

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ANDREW ROBERTS,

Plaintiff,

V.

CITY OF UNIVERSITY CITY,  
MISSOURI,

Defendant.

Case No.: 4:16-cv-1210

## CONSENT JUDGMENT

This Court, having reviewed and taken notice of the pleadings herein, and with the consent of Plaintiff and Defendant, hereby enters Judgment as follows:

## FINDINGS

1. On January 11, 2016, Plaintiff Andrew Roberts was removed from University City council meeting by order of the mayor while he was speaking in opposition to a resolution being discussed during the public-comment portion of the meeting and was briefly barred indefinitely from speaking at future city council meetings.

2. Plaintiff filed this lawsuit on June 25, 2016, pursuant to 28 U.S.C. § 1983, claiming his First and Fourteenth Amendment rights were violated by University City's removal and temporary ban and seeking monetary damages and injunctive relief.


3. Plaintiff has incurred taxable costs of \$500.00.
4. Plaintiff's reasonable attorneys' fees are \$2,560.00.

## ORDER

Based on the aforementioned Findings, the Court hereby orders as follows:

1. University City and its representatives will cease making a public statement at city council meetings that personal attacks on councilmembers will be ruled out of order;
2. University City and its representatives will cease making a public statement at city council meetings that councilmembers' motives may not be called into question;
3. University City will apologize publicly for removing Roberts from the January 11, 2016 city council meeting in violation of his First Amendment and procedural due process rights;
4. University City and its representatives will permit Mr. Roberts to attend and speak at any future city council meeting without regard for the content of his speech, except for enforcing the five-minute time limit during public-comment portion of city council meetings;
5. University City and its representatives will remove and repudiate any ban on attendance or future speech as punishment for the content of any commenter's speech during the public-comment period of any city council meeting;
6. University City will develop, implement, and enforce a written policy prohibiting content-based restrictions on speech during the public comment period at city council meetings; and
7. University City will pay attorneys' fees and costs of Plaintiff in the amount of \$3,060.00.
8. This Order and Judgment fully and finally resolves the claims asserted in this matter.

Dated: April 24, 2017

  
UNITED STATES DISTRICT JUDGE  
AUDREY G. FLEISSIG