



City University of New York
Medgar Evers College
1150 Carroll Street, Brooklyn, N.Y. 11225 (212) 735-1750

Office of
THE DEAN OF ADMINISTRATION

MEMORANDUM

May 21, 1982

TO: The Medgar Evers College Community
FROM: Dean Herbert A. Wilson
RE: Injunction

Enclosed is a copy of the order signed by Judge William T. Bellard on May 18, 1982 of the New York State Supreme Court, Kings County. The issuance of this order followed lengthy hearings held before Judge Bellard from April 26, through May 7, 1982, at which both sides were represented by legal counsel, and during which many witnesses testified.

The order contains an injunction prohibiting the occupation of the offices of the president and registrar, the adjacent corridors, as well as any other disruptions. The order also allows four students to remain in the president's office during college business hours until a meeting with an agenda is scheduled by the University with representatives of the defendants.

The meeting is to take place within five business days of the service of the order, i.e. by Tuesday, May 25, 1982, provided the defendants comply with the terms of the injunction. The meeting is to be attended by two representatives of the Board of Trustees, five university and college administrators and seven representatives of the defendants. The order states the purpose of the meeting as to hear "the concerns of the students and others about Medgar Evers College."

A meeting has been scheduled by the University for Tuesday afternoon, May 25, 1982.

/gw

At a Special Term, Part I of
the Supreme Court of New
York, held in and for the
County of Kings at the
Courthouse Located thereof
at 360 Adams Street, New
York, New York on the 17th
day of May, 1982.

P R E S E N T :

HON. WILLIAM BELLARD
Justice.

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THE CITY UNIVERSITY OF NEW YORK,

Plaintiff,

-against-

WTS
~~Rayon Wright, The Not Belmosa,~~
~~Andre Warren, Max Towers, Job Mashriki,~~
~~Gregory Romain, Steve Valentine,~~
~~Barbara Small, Donald Turner~~
~~Alice Turner, Mercedes Hernandez,~~
~~Cornell Rotts, Harold Brown,~~
~~Leonard Stephen, Ramona Hall,~~
~~Barbara Morton, Jona L. Anderson,~~
~~Rochelle Chandler, Linda DeJesus,~~
~~Clifton Harrell, Thomas O. Edwards,~~
~~Delridge Hunter, Sheila M. Johnson,~~
~~Don Q. Kelley, Arnold Kemp. Roderick~~
~~Loney, Andre N. McLaughlin, Rose M.~~
~~Ross, Timothy Samone, Diann Ellis,~~
~~Bryce Rhymer, Frank Simpkins,~~
~~Barbara Malott, Michael Hooper,~~
and "John Doe," "Jane Doe," Richard Roe,"
and "Sally Roe" these last four names
being fictitious names, the real names
of said Defendants unknown to the Plaintiff,
and fictitious names also being intended
to designate persons acting in concert
with the named Defendants in interfering
with and disrupting the normal functioning
of Medgar Evers College of The City Uni-
versity of New York,

ORDER
Index No. 8354/82

Defendants.
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Plaintiffs having moved by Order to Show Cause (Kartell, J.), dated April 22, 1982, for an order enjoining the defendants, their agents, servants, representatives, members, directors, and officers and all other persons whomsoever known or unknown, acting in their behalf or in concert with them, in any manner or by any means from:

(a) Congregating or assembling within or adjacent to Medgar Evers College of The City University of New York, 1150 Carroll Street, Brooklyn, N.Y.; congregating or assembling within the office of the registrar, office of the president or any other of plaintiff's academic or administrative buildings or rooms, recreation rooms or library or athletic facilities, or in any corridors, stairways, doorways and entrances thereof on the campus of Medgar Evers College in such a manner as to disturb or interfere with normal functions and activities conducted by plaintiff in such place, or to block, hinder, impede or interfere with ingress to or egress from such property by plaintiff's faculty, administrators, students, employees or guests thereof;

(b) Creating or broadcasting on plaintiff's Medgar Evers College campus, or in the streets adjacent thereto, any loud or excessive noise that hinders, impedes, prevents or interferes with the conduct of normal functions or activities of the College community;

(c) Employing force or violence, or the threat of force or violence against persons or property and in particular, against windows, fire extinguishers, files, file cabinets, and other property, and equipment in the office of the registrar,

the office of the president and elsewhere on plaintiff's Medgar Evers College campus;

