

STATE OF INDIANA) IN THE MONROE CIRCUIT COURT
) SS:
 COUNTY OF MONROE) CAUSE NUMBER: **53C01-2110-PL-002222**

SEVEN OAKS CLASSICAL SCHOOL
INC.,)
Plaintiff,)

v.)

MONROE COUNTY BOARD OF)
COMMISSIONERS, and the)
MONROE COUNTY HEALTH)
DEPARTMENT)
Defendants.)

VERIFIED COMPLAINT

Plaintiff, **SEVEN OAKS CLASSICAL SCHOOL, INC.** (hereafter "Seven Oaks"), and for their *Verified Complaint* against the **MONROE COUNTY BOARD OF COMMISSIONERS** ("Commissioners") and the **MONROE COUNTY HEALTH DEPARTMENT** ("Health Department") state and show as follows:

INTRODUCTION

- 1) This is a civil action by the Plaintiff against the Defendants requesting a declaratory judgment that the Health Department's August 19, 2021 Citation and the Commissioner's decision and final official action rendered on September 23, 2021, which upheld said Citation, issued to Seven Oaks for its alleged violation of Monroe County's August 5th and 23rd, 2021, Public Health Regulation and Orders ("Face Covering Regulation", Monroe County Code (MCC) 305-2) is null and void.
- 2) Plaintiff brings this action pursuant to both the "Open Door Law," as added by Acts 1977, P.L. 57, and as amended, Ind. Code § 5.14-1.5-1, *et seq.*, and the "Uniform Declaratory Judgment Act," as added by P.L. 1-1998, and Ind. Code § 34-14-1-1, *et seq.* P

- 3) Plaintiff seeks an expedited declaratory judgment and for the decision and official action made by Defendants to be vacated and declared void, and for injunctive relief restraining the Health Department from issuing further citations and or notices of violation under the August 5th and August 23rd Orders in connection with the activities that were notated in the Citation.
- 4) Plaintiff brings this action under I.C. 36-2-2-27 through 29, as the Plaintiff were “aggrieved” by a decision of the Monroe County Commissioners.

THE PARTIES

- 5) Plaintiff, the Seven Oaks Classical School, Inc. is a charter school incorporated under Indiana Code § 20-24, and located at 200 East Association Street, Ellettsville, Indiana 47429.
- 6) Defendant, the Monroe County Board of Commissioners offices are located at 100 West Kirkwood Avenue, Bloomington, Indiana 47404.
- 7) Defendant, the Monroe County Health Department is a “public agency” as defined by I.C. 5-14-1.5-2(a)(2), with offices located at 119 West Seventh Street, Bloomington, Indiana 47404.
- 8) At the relevant times herein, the Monroe County Commissioners were:
 - a. Julie Thomas, President.
 - b. Lee Jones, Vice President.
 - c. Penny Githens, Commissioner.

JURISDICTION

- 9) Plaintiff incorporates herein all preceding paragraphs.
- 10) Plaintiff, Seven Oaks Classical School, Inc. is located in Monroe County, Indiana.
- 11) Both Defendants are governmental organizations with offices in Monroe County, Indiana.
- 12) All of the acts and omissions alleged by Plaintiff against the Defendants occurred in Monroe County, Indiana.

- 13) This civil action for declaratory judgment and injunctive relief is brought within thirty (30) days of the date the Plaintiff knew or should have known that the acts, or failures to act, complained of had occurred, pursuant to I.C. 5-14-1.5-7(b)(2).
- 14) This court has jurisdiction to hear this cause of action pursuant to I.C. 36-2-2-27 through 29.
- 15) In relevant part, pursuant to I.C. 36-2-2-27:

“(a) A party to a proceeding before the executive who is aggrieved by a decision of the executive may appeal that decision to the circuit court, superior court, or probate court for the county...

...(c) An appeal under this section must be taken within thirty (30) days after the executive makes the decision by which the appellant is aggrieved.”
- 16) Pursuant to I.C. 36-2-2-28(a), the Plaintiff are able to comply with the requirements thereto, and “file with the county auditor, a bond conditioned on due prosecution of the appeal. [The Plaintiff understand] that the bond is subject to approval by the auditor, and it must be in an amount sufficient to provide security for court costs.”
- 17) Pursuant to I.C. 36-2-2-28(b),

(b) Within twenty (20) days after the auditor receives the appeal bond, the auditor shall prepare a complete transcript of the proceedings of the executive related to the decision appealed from and shall deliver the transcript, all documents filed during the proceedings, and the appeal bond to the clerk of the circuit court.
- 18) Pursuant to I.C. 36-2-2-29,
 - (a) “An appeal under section 27 of this chapter shall be docketed among the other causes pending in the circuit court, superior court, or probate court, and shall be tried as an original cause.”
 - (b) A court may decide an appeal under section 27 of this chapter by:
 - (1) affirming the decision of the executive; or

- (2) remanding the cause to the executive with directions as to how to proceed; and may require the executive to comply with this decision.”
- 19) The Monroe County Circuit Court has jurisdiction of this action for declaratory judgment and injunctive relief pursuant to I.C. 5-14-1.5-7(a), I.C. 34-14-1, *et seq.*, and Trial Rule 75(A)(5).
- 20) As such, the Court has jurisdiction over the parties and subject matter.

FACTUAL ALLEGATIONS

- 21) Plaintiff incorporates herein all preceding paragraphs.
- 22) On August 19, 2021, the Health Department issued a Citation to Seven Oaks for Seven Oaks alleged failure to comply with Public Health Order that was adopted by the Commissioners on August 5, 2021, referred to herein as the “Face Covering Regulation.” (Citation attached hereto as Exhibit “A”).
- 23) On August 25, 2021, pursuant to Monroe County Code (MCC), Section 307-5, Seven Oaks appealed the action enforcing the Health Department’s Citation, requesting that the Health Department be enjoined from issuing further citations or other notices for allegations of violation of the Face Covering Regulation. (Hereinafter referred to as “Appeal”, attached hereto as Exhibit “B”).
- 24) Plaintiff alleged three (3) counts in their Appeal that enforcing the Citation would be contrary to 307-5, specifically, that:
- “I. Enforcing the health order would have an inverse [sic] impact to individuals experiencing a disability.
 - II. The appellant has a compelling interest that justifies deviation from the health order and have taken measures [sic] that insures [sic] public health.
 - III. Appellant appeals that no violation of the emergency health order occurred.
- 25) Approximately 13% of the Seven Oaks student body qualifies for special education services.

- 26) The inability for disabled students (and those students facing a potential disability) at Seven Oaks to be able to adequately hear and see classmates and teachers, or have the benefit of social cues, presents a legitimate barrier to effective learning, whether academic, social, and/or emotional.
- 27) Upon information and belief, elementary teachers have reported difficulties teaching phonics when they cannot hear the children well, and when they cannot see the way, the students use their mouths.
- 28) Upon information and belief, COVID related disruptions have impaired learning throughout the State of Indiana, including Seven Oaks.
- 29) In 2020, nearly 1/3 of the students at Seven Oaks, who were screened for dyslexia, were found a varying levels of risk of being diagnosed with dyslexia.
- 30) Upon information and belief, the Health Department made no inquiry into what percentage of Seven Oaks students were experiencing a disability, prior to issuing the citation.
- 31) Upon information and belief, foreign language teachers have reported having challenges because of face covering requirements.
- 32) Seven Oaks has appropriate COVID Protocol. (Attached hereto as Exhibit "C").
- 33) On Monday, September 20, 2021, the Commissioners, held an appeal hearing that lasted approximately two and one-half hours.
- 34) No executive session was noticed between the conclusion of the appeal hearing and the commencement of the Commissioners' regular weekly meeting on Wednesday, September 22, 2021. At the end of the meeting, the Commissioners continued the meeting until 3:00 PM, Thursday, September 23, 2021.
- 35) The continued September 23, 2021 meeting opened with President Julie Thomas announcing that there is a motion; Vice President Lee Jones promptly read a motion denying the appeal; Commissioner Penny Githens promptly seconded the motion. They then voted without further public deliberation.

