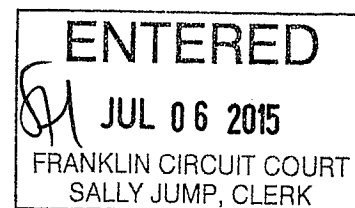


COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION II

CIVIL ACTION No. 15-CI-687



**INTERNATIONAL ASSOCIATION OF CERTIFIED
HOME INSPECTORS, et al.**

PLAINTIFFS

vs.

**COMMONWEALTH OF KENTUCKY,
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.**

DEFENDANTS

ORDER

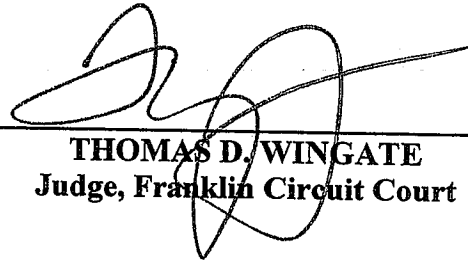
This matter is before the Court on Plaintiffs' Motion for a Temporary Injunction. The Motion was heard at a special hearing held before the Court on Wednesday, July 1, 2015 at 10:30 a.m. Both sides were represented by counsel. During the hearing, the parties reached an agreement to hold the merits of Plaintiffs' declaratory action in abeyance, pursuant to a limited temporary restraining order, pending full briefing of the issues raised. Accordingly, the Court hereby **RESTRAINS** Defendants from implementing, administering and enforcing 902 KAR 95:040 until the Court rules on Plaintiffs' constitutional challenge to those regulations.

A court may grant a temporary restraining order if "it clearly appears from specific facts shown by verified complaint or affidavit that the applicant's rights are being or will be violated by the adverse party and the applicant will suffer immediate and irreparable injury, loss or damage before the adverse party or his attorney can be heard in opposition...." CR 65.03. After review of the parties' briefs and papers, and after being

sufficiently advised, this Court hereby **FINDS** that Plaintiffs meet the requirements of CR 65.03 and **RESTRAINS** Defendants, their respective officers, agents, representatives, employees and successors, and all other persons in active participation with them, from implementing, administering and enforcing 902 KAR 95:040, concerning the Radon Contractor Certification Program, until the Court rules on the merits of Plaintiffs' constitutional challenge. The parties are directed to tender an agreed briefing schedule within ten (10) days of entry of this Order.

A bond of \$100.00 must be posted by Plaintiff within five (5) business days from the date of this Order.

SO ORDERED, this 2 day of July, 2015 at 1:00 p.m.



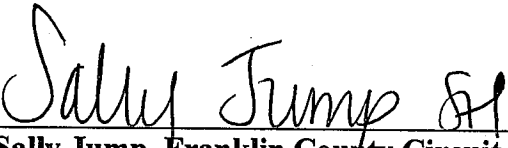
THOMAS D. WINGATE
Judge, Franklin Circuit Court

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order was mailed, this 10th day of July, 2015, to the following:

Hon. Richard L. Masters
Masters, Mullins & Arrington
1012 South Fourth Street
Louisville, Kentucky 40203
Counsel for Plaintiffs

Hon. Christina Heavrin, General Counsel
Hon. D. Brent Irvin, Deputy General Counsel
Cabinet for Health and Family Services
275 E. Main Street, 5W-B
Frankfort, Kentucky 40601
*Counsel for Defendant Cabinet for
Health and Family Services*



Sally Jump, Franklin County Circuit Court Clerk