

# Join New York Teacher's March – Monday, Oct. 4th | Update on Restraining Order

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## Teachers March

**Monday 10.4.21**

Brooklyn D.O.E. (65 Court St.) @ 12pm

Brooklyn Bridge @ 2pm

City Hall @ 3pm

Australian Consulate (150E 42 St.) @ 4pm

@newyorkfreedomrally2



## What to expect on Monday 10-4-21 from NYC DOE

### *And what to expect from the courts*

by [Michael Kane](#), [NY Teachers for Choice](#)

October 2, 2021

Our attorney Sujata Gibson has been working night and day non-stop on [KANE vs DE BLASIO's](#) restraining order as well as on a case to assist healthcare workers, both seeking relief from forced covid vaccine mandates with similar arguments. The restraining order in our case will be completed over the weekend which means it won't be read by the court until Monday the earliest. That means, unfortunately, the NYC DOE *will* stop unvaccinated teachers from working on Monday 10-4-21

**BUT we may have relief as early as Tuesday!**

### **HOLD THE LINE!**

We cannot tell anyone what to do and not do. We all have different family, economic and social situations to handle. However if you can manage a few days of unpaid leave we strongly encourage you to be brave and principled at least for this upcoming week. Hold the line for at least 5 days to see if KANE vs DE BLASIO can win a temporary restraining order leading to an injunction, and come to the [TEACHERS MARCH](#) on Monday, October 4th.

There are no guarantees, but our attorneys and experts believe we stand a very good chance of getting a restraining order next week focused on the fraudulent vaccine exemption process. Rachel Maniscalco's case has been turned down by Justice Sotomayor of SCOTUS and, unfortunately, our attorneys and experts anticipated that would happen. It was amazing to see the Maniscalco case get a restraining order last week, which

has delayed the vaccine mandate from being implemented. That is NOT an easy trick to pull off! Courts do not give restraining orders easily.

We fully support Rachel, her attorneys and her class action lawsuit: it is a very bold and ambitious case, but it is also a very broad challenge claiming the entire vaccine mandate is illegal. TEACHERS FOR CHOICE attorneys and experts don't believe the courts are ready to make such a bold and ambitious ruling for emergency relief at this point in time for multiple reasons. Perhaps that will change in a few months as the Maniscalco case is argued in court (remember, the case is NOT over, only its chances of getting immediate emergency relief are over).

We cannot thank Rachel, her attorneys, and the over 700 brave NYC DOE employees who have done an amazing job challenging this authoritarian vaccine mandate all the way up to the Supreme Court. What they have done has been critically important to what we continue to do.

KANE vs DE BLASIO takes a more narrow focus on the exemption process which has proven to be a winning strategy for multiple cases recently brought by New York healthcare workers in the month of September. Sujata Gibson feels those recent court decisions have made very clear that the federal judiciary wants religious exemptions to be respected and accepted in a fair and legal process.

NYC DOE has provided only a fraudulent process.

We cannot thank everyone enough for their generosity of donations, all of which are currently going to Sujata Gibson and her law firm as they are the sole attorneys working on KANE vs DE BLASIO. So far Sujata has done all of her work and received only \$10,000 for the writing, legal research, interviews, affidavits, paralegal fees, filing fees and much more. This is a work of passion for her and she is doing all

she can on the minimal funds we are providing. If you haven't donated already please donate now. If you have already donated and can give again please do.

***See also: [Maniscalco vs NYC DOE Submitted to SCOTUS](#)***

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