- 36) At no point in time between the hearing and the September 23 meeting was notice posted of an execution session, nor did the Seven Oaks appeal appear on the agenda for the September 22 or 23 meetings, and finally there was not a motion to amend the agenda.
- 37) The September 23, 2021 meeting denying the appeal was completed in less than three minutes.
- 38) The Seven Oaks Citation matter was not on the agenda for the September 29, 2021 meeting. The agenda was never amended to include the matter.
- 39) The draft written decision was not part of the Commissioners' work packet for the September 29, 2021 meeting.
- 40) Commissioner Ms. Thomas, who was assigned the task of drafting the decision, left the meeting at around 4:26:38.
- 41) The Commissioners issued a written decision affirming the Citation at the end of their meeting on September 29, 2021. (Attached hereto as Exhibit "D," also referred to herein as the "Appeal Decision").
- 42) The Commissioners asserted in the "Appeal Decision" that its decision satisfied the requirements under I.C. 16-20-5.5-5.
- 43) As it relates to Count 1 of the Plaintiff's appeal, in their Appeal Decisions, the Commissioners concluded that: "[t]he School did not show that exemptions b and c in the Health Order (effective August 5, 2021), were inadequate to address the concerns from the student perspective. In addition, the School made no showing that exemptions were inadequate for the purpose of teacher presentation." (Exhibit "D").
- 44) As it relates to Count 2 of the Plaintiff's appeal, in the Appeal Decision, the Commissioners concluded "that the education and total well-being of the students is a compelling interest, outside of the disability exemptions discussed in Count 1, evidence was focused on language and foreign language learning. The School's policy did not distinguish between types of learning. Therefore the School did not present evidence that the enforcement of the citation would have a material impact on a compelling interest." (Exhibit "D").
- 45) As it relates to Count 3 of the Plaintiff's appeal in the Appeal Decision, the Commissioners stated: "[w]hile both parties presented various documents that demonstrate the reasoning, the clear language in the order is: "schools

in Monroe County shall follow the guidelines of the Centers for Disease Control guidelines recommended masks for schools. With that being said, the confusion was understandable, and the Health Order was later revised to clarify this issue. The Commissioners expect the School to comply with the most recent Health Order.” (Exhibit “D”).

- 46) Plaintiff filed a “Formal Complaint” against the Commissioners, with the Office of the Public Access Counselor (PAC) on October 8, 2021. Plaintiff alleged “Open Door Law” violations and requested priority status. (Attached herein as Exhibit “E”).
- 47) The Final Order from the Appeal Decision reads:

“IT IS THEREFORE ORDERED, that the enforcement action represented by citation number 1879 stands. However, given that Health Order was later amended to clarify the applicability of the Order to School, the Board of Commissioners hereby waive the \$250 fine.

This order is effective upon approval by the Board of Commissioners. The parties are advised that they have a right to judicial review of this decision by filing an appeal in the Monroe Circuit Court.”
- 48) On October 12, 2021, the Commissioners filed a Response to the Plaintiff Formal Complaint submitted to the PAC. (Subsequently referred to herein as “Response,” and attached herein as Exhibit “F”).
- 49) Defendants asserted in their October 12, 2021 “Response” that the Health Department’s enforcement powers to enforce the Face Covering Regulation, were enumerated under I.C. 16-20-1.
- 50) The Defendants’ actions and decision, which denied the Plaintiff’ appeal were quasi-judicial in nature.
- 51) Plaintiff has a compelling interest that justifies deviation form Face Covering Regulations.
- 52) The Commissioners conceded in their “Response” that they deliberated and decided the issues presented on the Plaintiff’ appeal, “outside of a public meeting.”
- 53) A public agency is “any board, commission, department, agency or authority, by whatever name designated, exercising a portion of the

executive, administrative or legislative powers of the state.” *See* I.C. 5-14-1.5-2.

- 54) While the Commissioners may act as a quasi-judicial body, its powers are legislative and administrative in nature, and therefore the Commissioners are a “public agency” within the meaning of the Indiana Open Door Law.
- 55) Plaintiff expects an advisory opinion to be issued by the PAC soon, but to date, an advisory opinion has not been issued by the PAC.
- 56) Pursuant to I.C. 5-14-1.5-7(b), this action is ripe for judicial action, because although a formal complaint is pending before the PAC, I.C. 5-14-1.5-7(b)(2), requires injured parties like the Plaintiff from seeking relief:

“within thirty days of either:

