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## Judge upholds enforcement of solicitation law

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U.S. District Court Judge Elizabeth Kovachevich Thursday denied a Church of Scientology request to restrain Clearwater officials from enforcing a charitable solicitations ordinance until after further hearings on the law in a higher court.

City officials hailed the decision as added support for their position. But sect attorneys said after the Tampa hearing that they intend to continue their battle to have the ordinance ruled unconstitutional.

"The judge also said that if the city should abuse the enforcement of the law, we could come back for a rehearing," said Scientology attorney Paul Johnson. He said the ruling came as no surprise, but was not considered a serious setback.

He also said the judge urged that the appeals process proceed, adding he has already begun that process by filing the case in the 11th Circuit Court of Appeal, in Atlanta.

"We still believe the city passed the law with a discriminatory intent to disfavor one religion," Johnson said.

But Clearwater special counsel John Blakely noted other litigants in

the suit have not yet decided to join in the appeal. And, he said, that may indicate a realization that the city's law has a good chance of being upheld at the appellate level.

On July 13, the judge ruled the law does meet constitutional guidelines on its face. And last week she ruled further that the city could enforce a portion of the law giving the city attorney power to investigate non-profit groups which have 10 or more complaints filed against them.

Other provisions of the law requiring churches and other nonprofit groups to register with the city and file financial reports remain in limbo, however, until the appeals process is exhausted.

In addition to the Church of Scientology, other religious organizations joining in the suit against the ordinance include the National Council of Churches and a dozen other groups. Attorneys for the plaintiffs have argued that the law opens the door for governmental interference with constitutional guarantees of freedom of religion.

City Attorney Thomas Bustin described the law as a tool against fraud, not an attempt to interfere with religious freedoms.