

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
CIVIL TRIAL DIVISION

CURTIS DEVEAUX

v.

CITY OF PHILADELPHIA

FEBRUARY TERM, 2005  
NO. 3103

Control No. 021818

RECEIVED

MAY 27 2005

CIVIL ADMINISTRATION

MEMORANDUM AND ORDER

Dych, J.

May, 2005

Before me for adjudication is an Emergency Petition for a Preliminary Injunction in which Plaintiff Curtis DeVeaux, employed by the City of Philadelphia as a firefighter, requests that this Court enjoin Defendant City of Philadelphia from terminating his employment pursuant to Fire Department Directive #13 during the pendency of this Action which alleges a violation of the Pennsylvania Religious Freedom Protection Act, 71 P.S. § 2402 et seq., and the Pennsylvania Constitution.

After reviewing the Petition, Answer, stipulated evidence, briefs of counsel, and hearing oral argument, I find:

- (1) Plaintiff Curtis DeVeaux has established a strong likelihood of success on the merits;
- (2) The alleged wrongful conduct by Defendant City of Philadelphia is manifest and the instant relief is suited to abate it;
- (3) Plaintiff Curtis DeVeaux will suffer immediate and irreparable harm that cannot be compensated by money damages if this injunction does not issue;
- (4) Greater injury will result if this Petition is denied than if injunctive relief

is granted; and,

- (5) The instant relief will restore the parties to the status quo as it existed prior to the alleged wrongful conduct;

Therefore the following Order is entered:

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
CIVIL TRIAL DIVISION

CURTIS DEVEAUX

FEBRUARY TERM, 2005  
NO. 3103

v.

CITY OF PHILADELPHIA

Control No. 021818

ORDER

AND NOW, this 25 day of May, 2005, it is ORDERED and DECREED that Defendant City of Philadelphia is enjoined from terminating the employment of Plaintiff Curtis DeVeaux or diminishing his compensation or benefits during the pendency of this litigation or until further action of this Court.

BY THE COURT:

  
\_\_\_\_\_  
DYCH, J.