

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**GRACEHAVEN, INC.,**

Plaintiff,

v.

**MONTGOMERY COUNTY  
DEPARTMENT OF JOB AND FAMILY  
SERVICES; MICHELLE NIEDERMIER,**  
in her official capacity as the Director of the  
Montgomery County Department of Job and  
Family Services; **BRYNN McGRATH,** in  
her official capacity as the Associate  
Director of the Montgomery County  
Department of Job and Family Services; and  
**JUDY DODGE, DEBORAH  
LIEBERMAN,** and **CAROLYN RICE,** in  
their official capacities as the Montgomery  
County Board of Commissioners,

Defendants.

Case No. 3:24-cv-00325-MJN-CHG

Judge Michael J. Newman  
Magistrate Judge Caroline H. Gentry

**PLAINTIFF GRACEHAVEN,  
INC.'S MOTION FOR  
PRELIMINARY INJUNCTION**

**ORAL ARGUMENT REQUESTED**

Plaintiff Gracehaven, Inc. moves this Court under Fed. R. Civ. P. 65 for a preliminary injunction:

- (1) Enjoining Defendants from refusing to enter into the New Contract (Doc. 1-5) or any other agreements (current or future) with Gracehaven because the ministry employs only individuals who share and live out its religious beliefs and practices; and
- (2) Enjoining Defendants from denying or withholding public funds—including Title IV-E funds—from Gracehaven because the ministry employs only coreligionists.

This motion is supported by the Verified Complaint (Doc. 1), the exhibits to the Verified Complaint (Docs. 1-1 – 1-9), the Declaration of Scott Arnold (attached hereto), and the

Memorandum in Support (attached hereto). Gracehaven requests that the Court order the above relief without bond.

Respectfully submitted this 20<sup>th</sup> day of December, 2024,

s/ Jacob E. Reed  
Jacob E. Reed  
OH Bar No. 99020  
Trial Attorney  
ALLIANCE DEFENDING FREEDOM  
44180 Riverside Parkway  
Lansdowne, VA 20176  
Telephone: (571) 707-4655  
jreed@ADFLegal.org

Ryan J. Tucker\*  
AZ Bar No. 034382  
Jeremiah J. Galus\*  
AZ Bar No. 030469  
ALLIANCE DEFENDING FREEDOM  
15100 N. 90th Street  
Scottsdale, AZ 85260  
Telephone: (480) 444-0020  
rtucker@ADFLegal.org  
jgalus@ADFLegal.org

David A. Cortman\*  
GA Bar. No. 188810  
ALLIANCE DEFENDING FREEDOM  
1000 Hurricane Shoals Road, NE  
Suite D-1100  
Lawrenceville, GA 30043  
Telephone: (770) 339-0774  
dcortman@ADFLegal.org

Attorneys for Plaintiff  
\* Admitted *pro hac vice*

### Certificate of Service

I hereby certify that on December 20, 2024, a true and accurate copy of this document was filed electronically using the CM/ECF system and I will serve the same on the following parties through private process server:

1. Montgomery County Department of Job and Family Services  
3304 N. Main Street  
Dayton. OH 45405
2. Michelle Niedermier  
3304 N. Main Street  
Dayton. OH 45405
3. Brynn McGrath  
3304 N. Main Street  
Dayton. OH 45405
4. Judy Dodge  
451 W Third Street  
Dayton, OH 45422
5. Deborah Lieberman  
451 W Third Street  
Dayton, OH 45422
6. Carolyn Rice  
451 W Third Street  
Dayton, OH 45422

All via c/o Mat Heck, Jr.  
Montgomery County Prosecutor  
301 W Third Street  
5<sup>th</sup> Floor  
Dayton, OH 45402

s/ Jacob E. Reed  
Jacob E. Reed  
OH Bar No. 99020  
Trial Attorney