

STATE OF SOUTH DAKOTA)
):SS
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT

SECOND JUDICIAL CIRCUIT

GRANT PARK CAPITAL, LLC

Plaintiff,

vs.

CITY OF BALTIC, a South Dakota Municipal Corporation; DEBORAH MCISAAC, TRAVIS SCHREURS, NIKKI OIEN, BRIAN MCGREEVY, AND RYAN SINDING, in their official capacities as members of CITY OF BALTIC CITY COUNCIL; CITY OF BALTIC PLANNING AND ZONING COMMISSION; ED WILSON, DEB MURPHY, NATE VRCHOTA, RYAN SINDING, AND TRAVIS SCHREURS, in their official capacities as members of CITY OF BALTIC PLANNING AND ZONING COMMISSION,

Defendants.

49CIV22-002973

**TEMPORARY
RESTRAINING ORDER**

This matter came before the Court on Motion of Plaintiff Grant Park Capital, LLC, to temporarily and preliminarily restrain Defendants City of Baltic, a South Dakota Municipal Corporation, Deborah McIsaac, in her capacity as Mayor (“Mayor”), Travis Schreurs, Nikki Oien, Brien McGreevy, and Ryan Sinding, in their official capacities as members of City of Baltic City Council (“City Council”), City of Baltic Planning and Zoning Commission (“Planning and Zoning”), Ed Wilson, Deb Murphy, Nate Vrchota, Ryan Sinding, and Travis Schreurs, in their official capacity as members of the City of Baltic Planning and Zoning Commission (“Defendants” or “the City”), without notice, from publishing to third parties false information in writing which have the propensity to expose Grant Park to hatred, contempt, ridicule, or obloquy, and which may cause it to be shunned or avoided, and which have the tendency to injure its reputation and good will; compel the City to publicly retract any

statements not true that were published to any third party, including any statement that Grant Park is violating any state laws and local ordinances; enjoining and restraining the City from making demands upon Grant Park that are not included in the Final Plats; enjoin and restrain the City from making any resolutions that require Grant Park to do anything outside the approved Final Plats; enjoin and restrain the City from ignoring its municipal functions with regard to the neighborhoods, including maintenance and addressing any Residents' concerns

Having considered the Motion, Brief in Support, along with other submissions, and the Court having considered that due notice was not given, and the Court being duly advised in the premises, the Court hereby ORDER that Grant Park's Motion is GRANTED.

The Court further finds, from the specific facts shown and the submissions made, that immediate and irreparable injury will result to Grant Park if the City is not immediately enjoined.

It is therefore hereby ORDERED, ADJUDGED, and DECREED that City is enjoined as follows until further Order of this Court:

1. Enjoining and restraining the City from defaming Grant Park by publishing to third parties false information in writing which have the propensity to expose Grant Park to hatred, contempt, ridicule, or obloquy, and which may cause it to be shunned or avoided, and which have the tendency to injure its reputation and good will;

2. Compelling the City to publicly retract any statements not true that were published to any third party, including any statement that Grant Park is violating any state laws and local ordinances;

3. Enjoining and restraining the City from making demands upon Grant Park that are not included in the Final Plats;

4. Enjoining and restraining the City from making any resolutions that require Grant Park to do anything outside of the Final Plats;

5. Enjoining and restraining the City from ignoring its municipal functions with regard to the neighborhoods, including maintenance and addressing any Residents' concerns.

This Temporary Restraining Order is effective as of _____, 2022, at _____ m., and shall remain in effect until further Order of Court.

The Court finds that no bond or other security is required.

This matter is set for preliminary injunction hearing on _____, 2022, at _____ m., without further notice.

SO ORDERED.

BY THE COURT:

Honorable Jon Sogn
Circuit Court Judge

Denied: 12/20/2022
/s/ Sogn, Jon