(d) Conspiring with others to do any of the above-mentioned acts;

and granting plaintiff such other and further relief as to the Court may seem just and proper; and defendants having opposed plaintiff's application for injunctive relief and having moved to dismiss the complaint; and said applications having been tried before Hon. William Bellard on April 26, 27, 28, 30 and May 3, 4, and 7, 1982, and plaintiff having appeared by its attorney, FREDERICK A. O. SCHWARZ, JR., Corporation Counsel (Caryn M. Hirshleifer, Thomas C. Crane, Richard Bowers, of Counsel), and defendants having appeared by their attorney, Jack Lester (C. Vernon Mason, William Kunstler, R. Scott-McLaughlin, of Counsel);

NOW, upon reading and filing the Order to Show Cause with Temporary Restraining Order dated April 22, 1982, the affirmation of Michael D. Solomon, sworn to the 22nd day of April, 1982, together with the exhibit annexed thereto including the affidavit of Robert H. Johnson, sworn to the 20th day of April, 1982, and upon the summons and verified complaint herein, all submitted in support of plaintiff's application, and upon the Affirmation in Opposition of Jack Lester, dated April 26, 1982, with exhibits annexed thereto, including the ~~undated~~ Affirmation of Rayon Wright, and ~~unsworn statement~~ of Arnold Kemp, all submitted in opposition and upon the findings of fact by the Court during the trial of April 26, 27, 28, 30, May 3, May 4, and May 7, 1982 and

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affirmed 4/26/82
affirmed 4/26/82
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upon motion of FREDERICK A. O. SCHWARZ, JR., Corporation Counsel, it is

ORDERED, ADJUDGED and DECREED that defendants' motion to dismiss is denied and plaintiff's request for injunctive relief is granted pursuant to the following terms:

1. With the exception noted below in paragraph "2" of this Order, all defendants are hereby enjoined from

a) Occupying, congregating, or assembling within, or adjacent to, the Office of the President or the Registrar of Medgar Evers College of the City University of New York, 1150 Carroll Street, Brooklyn, N.Y.;

b) Occupying, congregating, or assembling within any other of plaintiff's academic or administrative buildings or rooms, recreation rooms or library or athletic facilities, or in any corridors, stairways, doorways and entrances thereof on the campus of Medgar Evers College in such a manner as to disturb or interfere with normal functions and activities conducted by plaintiff in such place, or to block, hinder, impede or interfere with ingress to or egress from such property by plaintiff's faculty, administrators, students, employees or guests thereof;

c) Being present on any of the premises of Medgar Evers College during the hours the buildings and premises are officially closed; 11 P.M. - 8 A.M.

d) Employing force or violence, or the threat of force or violence against persons or property and in particular against windows, fire extinguishers, files, file cabinets, and other property, and equipment in the office of the registrar, the Office of the President and elsewhere on plaintiff's Medgar Evers College Campus;

e) Conspiring with others to do any of the above mentioned acts.

2. Four Medgar Evers College students designated by defendants who shall identify themselves upon request may remain in the Office of the President on the days and during the hours that Medgar Evers College is open pursuant to the following terms:

a. The students shall sit silently in the kitchen corner of the Office of the President.

b. The students shall not interfere with the conduct of business in the Office of the President.

c. The presence of said four students in the Office of the President shall terminate upon notification to defendants' attorney, Jack Hester, of the scheduling of a meeting ^{WITH THE DEFENDANTS} to be held between representatives of the plaintiff and representatives of the defendants.

i. The meeting shall be for the purpose of hearing the concerns of the students and others about Medgar Evers

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College, ~~and to establish a process for the University to gather~~
~~facts about such concerns.~~

ii. Attending such a meeting for plaintiff shall be two representatives of the Board of Trustees and a total of five University and College Administrators. Attending the meeting for defendants shall be seven representatives of their choosing.

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iii. The meeting shall be held within five business days of the service of this order provided that ~~defendants~~ defendants comply with all of the provisions of this Order.

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3. The gymnasium is to remain available for speeches and peaceful demonstrations upon request to the Dean of Administration. ~~Any such request shall not be considered, denied~~

4. Service of this order upon the defendants shall be effected by service upon attorney for defendants Jack Lester, City University of New York, 535 East 80th Street, New York, N.Y., 10021.

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J.S.C.
5. THE TITLE OF THIS ACTION IS AMENDED AS FOLLOWS: ALL NAMES IN THE TITLE FROM "RAYON WRIGHT" TO "MICHAEL HOOPER" INCLUSIVE, ARE DELETED. THE WORD "AND" PRECEEDING "JOHN DOE" IS DELETED.

ENTER:

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U.S.C.