

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

ABBIE PLATT, et al.,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 1:24-cv-1873
	)	
LOUDOUN COUNTY SCHOOL BOARD, et al.,	)	
	)	
Defendants.	)	

**DEFENDANTS’ OPPOSITION TO PLAINTIFFS’  
MOTION FOR PRELIMINARY INJUNCTION**

COME NOW Defendants, Loudoun County School Board and Melinda Mansfield, by counsel, and in and for their Opposition to Plaintiffs’ Motion for Preliminary Injunction [ECF No. 4], state as follows:

**INTRODUCTION**

Plaintiffs filed their Complaint in this matter on October 25, 2024. ECF No. 1. Thereafter, on October 28, 2024, Plaintiffs filed a Motion for Preliminary Injunction. ECF No. 4. The preliminary injunction motion seeks to enjoin Defendants from enforcing School Board Policy 2520 (A)(1) – (3) against Plaintiffs during the pendency of this litigation. Plaintiffs did not request that the court shorten briefing on their Motion for Preliminary Injunction. As such, Defendants opposition is due today – November 12, 2024.

On November 3, 2024 (Sunday), Plaintiffs filed a Motion for Temporary Restraining Order, seeking to have the court enjoin Defendants from enforcing School Board Policy 2520 (A)(1) – (3) against Plaintiffs during the public comment session at the November 12, 2024 School Board meeting. With regard to this motion, Plaintiffs requested that the court shorten the briefing

schedule and set a hearing prior to the November 12, 2024 School Board meeting. The court granted that request and ordered Defendants to file an opposition brief, if any, by 2:00 p.m. on November 11, 2024. Defendants complied with the court's order. The court also set a hearing on the Motion for Temporary Restraining Order for 11:00 a.m. on November 12, 2024.

After considering the pleadings and argument of counsel at the hearing on November 12, 2024, the court denied Plaintiffs' Motion for Temporary Restraining Order, holding that Plaintiffs failed to establish that they are likely to prevail on the merits of their claims. The court offered to transform its ruling to a ruling on the Motion for Preliminary Injunction. Defendants indicated that they had no opposition to that approach since the arguments and briefing as to both motions has been and will be identical. Plaintiffs indicated a desire to file a reply to Defendants' opposition the Motion for Preliminary Injunction. Thus, the court indicated it would limit its ruling from the November 12, 2024 hearing to the Motion for Temporary Restraining Order, and allow the parties to finalize briefing on the Motion for Preliminary Injunction, after which the parties are to advise the court whether a hearing is requested on the Motion for Preliminary Injunction.

### **LAW AND ARGUMENT**

Consistent with the above, and representations made in court on November 12, 2024, Defendants hereby advise that they oppose Plaintiffs' Motion for a Preliminary Injunction. Because the applicable legal standard on this motion is identical to that which the court applied in evaluating the Motion for Temporary Restraining Order, *see, e.g.*, ECF No. 22, pp. 13-14, and the arguments are, therefore, in all respects identical, Defendants rely on and fully incorporate their

briefing opposing a temporary restraining order, ECF No. 22 and appended exhibits, as if fully set forth herein.<sup>1</sup>

**CONCLUSION**

WHEREFORE, for the reasons set forth in Defendants' Opposition to Plaintiffs' Motion for Temporary Restraining Order, ECF No. 22, which has been fully incorporated herein, Defendants, Loudoun County School Board and Melinda Mansfield, by counsel, request that the court deny Plaintiffs' Motion for Preliminary Injunction.

**LOUDOUN COUNTY SCHOOL BOARD and  
MELINDA MANSFIELD**  
By Counsel

\_\_\_\_\_/s/\_\_\_\_\_  
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<sup>1</sup> As mentioned in court on November 12, 2024, one correction needs to be made to ECF 22, as counsel misstated a fact, which the School Board Chair corrected upon review, but which counsel failed to correct in the briefing. At page 19, in the third to last line, counsel wrote:

To combat this personal attack, which violated Policy 2520, and to assuage the crowd and deescalate what could have easily escalated, the speaker was simply admonished about his lack of decorum and respect. His microphone was not silenced, nor was he prevented from concluding his remarks.

In fact, the School Board Chair was not admonishing the speaker for his attack on the individual School Board members, but was telling the people in the audience who were upset with his remarks against women to settle down so he would be able to finish his remarks.

### CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of November, 2024, I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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