IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

| DOUG GOLD and CHRISTY GOLD, et al, |) |
|------------------------------------|--------------------------------|
| Plaintiffs, |) |
| |) |
| VS. |) |
| |) |
| WILSON COUNTY SCHOOL BOARD OF |) CIVIL ACTION NO. 3:09-cv-211 |
| EDUCATION, et al, |) |
| |) |
| Defendants. |) |

FINAL JUDGMENT BY CONSENT

Final Resolution of this matter and controversy has been settled by and between the parties, and accepted by the Court, as reflected herein.

IT IS on this 31st day of August, 2009, ORDERED AND ADJUDGED AS FOLLOWS:

- 1. The parties have agreed to enter into this Final Judgment by Consent to reach a conclusion of this disputed claim and thereby avoid additional litigation expenses and the risks and uncertainties of continued litigation.
- 2. Upon the agreement of the parties, Defendant Wilson County Board of Education (hereinafter "the Board") shall nullify existing Policy Number 1.806 because of perceived questions of constitutionality with regard to the "appropriateness" provision of that policy and, to the extent the Board decides to adopt a substitute policy, shall craft the language of that policy to specifically address those perceived questions of constitutionality. The Board shall have 180 days from the entry of this order to comply with the provisions of this paragraph.
- 3. This Court hereby enjoins and restrains the Board, its officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with them from

enforcing existing Policy Number 1.806 at Lakeview Elementary School to suppress religious speech on posters that are created by students and parents to announce and describe See You At The PoleTM and National Day of Prayer events, and which are submitted for display in the Lakeview School main lobby and hallway leading to the cafeteria, unless any school regulation restricting religious speech on posters is reasonable, viewpoint-neutral, and in accordance with federal law;

- 4. Defendant the Board, by and through its insurance carrier, shall pay each Plaintiff the amount of \$1.00 for nominal damages and shall also pay Plaintiffs' attorney's fees and litigation costs in the amount of \$50,000 within 60 days from the date of entry of this order.
- 5. The Court retains jurisdiction of this case solely to enforce the terms of this consent judgment.

SO ORDERED this 31st day of August, 2009.

BY THE COURT:

ROBERT L. ECHOLS

United States District Judge

WE HEREBY CONSENT TO THE FORM AND ENTRY OF THE ABOVE ORDER:

D. Randall Mantooth

J. Paul Brewer

LEITNER WILLIAMS DOOLEY & NAPOLITAN, PLLC

414 Union Street, Suite 1900 Nashville, TN 37219-1782

Attorneys for Defendants

Nathan W. Kellum

Jonathan Scruggs

ALLIANCE DEFENSE FUND

Telob

699 Oakleaf Office Lane, Suite 107

Memphis, TN 38117

David L. Maddox

5543 Edmondson Pike, Suite 161

Nashville, TN 37211

Attorneys for Plaintiffs