

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROBERT TONG and MILDRED TONG,)	
)	
Plaintiffs,)	Case No. 1:03-cv-05075
)	
v.)	
)	Judge Ruben Castillo
THE CHICAGO PARK DISTRICT, an)	
Illinois unit of local government)	
)	
Defendant.)	
)	
)	
)	
)	

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT

NOW COME the Plaintiffs, ROBERT TONG and MILDRED TONG, by and through their attorneys, THE BECKET FUND FOR RELIGIOUS LIBERTY and JOSEPH V. KARAGANIS, and move this Court for an award of Summary Judgment pursuant to Federal Rule of Civil Procedure 56. In support thereof, Plaintiffs state as follows:

1. The underlying controversy in this case involves the legality of the Defendant’s censorship of Plaintiffs’ religious message in the Senn Park Buy-A-Brick Program.
2. No genuine issue of material facts are in dispute.
3. Pursuant to Federal Rule of Procedure 56, a party may seek summary judgment within 20 days of commencement of the action.
4. In support of the Motion for Summary Judgment, Plaintiffs have also filed Plaintiffs’ Memorandum in Support of Motion for Summary Judgment, including the

following documents attached thereto: Plaintiffs' Statement of Undisputed Facts, Affidavit, Declarations and Deposition Transcripts.

5. In the case at bar, time is of the essence and it is critical that the parties receive an expedited hearing.

WHEREFORE, Plaintiffs ROBERT TONG and MILDRED TONG pray that this Court consider the issues raised herein and find in favor of the Plaintiffs, and enjoin Defendants from enforcing its policy against religious messages. Further praying, Plaintiffs seek an award of all costs and reasonable attorney's fees, in addition to whatever further relief this Court deems just and equitable.

Date: January 30, 2004

Respectfully submitted,

ROBERT TONG and MILDRED TONG

By: _____
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