

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND

John Doe,

*Plaintiff,*

vs.

THE BOARD OF EDUCATION OF  
MONTGOMERY COUNTY, *et al.*,

*Defendants.*

Case No.:

**EMERGENCY MOTION FOR  
PRELIMINARY INJUNCTION, OR, IN  
THE ALTERNATIVE, TEMPORARY  
RESTRAINING ORDER**

Plaintiff John Doe, proceeding under a pseudonym,<sup>1</sup> hereby files this emergency motion for a preliminary injunction, or, in the alternative, for a temporary restraining order. By this motion, Doe seeks to stay enforcement of Defendants' policy requiring employees to be vaccinated against COVID-19 (the "Vaccine Mandate" or "Mandate"), ***which has a compliance deadline of September 30, 2021.*** Doe therefore respectfully requests that the Court resolve this motion in his favor before that date.

Specifically, Doe respectfully requests that the Court enter an Order granting this motion and providing as follows:

That Defendants, all of their officers, agents, employees, and attorneys, and all other persons in active concert or participation with them, are restrained and enjoined, until such time as judgment is entered in this matter, from: (i) enforcing, threatening to enforce, attempting to enforce, or otherwise requiring compliance with the Vaccine Mandate as written, (ii) enforcing, threatening to enforce, attempting to enforce, or otherwise requiring compliance with the Vaccine Mandate without a mechanism to receive and process employee requests for religious exemptions

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<sup>1</sup> Doe will file a separate motion seeking leave to proceed under a pseudonym.

in the same manner as requests for medical exemptions; (iii) refusing to consider, evaluate, or accept Doe's request for exemption from the Vaccine Mandate for his sincerely held religious beliefs; (iv) denying Doe's request for a religious exemption from the Vaccine Mandate, provided, however, that Doe will agree to abide by reasonable accommodation/mitigation measures such as masking, testing, symptom monitoring, and reporting; and (iv) threatening to discharge and terminate Doe from his employment, or otherwise taking any adverse action against him, for his failure to receive a COVID-19 vaccine.

In the alternative, if the Court is not prepared to issue a preliminary injunction at this time, Doe respectfully requests that the Court, instead, issue a temporary restraining order providing as follows:

That Defendants, all of their officers, agents, employees, and attorneys, and all other persons in active concert or participation with them, are restrained and enjoined, from (i) enforcing, threatening to enforce, attempting to enforce, or otherwise requiring compliance with the Vaccine Mandate and (ii) threatening to discharge and terminate Doe from his employment, or otherwise taking any adverse action against him, for failure to receive a COVID-19 vaccine, until such time as the Court resolves Doe's motion for preliminary injunction.

Contemporaneous with the filing of this motion, Doe will also file a memorandum in support. For the reasons set forth in that memorandum, along with any argument of counsel the Court may allow, Doe respectfully requests that the Court grant this motion and enter the Order requested herein.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted this 28th day of September, 2021, by

      /s/        
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\*Motion for Admission Pro Hac Vice  
pending