(A) the date of the act or failure to act complained of; or

(B) the date that the plaintiff knew or should have known that the act or failure to act complained of had occurred; whichever is later. If the challenged policy, decision, or final action is recorded in the memoranda or minutes of a governing body, a plaintiff is considered to have known that the act or failure to act complained of had occurred not later than the date that the memoranda or minutes are first available for public inspection.
- 57) As enumerated by the “Open Door Law”, official action means to receive information, deliberate, make recommendations, establish policy, make decisions, or take final action, pursuant to I.C. 5-14-1.5-2(d).
- 58) The Commissioners conducted business and took official actions as it relates to the Citation Plaintiff received from the Health Department.
- 59) Each gathering of the Commissioners as described hereinabove was for the purpose of taking official action on public business and therefore a “meeting” as enumerated under I.C. 5-14-1.5-2(c).
- 60) Defendant’s acts and omissions described herein above did one or more of the following, affected the substance of the Commissioner’s final decision and action, denied or impaired access to meetings that the public, including and especially the Plaintiff, had a right to observe and record, and finally, the Defendant’s acts and omissions prevented and impaired the public knowledge and understanding of the public’s business, including and especially the Plaintiff, all in contravention of I.C. 5-14-1.5-7(d)(1).

- 61) Voiding the decision and final action of the Commissioners is a necessary prerequisite to substantial reconsideration of the subject matter of the decision and final action pursuant to I.C. 5-14-1.5-7(d)(2).
- 62) The public interest, including the Plaintiff's interest, will be served by voiding the decision and official final action of the Commissioners in that remedial benefits will be gained by effectuating the public policy of the State of Indiana declared in the Open Door Law, I.C. 5-14-1.5-1, *et seq.*, and second, no prejudice will develop to the public if the decision and final action of the Commissioners is voided including any prejudice by reliance, all pursuant to I.C. 5-14-1.5-7(d)(3).
- 63) Pursuant to I.C. 5-14-1.5-7(f) the Court shall award Plaintiff, if they prevail, reasonable attorney's fees and costs because they complied with to I.C. 5-14-1.5-7(f). I.C. 5-14-1.5-7(f) states:

In any action filed under this section, a court shall award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to the prevailing party if:

- (1) the plaintiff prevails; or
- (2) the defendant prevails and the court finds that the action is frivolous and vexatious.

The plaintiff is not eligible for the awarding of attorney's fees, court costs, and other reasonable expenses if the plaintiff filed the action without first seeking and receiving an informal inquiry response or advisory opinion from the public access counselor, unless the plaintiff can show the filing of the action was necessary to prevent a violation of this chapter.

COUNT 1

DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF PURSUANT TO THE INDIANA OPEN DOOR LAW

- 64) Plaintiff incorporates all preceding paragraphs.
- 65) The Defendants acts and omissions described hereinabove violated the "Open Door Law" of the State of Indiana, I.C. 5-14-1,5-1, *et seq.*
- 66) Specifically, the Defendant's acts and omissions violated the "Open Door Law" in one or more of the following ways, including but not limited to:
 - A. Upon information and belief, the Commissioners failed to hold all meetings open at all times for the purposes of permitting members of

the public to observe and record them in violation of I.C. 5-14-1.5-3(a);

- B. The Commissioners failed to give notice of meetings, executive sessions, and rescheduled or reconvened meetings, in violation of I.C. 5-14-1.5-5(a);
- C. Defendant took final action on the Plaintiff in secret or executive sessions in violation of I.C. 5-14-1.5(6)(c).
- D. Defendant recessed and reconvened, as described herein above, with the intent of circumventing the “Open Door Law,” all in violation of I.C. 5-15-1.5-6.1 (e).

67) The filing of this cause of action is necessary to prevent the violation of the “Open Door Law,” under I.C. 5-14-1.5-7(f).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, by counsel, respectfully moves the Court for the following relief:

- A. Declaratory judgment that the acts and omissions of the Defendants described herein above violate the Open Door Law of the State of Indiana, I.C. 5-14-1.5-1 *et seq.*;
- B. Declaratory judgment that the Appealed Decision described herein above is null and void.
- C. Preliminary and expedited injunctive relief restraining the Defendants from taking any further action to enforce MCC 305-2.
- D. Preliminary and permanent injunctive relief, enjoining Defendants from subsequently acting upon the subject matter of the voided decision and final action, until Defendant has given substantial reconsideration to said decision and final action at a meeting or meetings that comply with the Indiana Open Door Law;
- E. Award of reasonable attorney’s fees to the Plaintiff;
- F. Award of reasonable court costs to Plaintiff.
- G. Award of reasonable expenses of litigation to Plaintiff.

- H. Schedule an expedited hearing pursuant to I.C. 5-14-1.5-7(h); and
- I. Any and all other just and proper relief in the premises.

