

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

Michael J. Elli,)	
)	
individually and on behalf of those)	
similarly situated,)	
)	
Plaintiff,)	No. 4:13-cv-711-HEA
v.)	
)	
City of Ellisville, Missouri; et al.,)	
)	
Defendants.)	

ORDER AND PERMANENT INJUNCTION


On the joint agreement and motion by the parties to convert the preliminary injunction, entered February 3, 2014, to a permanent injunction, and the Court being fully advised in the premises, it is hereby ordered:

1. In this case, Plaintiff challenges the alleged policy and custom of the City of Ellisville, Missouri, of having police officers pull over, detain, and cite individuals who are perceived by police officers as having communicated to oncoming traffic that a speed trap is ahead by flashing their automobile headlamps, and then prosecuting and imposing fines upon those individuals.
2. On February 3, 2014, on the motion of the plaintiff, this Court entered a preliminary injunction enjoining the City and its officers and agents from seizing, citing, or prosecuting any individual within the City of Ellisville

for communicating by flashing his or her automobile headlamps (Doc. # 32).

3. It is now the order and judgment of this Court that the preliminary injunction entered on February 23, 2014, be made permanent. Defendant City of Ellisville and its police officers are permanently enjoined from detaining, seizing, citing, or prosecuting any individual within the City of Ellisville for communicating by flashing his or her automobile headlamps.
4. The granting of this injunction resolves all claims raised in Count I of the Amended Complaint.
5. Federal Rule of Civil Procedure 65(c) requires the posting of a bond, but only for preliminary injunctions and temporary restraining orders. Fed. R. Civ. P. 65(c). Because the preliminary injunction has been converted to a permanent injunction and because Defendants suffered no monetary damages as a result of the preliminary injunction, a bond is no longer necessary and the bond posted on February 6, 2014, shall be ordered returned.

DATED: April 2nd, 2014.


HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE