

ENTERED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

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SONS OF CONFEDERATE VETERANS,
VIRGINIA DIVISION,
Plaintiff,

JOYCE F. WHITE CLERK
BY: *R. Collins*
DEPUTY CLERK

v.

Case No. 93-0492-R

CITY OF LEXINGTON, VIRGINIA,
H.E. "BUDDY" DERRICK;
MARTHA M. DOSS;
MICHAEL A. LYNN;
KEITH GIBSON;
BRIAN SHAW;
ED MERRELL;
REV. L. RANDOLPH HARRISON;
and DIANNE HERRICK,
Defendants.

CONSENT DECREE

The plaintiff in this case, Sons of Confederate Veterans, Virginia Division, filed its Complaint on June 25, 1993, seeking declaratory, injunctive and monetary relief for the alleged abridgment of the freedom of speech of plaintiff organization and its members.

The case arose out of a rededication, on the 100th anniversary of its 1891 dedication, of a statue of Confederate General Thomas J. "Stonewall" Jackson located on his grave in the local cemetery on land owned by the City of Lexington.

Members of the plaintiff organization sought, and alleged that they were forbidden by the defendants, to display the Confederate flag as they marched in the rededication parade or gathered for the rededication ceremonies in the cemetery.

Defendants allege that they did nothing intended to abridge the rights of the plaintiff.

The parties having agreed to settle their differences as provided herein, it is ordered and decreed as follows:

1. A permanent injunction shall be entered under which neither the City of Lexington nor any individual, corporation, association or other person or entity under its supervision or within its control, or the employee(s), officer(s), agent(s), or successor(s) in interest of any such person or entity, may deny or abridge the right of the plaintiff organization and its members, and of any other persons subject to the jurisdiction or authority of the parties enjoined hereby, to wear, carry, display or show, at any government-sponsored or government-controlled place or event which is to any extent given over to private expressive activity, the Confederate flag or other banners, emblems, icons or visual depictions designed to bring into public notice any logo of "stars and bars" that ever was used as a national or battle flag of the Confederacy.

2. The defendants, jointly and severally, shall pay to the plaintiff the sum of \$1.00 as monetary relief, and the further sum of \$3,142.75 as reasonable attorneys' fees and costs of this suit.

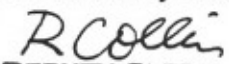
3. This case shall be dismissed with prejudice.

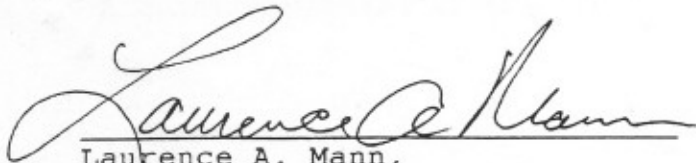
IT IS SO ORDERED.

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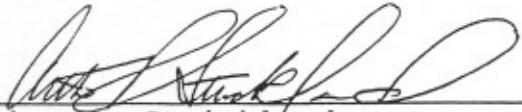

United States District Judge

Seen and agreed:

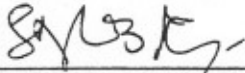
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BY: 
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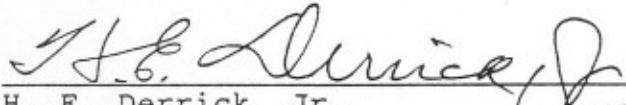
Laurence A. Mann,
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Counsel for the Defendants



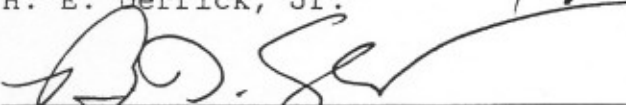
Arthur P. Strickland
Virginia Bar No. 13337
Cooperating Attorney, American
Civil Liberties Union
Foundation of Virginia
P.O. Box 2886
Roanoke, Va. 24001
(703) 982-7787



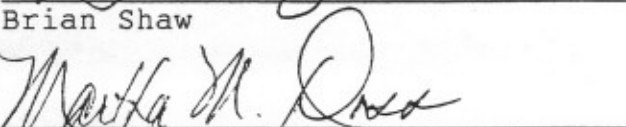
Stephen B. Pershing
Virginia Bar No. 31012
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Foundation of Virginia
6 North Sixth Street, Suite 400
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Counsel for Plaintiff



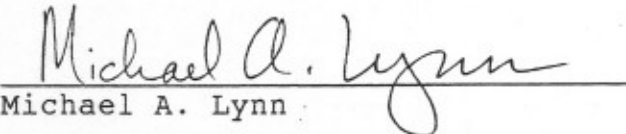
H. E. Derrick, Jr.



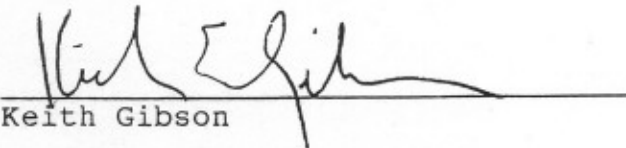
Brian Shaw



Martha M. Doss



Michael A. Lynn



Keith Gibson

Ed Merrell

Ed Merrell

L. Randolph Harrison

Rev. L. Randolph Harrison

Dianne W. Herrick

Dianne Herrick