Wherefore the Plaintiff, by counsel, pray that Declaratory Judgment be entered against the Defendants for appropriate preliminary and final injunctive relief, for all relief requested for hereinabove, including attorney's fees and costs, and for all other relief deemed appropriate in the premises.

COUNT 2
DECLARATORY AND INJUNCTIVE RELIEF THAT THE
COMMISSIONERS MISAPPLIED STANDARD OF REVIEW
OF MCC-307-5

- 68) Plaintiff incorporate all preceding paragraphs.
- 69) That upon information and belief MCC 307-5 was not properly promulgated as required under Indiana Law.
- 70) Plaintiff's request that this court determine whether or not MCC 307-5 was properly promulgated under Indiana Law.
- 71) If the Court finds that MCC 307-5 was properly promulgated, then the Commissioners abused its discretion by misapplying the wrong standard of review.
- 72) In relevant part, MCC 307-5, **Standards of Review**, reads as follows:
 - a. "In determining the hearing an appeal, the Board of Commissioners or hearing officer shall be governed by the Emergency Health Order issued by the Health Officer or Health Board, and approved by the County Commissioners. The Commissioners shall review each appeal to determine if implementation of the order causes harm due to any one of the following:
 - 1. Enforcing the health order would have an inverse impact to individuals experiencing a disability,

2. The appellant has a compelling interest that justifies deviation from the health order and have taken measures that insures public health; or,
 3. Appellant appeals that no violation of the emergency health order occurred.
- 73) The Commissioners' September 29, 2021, "Appeal Decision," misstated the three (3) basis asserted by the Plaintiff in their Appeal, and effectively misapplied the standard of review enumerated under MCC 307-5.
- 74) To explain, in Plaintiff's Appeal, the Plaintiff alleged:
 - I. Enforcing the health order would have an inverse [sic] impact to individuals experiencing a disability.
 - II. The appellant has a compelling interest that justifies deviation from the health order and have taken measures [sic] that insures [sic] public health.
 - III. Appellant appeals that no violation of the emergency health order occurred." (Exhibit "B").
- 75) However, reviewing the "Appeal Decision," the Commissioners misstate the Plaintiff's argument, and the scope of the standard of review enumerated in MCC 307-5, stating instead that Plaintiff based their appeal on the following:
 1. That enforcing the citation would have impact on students experiencing disability and that those impacts outweigh the risks contemplated by the Emergency Health Order.
 2. That enforcing the citation would materially impact a compelling interest that justifies deviation from the Emergency Health order and that the School has taken measures that ensures the public health.
 3. The Emergency Health Order does not apply to Seven Oaks Classical Schools, Inc." (Exhibit "D").
- 76) The Appeal Decision should be declared void because the Commissioners misstated the basis for the Plaintiff's Appeal and misapplied the standard of review required when rendering an appeal decision

- 77) Plaintiff requests that the trial court issue an order declaring that the Appeal Decision did not comport with the requirements of I.C. 16-20-5.5-5 because in rendering their Appeal Decision the Commissioners failed to follow its own procedures for the review, consideration and hearing under Ordinance 2021-20.
- 78) But for the misapplication of MCC 307-5, Plaintiff's appeal would have been granted.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, by counsel, respectfully moves the Court for the following relief:

- A. Declaratory judgment that Appeal Decision failed to comport with the requirements of I.C. 16-20-5.5-5
- B. Declaratory judgment that the Appeal Decision is null and void.
- C. Preliminary and expedited injunctive relief restraining the Defendants from taking any further action to enforce MCC 305-2 under the standard of review the Commissioners used when issuing the Appeal Decision.
- D. Preliminary and permanent injunctive relief, enjoining Defendants from subsequently acting upon the subject matter of the voided decision and final action,
- E. Award of reasonable attorney's fees to the Plaintiff;
- F. Award of reasonable court costs to Plaintiff.
- G. Award of reasonable expenses of litigation to Plaintiff.
- H Any and all other just and proper relief in the premises.

Wherefore the Plaintiff, by counsel, pray that Declaratory Judgment be entered against the Defendants for appropriate preliminary and final injunctive relief, for all relief requested for hereinabove, including attorney's fees and costs, and for all other relief deemed appropriate in the premises.

COUNT 3 –
DECLARATORY AND INJUNCTIVE RELIEF
PURSUANT TO I.C. 36-2-2-27, et seq.

