UNITED STATES DISTRICT COURT FOR THE JUL 31 PM 2 19

DOES 1, 2, 4, 5, and 7;

DOE 6, a minor,

by Doe 6's next best friend, DOE 7,

Plaintiffs,

U.S. DISTRICT COURT NEW HAVEN, CT.

Plaintiffs

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Case No. 3:10-cv-00685-JBA

ENFIELD PUBLIC SCHOOLS,

Defendant.

Date: July /9, 2012

## CONSENT JUDGMENT AND SETTLEMENT AGREEMENT

The parties hereby AGREE and STIPULATE, and the Court hereby ORDERS:

- 1. This agreement is a compromise of disputed claims, and the Enfield Public Schools' entry into this agreement is not to be construed as an admission of negligence or intentionally wrongful conduct on the part of the Enfield Public Schools or the Enfield Board of Education.
- 2. The Enfield Public Schools shall not hold, and are permanently enjoined from holding, any future graduation ceremonies at the First Cathedral in Bloomfield, Connecticut.
- 3. This Consent Judgment and Settlement Agreement resolves all claims made by the plaintiffs against the Enfield Public Schools in this action, including the plaintiffs' claims for attorney's fees, expenses, and costs, as well as any other claims the plaintiffs could have brought against the Enfield Public Schools or any of their current or former Board of Education members, officials, or employees relating to the holding of Enfield Public Schools graduations at the First Cathedral.

- 4. In satisfaction of the plaintiffs' claims for attorney's fees, expenses, and costs, the Enfield Public Schools shall pay or cause to be paid \$469,610.50 to plaintiffs' counsel Americans United for Separation of Church and State, via wire transfer or cashier's check, within thirty days of the date of the Court's approval of this Consent Judgment and Settlement Agreement. The insurance company for the Enfield Public Schools the Connecticut Interlocal Risk Management Agency ("CIRMA") has notified the Enfield Public Schools and the plaintiffs that CIRMA will provide insurance coverage for the \$469,610.50 payment and that CIRMA will make the \$469,610.50 payment to plaintiffs' counsel Americans United.
- 5. The Court reserves jurisdiction to enforce or modify this Consent Judgment and Settlement Agreement. In the event that the Enfield Public Schools fail to comply with this Consent Judgment and Settlement Agreement, any of the plaintiffs, or any of the organizations whose attorneys are representing the plaintiffs in this action, may file a motion with this Court seeking enforcement of this Consent Judgment and Settlement Agreement. The Enfield Public Schools are deemed to have submitted irrevocably to the jurisdiction and venue of this Court, and to have waived any objection thereto, for any proceedings arising out of this Consent Judgment and Settlement Agreement. If the U.S. Supreme Court issues a decision holding that use of a house of worship for a public-school graduation ceremony is constitutional, the Enfield Public Schools may file a motion with this Court, pursuant to Federal Rule of Civil Procedure 60(b), to modify or dissolve the injunctive relief set forth in paragraph 2 of this Consent Judgment and Settlement Agreement.

IT IS SO ORDERED on July 30, 2012.

\_\_\_\_/s/
Hon. Janet Bond Arterton
United States District Court Judge

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IT IS SO AGREED AND STIPLILATED.

ex J. Luchenitser

On behalf of plaintiffs Does 1, 2, 4,

5, 6, and 7

Date: July <u>3</u>, 2012

On behalf of Defendant Enfield Public Schools, AS ITS COUNSEL

Date: July 19, 2012

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