

**IN THE CHANCERY COURT OF SUMNER COUNTY, TENNESSEE  
AT GALLATIN**

**PASCAL JOUVENCE,**

**Plaintiff,**

**v.**

**PAIGE BROWN, in her official capacity  
as mayor of the City of Gallatin, and  
THE CITY OF GALLATIN**

**Defendants.**

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**Case No: 25-CV-263**

**DEFENDANTS' MOTION TO DISMISS THE PLAINTIFF'S PETITION FOR  
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF AND COUNTER-  
PETITION FOR DECLARATORY JUDGMENT**

Pursuant to Rule 12.02(6), T.R.C.P., Defendants Paige Brown, in her official capacity as Mayor of the City of Gallatin, and the City of Gallatin, by and through undersigned counsel, respectfully move this Court for entry of an order dismissing the Plaintiff's Petition for a Declaratory Judgment and Injunctive Relief.

Specifically, and for the reasons stated in the Defendants' Memorandum of Law in Support of their Motion to Dismiss, the Defendants request that the Court:

- (1) Decline to issue a Declaratory Judgment that Ordinance 25-0741 is void, or in the alternative, issue a Declaratory Judgment that Ordinance 25-0741 is a valid, authoritative, and binding ordinance.<sup>1</sup>
- (2) Decline to issue any Declaratory Judgments as to the use of visual aids at City Council meetings.

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<sup>1</sup> This alternative request is the reason that this Motion is styled as a Motion to Dismiss and, Alternatively, a Counter-Petition.

(3) Decline to issue a Declaratory Judgment that the Plaintiff has the right to place items on the agenda pursuant to Gallatin Municipal Code 2-71(c).

(4) Decline to issue an Injunction of any kind.

Respectfully submitted,

/s/ **Emmerson Y. Marlatt**

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*Attorneys for Defendants*

*(Certificate of Service on Next Page).*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document, unless indicated otherwise below, has been served upon all remaining parties' counsel of record via this Court's CM/ECF system on January 8<sup>th</sup>, 2026.

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**/s/ Emmerson Y. Marlatt**