

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

TRADITIONALIST AMERICAN KNIGHTS)
OF THE KU KLUX KLAN, ET AL.,)
)
Plaintiffs,)
)
vs.)
)
CITY OF CAPE GIRARDEAU, MISSOURI,)
)
Defendant.)

Case No. 1:12CV0151JAR

CONSENT JUDGMENT

This matter coming before the Court on the Parties' Joint Motion for Approval of their Consent Judgment [23]. The Court, being fully advised of the premises of the Motion, the Court hereby **GRANTS** the Motion and enters the following Order and Judgment:


1. The City of Cape Girardeau, Missouri, has previously enacted an Ordinance prohibiting the placement of handbills on unoccupied vehicles, which is codified as § 22-82 of the City of Cape Girardeau Code of Ordinances.
2. On September 27, 2012, this Court entered a preliminary injunction enjoining the City of Cape Girardeau from enforcing City of Cape Girardeau Code of Ordinances § 22-82. (ECF No. 19).
3. With the agreement of the parties, the preliminary injunction entered on September 27, 2012, is made permanent. Defendant City of Cape Girardeau, its officers, and its employees are permanently enjoined from enforcing or threatening to enforce § 22-82.
4. This Consent Judgment fully and finally resolves all claims of Plaintiffs against the City of Cape Girardeau raised in this lawsuit.

5. Plaintiffs are prevailing parties for purposes of 42 U.S.C. § 1988. By agreement of the parties, Defendant is ordered to pay \$5,000.00 as attorneys' fees and costs to the American Civil Liberties Union of Eastern Missouri Fund.

6. Federal Rule of Civil Procedure 65(c) requires the posting of a bond, but only for preliminary injunctions and temporary restraining orders. FED.R.CIV.P. 65(c). Because the preliminary injunction has been converted to a permanent injunction and because Defendant suffered no monetary damages as a result of the preliminary injunction, a bond is no longer necessary and the bond posted on September 28, 2012, shall be returned.

7. This Court retains jurisdiction to enforce this Consent Judgment.

Dated this 3rd day of October, 2012.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE