

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Child Evangelism Fellowship of Minnesota,

Court File No. 10-cv-02687 JRT/JJK

Plaintiff,

vs.

**STIPULATION FOR ENTRY OF  
PERMANENT INJUNCTION AND  
DISMISSAL WITH PREJUDICE**

Minneapolis Special School District No. 1,

Defendant.

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IT IS HEREBY STIPULATED, by and between the above-named parties through their respective counsel:

1. Plaintiff Child Evangelism Fellowship of Minnesota (“CEF”), which sponsors the Good News Club, brought this action challenging the constitutionality of Minn. Stat. § 124D.19, subd. 12 (2006), entitled, “Community Education Programs; Advisory Council” (hereinafter “Statute”), and subdivision 12, entitled, “Youth after-school enrichment programs,” as applied against it, and seeking to have its Good News Club re-instated in Defendant Minneapolis Special School District No. 1’s (“District”) After School Youth Enrichment Program (“District’s Program”) at Jenny Lind Elementary School.

2. Although this Court denied CEF’s motion for a preliminary injunction, the Eighth Circuit Court of Appeals unanimously reversed, finding that the Plaintiff’s First Amendment rights were violated because the actions of the District were not viewpoint neutral.

3. In order to avoid the time and expense of further litigation, and without admitting any liability, the District has decided to stipulate to the Court's entry of a permanent injunction consistent with the terms of the ruling of the Eighth Circuit Court of Appeals.

4. The District, its officers, agents, employees and all other persons acting in active concert with them are hereby permanently enjoined from enforcing or applying the Statute against CEF in a manner denying its Good News Club full reinstatement in the District's Program at Jenny Lind, currently including, but not limited to, registration through the "class choices" form and use of the after-school activities bus, such that the Club enjoys equal access to the facilities and benefits of the District's Program on an equal basis, including the same requirements, eligibility criteria, and limitations, as non-religious groups.

5. The District will pay CEF one hundred thousand dollars (\$100,000.00) for attorney fees, and costs in the amount of \$621.90.

6. This action, and all claims asserted herein, may be fully and finally dismissed with prejudice.

7. The District Court shall retain jurisdiction over this matter for the purpose of enforcing its permanent injunction.

Dated: September 28, 2012

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Dated: October 10, 2012

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