

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MARK DIMONDSTEIN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 13-1228
)	
AMERICAN POSTAL WORKERS UNION,)	
)	
Defendant.)	

[PROPOSED] PRELIMINARY INJUNCTION

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, and based on the Verified Complaint, the Affidavits of Mark Dimondstein and Paul Alan Levy and accompanying exhibits, and the accompanying memorandum of law, on the responsive papers from defendant, and of the arguments made by the parties, the Court finds that plaintiffs are likely to succeed on the merits of their claims, that plaintiffs will suffer irreparable injury if no preliminary relief is granted, and that the public interest favors relief. It is hereby ordered as follows:

1. Within forty-eight hours of the issuance of this order, defendant American Postal Workers Union shall provide all member email addresses in its possession, or in the possession of any of its officers or employees to the extent that the addresses were obtained in the course of their duties and not solely in their capacities as candidates for office, to an independent emailing service that candidates may hire to send campaign literature to the union membership, which emailing service must be willing to promise to keep the list confidential, and subject to plaintiffs' payment of the expenses of the emailing.

2. Within forty-eight hours of the issuance of this order, defendant APWU shall grant permission for the emailing service to allow any bona fide candidate for office in the upcoming

election to send their campaign literature, at their own expense, to those addresses that the APWU or any of its officers or staff have for members of the APWU, or to any segment of the email addresses that plaintiffs may elect.

3. Within forty-eight hours of the issuance of this order, defendant APWU shall tell plaintiffs what categories or classifications of email addresses the union has, that would enable plaintiffs to send specialized mailings to part of the union membership.

IT IS SO ORDERED.

Dated: August _____, 2013

United States District Judge