

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO IN AND FOR THE COUNTY OF TETON

DAVID ENRICO and BONNY ENRICO,  
husband and wife; RAY VETSCH, an  
individual; BRENT BLUE, an individual;  
STEPHEN WADE, an individual; CHAD  
STETTLER and JILL STETTLER, husband  
and wife; MARK CASSEN and ELIZABETH  
CASSEN, husband and wife; and PATRICK  
SMITH, an individual,

Plaintiffs,

vs.

CITY OF DRIGGS, a municipal corporation of  
the State of Idaho; LOUIS B. CHRISTENSEN,  
in his capacity as the Mayor of the City of  
Driggs; GEORGE MOSHER, in his capacity  
as city council president of the City of Driggs;  
GREER JONES, in his capacity as a city  
council member of the City of Driggs; DAN  
POWERS, in his capacity as a city council  
member of the City of Driggs; and COLIN  
DYE, in his capacity as a city council member  
of the City of Driggs,

Defendants.

Case No.: CV 09-235

**PRELIMINARY  
INJUNCTION ORDER**

TO: DEFEDANTS CITY OF DRIGGS, LOUIS B. CHRISTENSEN, GEORGE MOSHER,  
GREER JONES, DAN POWERS, and COLIN DYE ("Defendants").

Plaintiffs DAVID ENRICO and BONNY ENRICO, husband and wife; RAY VETSCH, an individual; BRENT BLUE, an individual; STEPHEN WADE, an individual; CHAD STETTLER and JILL STETTLER, husband and wife; MARK CASSEN and ELIZABETH CASSEN, husband and wife; and PATRICK SMITH, an individual, (hereafter collectively "Plaintiffs"), having filed a Motion for Temporary Restraining Order, and good cause appearing, and pursuant to Rule 65 of the Idaho Rules of Civil Procedure:

Defendants CITY OF DRIGGS, a municipal corporation of the State of Idaho; LOUIS B. CHRISTENSEN, in his capacity as the Mayor of the City of Driggs; GEORGE MOSHER, in his capacity as city council president of the City of Driggs; GREER JONES, in his capacity as a city council member of the City of Driggs; DAN POWERS, in his capacity as a city council member of the City of Driggs; and COLIN DYE, in his capacity as a city council member of the City of Driggs (hereafter collectively "Defendants"), and its/their agents, employees, attorneys, and those in active concert or participation with them who receive notice of this Injunction by personal service or otherwise, ARE HEREBY ENJOINED, RESTRAINED AND PROHIBITED until further order of this Court, from taking any present action as long as this injunction is in effect which would adversely affect Plaintiffs' "interest in real property" related to their existing and future rights to conduct through-the-fence operations at the Driggs Reed Memorial Airport.

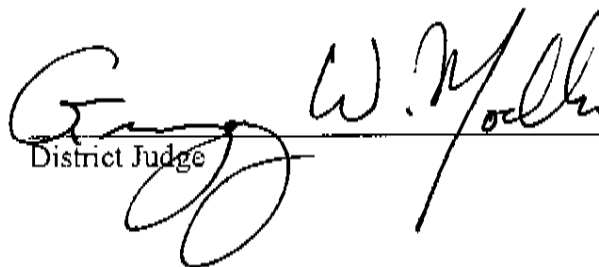
This Preliminary Injunction is granted on the grounds and for the reasons that: (1) it appears from the affidavits submitted and from other documents and pleadings on file in this matter that the Plaintiffs are entitled to the relief demanded; (2) this Preliminary Injunction is based upon the fact that it appears necessary for the preservation of the rights of the parties; (3) this Preliminary Injunction is issued to maintain the status quo pending a hearing upon the Plaintiffs' Motion for Permanent Injunction; and (4) it appears from the affidavits submitted and

from the other documents and pleadings on file in this matter, that Defendants' anticipated present actions may irrevocably affect Plaintiffs' existing and future rights to continue TTF operations at the airport prior to a hearing on Plaintiffs' Motion for a Permanent Injunction; and (5) if not granted, the Plaintiffs may suffer irreparable damage in that the Defendants may adversely affect Plaintiffs' interest in real property pending a hearing on the Plaintiffs' Motion for Permanent Injunction.

IT IS FURTHER ORDERED that the Plaintiffs is required to file a Civil Bond in Lieu of Undertaking in the amount of \$1,000 in favor of the Defendants.

IT IS FURTHER ORDERED that this Preliminary Injunction Order is being issued at the date and time set forth below with the Court's signature. This Preliminary Injunction Order shall be in full force and effect until the hearing upon Plaintiffs' motion for permanent injunction unless it is, for good cause, extended by the Court.

ISSUED this 11<sup>th</sup> day of June 2009, at 1:35 p.m.

  
District Judge