

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

_____)	
JEFFERY PENDLETON,)	
)	
Plaintiff,)	
)	
v.)	Civil Case. No. 1:14-cv-00365
)	
TOWN OF HUDSON, DEREK S. LLOYD,)	
in his individual capacity, and ADAM M.)	
LISCHINSKY, in his individual capacity,)	
)	
Defendants)	
_____)	

STIPULATED PRELIMINARY ORDER WITHOUT PREJUDICE

The Parties hereby agree and stipulate, without any acknowledgement of liability and without prejudice, in order to avoid the expense and time associated with a preliminary injunction hearing, to the following preliminary order:

- a) Defendant Town of Hudson will not preclude and/or restrict Plaintiff and/or other individuals from peacefully soliciting donations in public places—including by stopping and citing panhandlers, issuing no-trespass warnings with respect to public places, and sending panhandlers “on their way”—when such activity does not obstruct pedestrian or vehicular traffic or obstruct the entrance to any business establishment;
- b) Defendant Town of Hudson will not cite or arrest Plaintiff and/or other individuals for peacefully soliciting donations in public places when such activity does not obstruct pedestrian or vehicular traffic or obstruct the entrance to any business establishment;
- c) Defendant Town of Hudson will not enforce the November 14, 2013 no-trespass order issued by Patrol Officer Adam L. Lischinsky banning Plaintiff from all medians in Hudson;
- d) Defendant Town of Hudson will not use RSA 320:2 and Section 232 of the Hudson Town Code to prohibit or restrict the act of peacefully soliciting donations in a public place; and
- e) The Parties understand and agree that the foregoing Stipulated Preliminary Order

shall not restrict Defendant Town of Hudson, the individual named police officers, and other Hudson police officers from addressing legitimate violations of law allegedly committed by Plaintiff and/or other individuals engaged in panhandling or the peaceful solicitation of donations.

Respectfully submitted,

JEFFERY PENDLETON

By his Attorneys,

**NEW HAMPSHIRE CIVIL LIBERTIES
UNION FOUNDATION**

/s/ Gilles R. Bissonnette

Gilles R. Bissonnette, Esquire, NH BAR
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Respectfully submitted,

TOWN OF HUDSON, DEREK S. LLOYD,
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By their Attorneys,

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/s/ Kathleen A. Davidson

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So Ordered.

Dated: August 27, 2014

/s/ Paul Barbadoro

Hon. Paul J. Barbadoro

United States District Judge

cc: Counsel of Record