

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

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KEVIN HOULE, *et al.*,  
Plaintiffs,

File No. 2:09-cv-10504

v.

Hon.  
BARBARA SAMPSON, *et al.*,  
Mag.  
Defendants.

Marianne O. Battani

Judge Donald A. Scheer

Consolidated Cases

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T.H., *et al.*,

Plaintiffs,

v.

BARBARA SAMPSON, *et al.*,

Defendants.

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**STIPULATION AND ORDER OF DISMISSAL**

The parties, by counsel, stipulate as follows:

**Plaintiff Kevin Houle**

1. The defendants shall amend Kevin Houle's parole conditions as follows:

a. Conditions 1.1 and 1.8 shall be removed.

b. Existing condition 99.1 shall be replaced with a condition that reads:

99.0 You must not have verbal, written, electronic, or physical contact with any individual age 17 or under or attempt to do so either directly or through another person, unless you are with an adult responsible for that individual and approved by the field agent. This restriction does not apply to contact with your son T.H.<sup>1</sup>

c. Condition 1.6 and 1.7 shall be replaced with a condition that reads:

99.1 You must not reside, work, or loiter within a student safety zone,

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<sup>1</sup> This order contains the child's initials. The actual parole conditions will contain the child's full name.

defined as 1,000 feet of school property (developmental kindergarten through 12th grade school), unless you meet a statutory exemption. You may go to the school of T.H. only for purposes related to your child's education. While at the school of T.H., you must not be alone with, nor initiate contact with, any other minor.

You must not go to parks, swimming pools, playgrounds, or other places used by minors, unless you are with your son, T.H., and are supervised by an adult. You must not initiate contact with any other minor.

2. This stipulation and order shall not be entered until Kevin Houle receives written confirmation of the parole modifications set forth above.

3. The parties agree that the conditions, as amended, allow Kevin Houle and T.H. to have unrestricted, unsupervised contact with one another. The parties further agree that there are no limitations on Mr. Houle's ability to transport T.H. or to travel with him, unless prohibited by another condition of parole (*e.g.*, no travel out of state).

**Plaintiff Ken Levy**

4. The defendants shall amend plaintiff Ken Levy's parole conditions as follows:

a. Conditions 1.1 and 1.8 shall be removed.

b. Existing condition 1.2 shall be replaced with a condition that reads:

99.0 You must not have verbal, written, electronic, or physical contact with any individual age 17 or under or attempt to do so either directly or through another person, unless you are with an adult responsible for that individual and approved by the field agent. This restriction does not apply to contact with your daughter R.L.<sup>2</sup>

c. Condition 1.6 and 1.7 shall be replaced with a condition that reads:

99.1 You must not reside, work, or loiter within a student safety zone, defined as 1,000 feet of school property (developmental kindergarten through 12th grade school), unless you meet a statutory exemption. You may go to the school of R.L. only for purposes related to your child's education. While at the school of R.L., you must not be alone with, nor initiate contact with, any other minor.

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<sup>2</sup> This order contains the child's initials. The actual parole conditions would contain the child's full name.

You must not go to parks, swimming pools, playgrounds, or other places used by minors, unless you are with your daughter, R.L., and are supervised by an adult. You must not initiate contact with any other minor.

d. Condition 1.3 will be replaced with a condition that reads:

99.2 You must not marry, date, or have any romantic involvement with anyone who resides with or has physical custody of any individual age 17 or under, without first getting written permission from the field agent. This restriction does not apply to your wife, Kristy Levy.

5. This stipulation and order shall not be entered until Ken Levy receives written confirmation of the parole modifications set forth above.

6. The parties agree that the conditions, as amended, allow Ken Levy to have unrestricted, unsupervised contact with R.L. and with Kristy Levy.

**Dismissal of Claims and Waiver of Costs and Fees**

7. The Court having been notified by the parties that the plaintiffs' parole conditions have been revised in writing as set forth above, the claims of the two plaintiffs against the defendants are dismissed. This is the final order in the case.

8. The dismissal is with prejudice and without costs or attorneys' fees to either side.

**SO ORDERED.**

s/Marianne O. Battani  
Marianne O. Battani  
United States District Judge

Dated: April 30, 2010

Approved as to form and content:

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### **Certificate of Service**

This stipulated order of dismissal was filed using the Court's ECF system, which provides same-day e-mail service to all counsel of record.

s/ Paul D. Reingold  
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