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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ROY and MARY GARRETT; ESCONDIDO
HUMAN RIGHTS COMMITTEE;
JANE DOE 1; JANE DOE 2,

Plaintiff,

v.

CITY OF ESCONDIDO,

Defendant.

Case No. 06 CV 2434 JAH (NLS)

**ORDER RE: STIPULATED FINAL
JUDGMENT AND PERMANENT
INJUNCTION**

Date Action Filed: November 3, 2006
Trial Date: None Set

On November 3, 2006, Plaintiffs Roy and Mary Garrett, Escondido Human Rights Committee, Jane Doe 1 and Jane Doe 2 (collectively "Plaintiffs") filed their complaint herein, asserting various constitutional rights violations against Defendant City of Escondido ("Defendant"). On November 7, 2006, Plaintiffs sought from the Court an order to temporarily restrain Defendant from enforcing Ordinance No. 2006-38R, titled "An Ordinance of the City of Escondido, California Establishing Penalties for the Harboring of Illegal Aliens in the City of Escondido" ("Ordinance"), which was adopted by Defendant on October 18, 2006, with an effective date of November 17, 2006. This Court, on November 16, 2006, granted Plaintiffs' application for temporary restraining order, and enjoined Defendant from enforcing the Ordinance.

1 The parties have now filed with the Court a stipulation for entry of a stipulated final
2 judgment and permanent injunction. The Court has reviewed the stipulation submitted by the parties
3 and has concluded that it is appropriate for the Court to enter this judgment, issue the injunction as
4 set forth in the judgment and resolve all matters in dispute in this action, including without limitation
5 all claims for damages, attorneys fees, injunctive or other relief, without trial. Pursuant to agreement
6 and stipulation,

7 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that:

8 1. A stipulated permanent injunction enjoining the Defendant City of Escondido from
9 enforcing the Ordinance shall be issued by the Court. The parties have waived any requirement for
10 a more specific or detailed order which may be imposed by Fed. R. Civ. P. 65(d), other statutory
11 authority, or common law.

12 Accordingly, **IT IS HEREBY ORDERED** that Defendant and each of its officers,
13 principals, agents, servants, employees, successors and assigns, and all those in concert or
14 participation with Defendant, are **PERMANENTLY ENJOINED** from enforcing Ordinance No.
15 2006-38R titled "An Ordinance of the City of Escondido, California Establishing Penalties for the
16 Harboring of Illegal Aliens in the City of Escondido."

17 2. The \$100 bond posted by Plaintiffs pursuant to the Court's November 20, 2006 order
18 granting the Temporary Restraining Order is hereby discharged.

19 3. This stipulated judgment is not an admission or finding of liability and shall not
20 constitute a final determination on the merits of any issue. Nor shall this judgment have any res
21 judicata, collateral estoppel, or preclusive effect as to any third party claim, action or proceeding.

22 4. Each party to this case shall bear its own costs and attorneys fees, except that
23 Defendant City of Escondido shall pay to Plaintiffs the sum of \$90,000 for their costs and attorneys
24 fees pursuant to the stipulation of the parties, within 10 days after the entry of this judgment by the
25 Court.

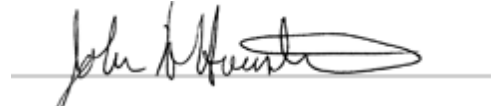
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1 5. The Court shall retain jurisdiction of this matter for purposes of construction and
2 enforcement of this stipulated judgment and the stipulated permanent injunction and shall have
3 jurisdiction to make any orders or findings necessary to effectuate and enforce the injunction.
4

5 DATED: December 15, 2006


HON. JOHN A. HOUSTON
United States District Judge

10 Submitted by:

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