

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CANDY LAB INC.,

Plaintiff,

v.

Case No. 17-CV-569-JPS

MILWAUKEE COUNTY,
MILWAUKEE COUNTY BOARD OF
SUPERVISORS, and MILWAUKEE
COUNTY DEPARTMENT OF PARKS,
RECREATION, AND CULTURE,

Defendants.

**PRELIMINARY
INJUNCTION**

Upon consideration of Plaintiff Candy Lab Inc.'s Complaint and Motion for Preliminary Injunction, including the supporting declarations and attachments thereto, and having considered the arguments of counsel, the Court finds as follows:

1. The Court has original jurisdiction over the claims in this matter pursuant to 28 U.S.C. § 1331;
2. Plaintiff has a reasonable likelihood of success on the merits of its claims under 28 U.S.C. § 1983 for violations of the First Amendment;
3. Plaintiff will suffer irreparable harm if Defendants are permitted to enforce Section 47.03(3) of the Milwaukee County Code of General Ordinances, adopted in Resolution 16-637;
4. Plaintiff has no adequate remedy at law;
5. Greater injury will be inflicted upon Plaintiff by the denial of injunctive relief than will be inflicted upon Defendants by the granting of such relief; and

6. The issuance of injunctive relief will not disserve the public interest.


Accordingly,

IT IS ORDERED that Plaintiff's motion for a preliminary injunction (Docket #6) be and the same is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Defendants Milwaukee County, the Milwaukee County Board of Supervisors, and the Milwaukee County Department of Parks, Recreation, and Culture and their employees, agents, and representatives, and all persons in active concert or participation with any of them are enjoined and restrained from enforcing Section 47.03(3) of the Milwaukee County Code of General Ordinances pending the final resolution of this action.

Dated at Milwaukee, Wisconsin, this 20th day of July, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge