible detainer actions until the Jefferson County District Court has provided Constitutionally-adequate notice to people facing eviction of the time and place of their forcible detainer hearings. As articulated in the attached Memorandum, the *immediate* entry of this injunction is necessary to protect both the fundamental due process rights of people facing eviction and the health and safety of our community.

Plaintiffs are sensitive to the Court’s preexisting schedule and to the need to allow Defendant to prepare for a hearing. But, because the Jefferson District Court is scheduled to hear 103 forcible detainer matters today (Monday, February 1) and 93 tomorrow (Tuesday, February 2) and 644 total in the next two weeks [Plaintiffs’ Complaint ¶ 80], Plaintiffs move the Court to schedule a hearing on this matter as expeditiously as practical but in no event later than 9:00 a.m. on Wednesday morning.

Dated: February 1, 2021

Respectfully Submitted,

/s/ Ben Carter _____

Ben Carter

KENTUCKY EQUAL JUSTICE CENTER

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CERTIFICATE OF SERVICE

I hereby certify that, on February 1, 2021, I served this Motion, Memorandum, and Tendered Order on Defendant via email, hand-delivery, and certified mail at the following addresses:

Hon. Anne Haynie, Chief Judge
Jefferson County District Court
600 W. Main Street
Louisville, KY 40202
annehaynie@kycourts.net

/s/ Ben Carter
Ben Carter