

**STATE OF RHODE ISLAND
PROVIDENCE, SC.**

SUPERIOR COURT

**NATIONAL EDUCATION ASSOCIATION
RHODE ISLAND, and NATIONAL
EDUCATION ASSOCIATION – SOUTH
KINGSTOWN,**

Plaintiffs,

vs.

C.A. No. PC 21-05116

**SOUTH KINGSTOWN SCHOOL
COMMITTEE, by and through its members,
Christie Fish, Kate McMahon Macinanti,
Melissa Boyd, Michelle Brousseau and Paula
Whitford, SOUTH KINGSTOWN SCHOOL
DEPARTMENT, by and through its Acting
Interim Superintendent Ginamarie Masiello,
and NICOLE SOLAS,**

Defendants.

**PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Now come the Plaintiffs, National Education Association Rhode Island (“NEARI”) and National Education Association – South Kingstown (“NEASK”) (collectively referred to as “NEA” or the “Union”) pursuant to G.L. 1956 § 8-2-13 and Super. Ct. R. Civ. P. 65, and hereby move for a temporary restraining order and/or preliminary injunction prohibiting the Defendants, South Kingstown School Committee, et al. (“School Committee” or “School Department”) from responding to public records requests referenced in the Verified Complaint, unless and until a determination can be made that such documents are required to be released pursuant to the Access to Public Records Act (“APRA”), G.L. 1956 § 38-2-1 et seq.

More particularly, given the volume of requests an injunction should issue to temporarily stay disclosure so that it can be determined whether: (1) the records at issue are public records; and/or (2) whether disclosure is prohibited because the records at issue violate the privacy rights of individual public school teachers. In support thereof, the NEA relies upon the Verified Complaint and Memorandum of Law in Support of Motion for Temporary Restraining Order/Preliminary Injunction forthcoming. Wherefore, the NEA requests that this Court grant the relief requested.

Plaintiffs,
NEARI and NEASK,
By their Attorney,

/s/ Carly Beauvais Iafrate

Carly Beauvais Iafrate, #6343
Law Office of Carly B. Iafrate, PC
38 N. Court Street, 3rd Fl.
Providence, RI 02903
(401) 421-0065
(401) 421-0964 (fax)
ciafrate@verizon.net

CERTIFICATION

I hereby certify that, on the 5th day of August 2021, I filed and served this document through the electronic filing system and that it is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System to counsel for the School Department Defendants and by e-mail to the individual Defendants:

Aubrey Lombardo, Esq.
alombardo@hcclawri.com

Nicole Solas
nicolesolas@gmail.com

Adam Hartman
azhartman@gmail.com

/s/ Carly Beauvais Iafrate
