

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 15-cv-00922 RPM-MJW

Rebecca Arndt, Nicole Baldwin, Cathy Buckley,
Stacey Clark, Donya Davis, Julie Garrett, Carolyn
Graves, Samantha Lembergs, Jennifer Lewis,
Geraldine Pring, Magdalena Santos, and Terry
Thrumston,

Plaintiffs,

v.

City of Colorado Springs,

Defendant.

ORDER FOR PRELIMINARY INJUNCTION

Pursuant to the joint stipulated motion for preliminary injunctive relief, it is ordered that the City of Colorado Springs is preliminarily enjoined as follows:

1. CSPD will impose no disciplinary action or adverse employment action including but not limited to those described in G.O. 1915.60 and Bulletin 548 against any female officer who is 40 years of age or older as a consequence of her failure to pass the PAT, and will not enforce the duty restrictions set forth in General Order (“G.O.”) 1915.60 as against any female officer who is 40 years of age or older until a final decision is rendered by this Court on the merits of Plaintiffs’ claims, Plaintiffs’ claims are resolved, or the parties otherwise agree.

2. Any Performance Improvement Plans issued to a Plaintiff in this action pursuant to G.O. 1915.60 shall forthwith be withdrawn from the officer’s record and shall not be used by CSPD for any purpose until a final decision is rendered by this Court on the merits of Plaintiffs’ claims, Plaintiffs’ claims are resolved, or the parties otherwise agree.

3. All Plaintiffs who are currently on light duty solely as the result of enforcement of G.O. 1915.60 shall forthwith be restored to full duty status. Any Plaintiffs who have been released by an appropriate medical provider to perform the essential duties of their positions, not to include PAT testing, shall forthwith be restored to full duty status. Work restrictions imposed upon any Plaintiff who has not been released to perform all of the essential duties of her position will be consistent with and will not exceed her medical restrictions as identified by an appropriate medical provider.

ORDERED this 9th day of November, 2015.

BY THE COURT

s/Richard P. Matsch

Honorable Judge Richard P. Matsch