



to register a “concealable firearm” with the Omaha Chief of Police, thus denying them the ability to possess a “concealable firearm” in their homes. *Id.*

The stipulation establishes that the plaintiffs are entitled to preliminary injunctive relief. See [\*Dataphase Sys., Inc. v. C.L. Sys., Inc.\*, 640 F.2d 109,114 \(8th Cir. 1981\)\(en banc\)](#). Pursuant to the stipulation, the court further finds that no security is required as the defendants will not suffer financial harm by issuance of this order. This injunction shall remain in place pending the conclusion of this litigation.

IT IS ORDERED:

1. Defendants Jim Suttle, individually and in his official capacity as Mayor of Omaha, Nebraska; the City of Omaha, Nebraska, a municipal corporation; Alex Hayes, individually and in his official capacity as Chief of Police of Omaha, Nebraska; their officers, agents, servants, employees, and all persons in active concert or participation with them who receive actual notice of the injunction are preliminarily enjoined from enforcing Omaha Municipal Code § 20-253(9), pending resolution of this action.

2. Defendants Jim Suttle, individually and in his official capacity as Mayor of Omaha, Nebraska; the City of Omaha, Nebraska, a municipal corporation; Alex Hayes, individually and in his official capacity as Chief of Police of Omaha, Nebraska; their officers, agents, servants, employees, and all persons in active concert or participation with them who receive actual notice of the injunction shall allow plaintiffs and other legal aliens residing in Omaha to register “concealable firearms” for possession in their homes, provided they are otherwise-qualified to possess a firearm.

3. The hearing scheduled for November 22, 2011 at 2:00 p.m. is canceled.

4. This matter is referred to the United States Magistrate Judge for expedited progression.

DATED this 21st day of November, 2011.

BY THE COURT:

s/Joseph F. Bataillon |  
UNITED STATES DISTRICT JUDGE

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