

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

TENNESSEE EDUCATION ASSOCIATION,) )  
KNOX COUNTY EDUCATION ) )  
ASSOCIATION, LAWRENCE COUNTY ) )  
EDUCATION ASSOCIATION, ) )  
METROPOLITAN NASHVILLE ) )  
EDUCATION ASSOCIATION, GARY ) )  
TAFT, and JOSHUA VADEN, ) )

Plaintiffs, )

v. )

BILL LEE, GOVERNOR OF THE STATE ) )  
OF TENNESSEE, in his official capacity, ) )  
and SAM PEARCY, INTERIM EDUCATION ) )  
COMMISSIONER OF THE TENNESSEE ) )  
DEPARTMENT OF EDUCATION, in his ) )  
official capacity, ) )

Defendants. )

No. 23-0784-II

Chancellor Anne C. Martin, Chief Judge  
Judge A. Blake Neill  
Chancellor Pamela A. Fleenor

**ORDER LIFTING STAY, GRANTING TEMPORARY RESTRAINING ORDER, AND  
SETTING HEARING AND BRIEFING SCHEDULE**

Before the Court is the Motion for a Restraining Order and Temporary Injunction filed by Plaintiffs in this case on June 12, 2023 along with the Verified Complaint and accompanying affidavits of Tanya Coats, Paula Hancock, Paula Pendergrass, Renay Fernandez, Gary Taft, and Joshua Vaden. Additionally, this case had previously been stayed by court order dated June 26, 2023 pursuant to Tenn. Sup. Ct. R. 54, § 2(g). After review, the Court makes the following findings:

*First*, a three-judge panel having been appointed by the Tennessee Supreme Court by Order filed on June 27, 2023, the automatic stay imposed under Tenn. Sup. Ct. R. 54, § 2(g) is lifted and is no longer in effect.

*Second*, after reviewing the arguments and supporting documentation filed in this case, the Court **GRANTS** Plaintiffs' motion for a temporary restraining order barring enactment of Public Chapter 437 pursuant to Tenn. R. Civ. P. 65.03. The Court finds that granting a temporary restraining order at this juncture will result in no undue prejudice to Defendants and will maintain the status quo while allowing the parties to more fully brief and argue the issues. *See Fannon v. City of LaFollette*, 329 S.W.3d 418, 430 (Tenn. 2010); *Shelby Cnty. Gov't v. City of Memphis*, No. W2014-02197-COA-T10B-CV, 2015 WL 127895, at \*2 (Tenn. Ct. App. Jan. 8, 2015). The Court makes no determination as to the merits of Plaintiffs' claims.

Further, under Tenn. R. Civ. P. 65.05, no restraining order may be entered "except upon the giving of a bond by the applicant, with surety in such sum as the court to whom the application is made deems proper." The Court finds that a bond in the amount of \$1,000.00 is sufficient in this matter and hereby **ORDERS** Plaintiffs to provide such bond.

*Third*, the Court hereby sets this matter for a hearing on Plaintiffs' Motion for Temporary Injunction. The Court adopts the following schedule:

Defendants' response to Plaintiffs' motion is due by close of business on **July 7, 2023**.

Plaintiffs' reply to Defendants' response is due by **July, 11, 2023, at 12:00 PM CST**.

This matter shall be heard by the Court on **July 13, 2023, at 1:00 PM CST** via Zoom at the link below.

Meeting link:

<https://www.zoomgov.com/j/1605040810?pwd=R3Y0KzA5enVRU1FtbUF2ZUpERUpqZz09>

Meeting ID: 160 504 0810

Passcode: 381683

**IT IS SO ORDERED.**

*s/Anne C. Martin*

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**CHANCELLOR ANNE C. MARTIN,  
CHIEF JUDGE**

s/ A. Blake Neill

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**JUDGE A. BLAKE NEILL**

s/ Pamela A. Fleenor

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**CHANCELLOR PAMELA A. FLEENOR**

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