- 79) Plaintiff reincorporates all preceding paragraphs.
- 80) Implementation of MCC 305-2, causes harm to the Plaintiff, because enforcing the Monroe County Face Covering Regulation would have an inverse impact to individuals experiencing a disability for the reasons described herein. Specifically,
- a. The Face Covering Regulation creates an unreasonable barrier to effective learning (academic, social, and emotional), because students, in particular special education students, encounter issues with being able to distinctively see and hear classmates and teachers and being able to discern social cues.
 - b. MCC 305-2 does not provide clear guidance on who should be considered an “individual experiencing a disability.”
 - c. The Face Covering Regulation pose an adverse effect on those students who are potentially facing a disability because the Face Covering Regulations create an obstacle to effective communication.
 - d. Teaching phonics to students is hindered because the Face Covering Regulation makes it difficult for the teachers to hear the students while observing the form of their mouths. The Face Covering Regulation therefore has an inverse impact on the students experiencing the disability. In fact, nearly a third of students at Seven Oaks who were screened dyslexia in 2020 were found to be at risk or some risk of having/developing dyslexia.
 - e. Foreign languages are taught at Seven Oaks. Upon information and belief, foreign language teachers are having difficulty with their instruction due to the Face Covering Regulations.
- 81) Plaintiff has a compelling interest that justifies deviation from the health order and they have taken measures that insure public health. To explain:
- a. COVID-related disruptions have impaired learning statewide, and at Seven Oaks.

- b. Seven Oaks has a compelling interest in minimizing learning losses resulting from any disruption, especially COVID, to the greatest extent possible while keeping its students safe.
- c. Upon information and belief, the State of Indiana's COVID dashboard, indicates that in Monroe County, no residents under the age of 50 have died from COVID since they started keeping records on COVID deaths.
- d. A policy that allows option face coverings among students at Seven Oaks is reasonable, especially in light of the COVID Protocols in place at Seven Oaks (Exhibit "C"). Seven Oaks have taken measures that insure public health.
- e. Deviation from enforcing MCC 307-2 on Seven Oaks is justified because students at Seven Oaks engage in indoor exercise activities where mask wearing is not compatible with the exercise activity. MCC 307-2 already carves out an exception for indoor exercising. Academic exercises should likewise be given a similar exception.
- f. Seven Oaks has a compelling interest in the total well-being of their students. While COVID is very dangerous, so too are depression, anxiety, and suicide, which have increased in tandem with COVID preventive measures. Limiting social interaction among young persons, in this case students, is causing detrimental effects. Deviating from enforcement of MCC 307-2 is appropriate.
- g. Seven Oaks has a compelling interest in maintaining healthy relationship with students' parents, who bear the primary responsibility for the education and well-being of their children.
- h. Part of maintaining a relationship with students' parents necessitates the Plaintiff respecting a parental choice, where doing so is consistent with the school's educational mission. Permitting the parents to make their own choice regarding facial covering of their children, while at school, poses minimal risks to other students.
- i. Seven Oaks safety measures ensure the safety of their students. The rates of COVID infection at Seven Oaks were within the normal range relative to schools that had stricter masking policies or that spent portions of the year in hybrid and/or remote learning.

PRAYER FOR RELIEF

- A. Declaratory Judgment that requiring the Plaintiff to follow Monroe County's Face Covering Regulation causes harm under 307-5.
- B. Plaintiff request an injunction preventing the Health Department from enforcing against the Plaintiff, Monroe County Code, 307-5.
- C. Preliminary and expedited injunctive relief restraining the Defendants from taking any further action to enforce MCC 305-2.
- D. Award of reasonable attorney's fees to the Plaintiff;
- E. Award of reasonable court costs to Plaintiff.
- F. Award of reasonable expenses of litigation to Plaintiff.
- G. Any and all other just and proper relief in the premises.

WHEREFORE the Plaintiff, by counsel, pray that Declaratory Judgment be entered against the Defendants for appropriate preliminary and final injunctive relief, for all relief requested for hereinabove, including attorney's fees and costs, and for all other relief deemed appropriate in the premises.

I, *Stephen L. Shipp*, in his capacity as the Headmaster for Seven Oaks Classical School, Inc., hereby affirm under the penalties for perjury that the foregoing statements are accurate and true to the best of my knowledge ability and belief.

Stephen Shipp

ID KXefmy5Cuo6iEhzTCd5mdi8W

Stephen L. Shipp

Respectfully submitted,

CARL LAMB & ASSOCIATES, P.C.

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