

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

COUNTY OF BUTLER, *et al*,

Plaintiffs,

v.

THOMAS W. WOLF, *et al*,

Defendants.

Civil Action No. 2:20-cv-677

Hon. William S. Stickman IV

DECLARATORY JUDGMENT ORDER

AND NOW, this 14 day of September 2020, IT IS HEREBY ORDERED that judgment is entered in favor of Plaintiffs Mike Kelly, Daryl Metcalfe, Marci Mustello, Tim Bonner, Nancy Gifford and Mike Gifford, d/b/a Double Image, Prima Capelli, Inc., Steven Schoeffel, Paul F. Crawford, t/d/b/a Marigold Farm, Cathy Hoskins, t/d/b/a Classy Cuts Hair Salon, R.W. McDonald & Sons, Inc., Starlight Drive-In, Inc., and, Skyview Drive-In, LLC for the reasons outlined in the Opinion filed by the Court this same day. The Court holds and declares: (1) that the congregate gathering limits imposed by Defendants' mitigation orders violate the right of assembly enshrined in the First Amendment; (2) that the stay-at-home and business closure components of Defendants' orders violate the Due Process Clause of the Fourteenth Amendment; and (3) that the business closure components of Defendants' orders violate the Equal Protection Clause of the Fourteenth Amendment.

IT IS FURTHER ORDERED that the County Plaintiffs—Butler, Fayette, Greene, and Washington—are hereby DISMISSED from the case.

BY THE COURT:

Handwritten signature of William S. Stickman IV in black ink, written over a horizontal line.

WILLIAM S. STICKMAN IV
UNITED STATES DISTRICT JUDGE