


1 STUART J. ROTH+,
 DC Bar No. 475937
 2 DAVID A. CORTMAN+,
 DC Bar No. 478748
 3 AMERICAN CENTER FOR LAW
 AND JUSTICE
 4 201 Maryland Avenue, NE
 Washington, DC 20002
 5 (202) 546-8890, (202) 546-9309 facsimile
 6 DANIEL E. HOFFMAN, SBN 105841
 LOCAL COUNSEL
 7 SCHULER & BROWN
 7100 Hayvenhurst Ave., Suite 310
 8 Van Nuys, California 91406
 (818) 756-0999; (818) 756-0998 facsimile

ORIGINAL

Priority
 Send
 Enter
 Closed
 JS-5/JS-6
 JS-2/JS-3
 Scan Only

LOGGED

9 Attorneys for Plaintiffs
 10 GREGORY A. WEDNER, SBN 067965
 11 MELANIE A. PETERSEN, SBN 099822
 12 GRETCHEN M. SHIPLEY, SBN 208768
 LOZANO SMITH
 450 S. Melrose Drive
 13 Vista, CA 92081-6664
 (760) 631-5100, (760) 631-6120 facsimile
 14 Attorneys for Defendants

BY  FILED DEPUTY
 FEB - 4 2005
 CLERK, U.S. DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

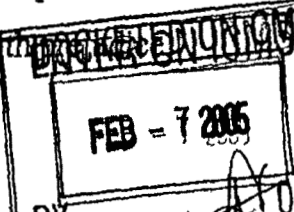
16 CHILD EVANGELISM FELLOWSHIP OF)
 SOUTHERN CALIFORNIA - POMONA)
 17 VALLEY CHAPTER, et al ,)
 18 Plaintiffs,
 19 v
 20 P. JOSEPH LENZ, et al.,
 21 Defendants.
 22

CASE # ED-CV-04-839-VAP-
 (SGLx)
 STIPULATED DISMISSAL
 AND SETTLEMENT
 AGREEMENT

Judge Virginia A. Phillips

STIPULATED DISMISSAL

25 Come now the parties in this matter as indicated by signature of counsel below,
 26 and the settlement agreement attached as Exhibit A, and pursuant to Fed R. Civ. Pro
 27 41(a)(1)(i), stipulate that this action be dismissed with

28 
 DV AX045 29

1 Respectfully submitted this 3rd day of FEBRUARY 2005.

2 THE AMERICAN CENTER FOR
3 LAW AND JUSTICE

LOZANO SMITH

4 *David A. Cortman*

Gregory A. Wedner

5 Stuart J. Roth+
6 DC Bar No. 475937
7 David A. Cortman+
8 DC Bar No. 478748
9 201 Maryland Avenue, NE
10 Washington, DC 20002
11 (202) 546-8890
12 (202) 546-9309 facsimile

Gregory A. Wedner, SBN 067965
Melanie A. Petersen, SBN 099822
Gretchen M. Shipley, SBN 208768
450 S. Melrose Drive
Vista, CA 92081-6664
(760) 631-5100
(760) 631-6120 facsimile

9 SCHULER & BROWN
10 Daniel E. Hoffman
11 CA. Bar No. 105841
12 Local Counsel
13 7100 Hayvenhurst Avenue
14 Suite 310
15 Van Nuys, CA 91406
16 (818) 756-0999
17 (818) 756-0998 facsimile

18 + Admitted pro hac vice
19 Attorneys for Plaintiffs

Attorneys for Defendants

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

SETTLEMENT AGREEMENT

The parties to the above action, through their counsel, do hereby agree:

1 That Defendants shall permit Plaintiffs Child Evangelism Fellowship
and Miralee Hossie to have equal access to Defendants' facilities for their
meetings on the same terms and conditions as other similar non-profit groups.

2. That Defendants have revised their Policy to treat all religious
organizations and religious uses the same as other similar non-profit community
organizations and uses in the access to their facilities in accordance with federal
law

3. That Defendants will not apply their Policy in a manner that results in
unequal treatment for Plaintiffs or any other religious organization.

4. That within 30 days of Board approval of this Agreement, Defendants
shall pay to Plaintiffs for damages in the amount of ninety-five dollars (\$95 00)
for the reimbursement of rental fee charges.

5. That within 30 days of Board approval of this Agreement, in
accordance with 42 U.S.C. § 1988, Defendants will pay to Plaintiffs' attorneys,
fees and costs for the prosecution of this action in the amount of fifty-five
thousand dollars (\$55,000.00).

6. That in consideration of Defendants' revision of the challenged
Policy and its application, Plaintiffs hereby consent to the dismissal of this action
with prejudice. This dismissal, however, does not prohibit Plaintiffs from
bringing a new action to remedy a future violation, in the event that Plaintiffs are
prohibited in the future from engaging in free speech protected by the United
States or California Constitution in Defendants' forum

1 Respectfully submitted this 3rd day of FEBRUARY, 2005.

2 **THE AMERICAN CENTER FOR**
3 **LAW AND JUSTICE**

LOZANO SMITH

David A. Cortman

Gregory A. Wedner

4 Stuart J. Roth+
DC Bar No 475937
5 David A. Cortman+
DC Bar No. 478748
6 201 Maryland Avenue, NE
Washington, DC 20002
7 (202) 546-8890
(202) 546-9309 facsimile

Gregory A. Wedner, SBN 067965
Melanie A. Petersen, SBN 099822
Gretchen M. Shipley, SBN 208768
450 S. Melrose Drive
Vista, CA 92081-6664
(760) 631-5100
(760) 631-6120

9 **SCHULER & BROWN**
10 Daniel E Hoffman
CA. Bar No. 105841
11 Local Counsel
7100 Hayvenhurst Avenue
Suite 310
12 Van Nuys, CA 91406
(818) 756-0999
13 (818) 756-0998 facsimile

14 + Admitted pro hac vice
15 Attorneys for Plaintiffs

Attorneys for Defendants

IT IS SO ORDERED
DATE 2/4/05
Virginia A. M... ..
U.S. DISTRICT COURT JUDGE

28