

IN THE UNITED STATES DISTRICT COURT  
FOR NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION

**FILED IN CHAMBERS**  
7/18/05  
 **Luther D. Thomas, Clerk**  
*D. Wood*  
**Deputy Clerk**

_____ )	
JOHN DOE, )	<u>Civil Action</u>
)	
Plaintiff, )	File No. 2:03-CV-0156-WCO
)	
v. )	
)	
BARROW COUNTY, GEORGIA, )	
)	
Defendant. )	
_____ )	

~~PROPOSED~~ **JUDGMENT AND ORDER**

It is hereby adjudged and ordered that judgment is entered for the Plaintiff on Count I of his Complaint, there being no need to resolve Plaintiff's contentions in Counts II and III in order to grant Plaintiff complete relief.

It is further ordered that Defendant pay Plaintiff \$1.00 (one dollar) in damages.

It is further ordered that:

- (1) the Defendant is hereby enjoined to immediately remove the Ten Commandments picture currently hanging on the wall of the breezeway connecting the Barrow County Courthouse and Courthouse annex; and

(2) pursuant to Federal Rules of Civil Procedure 65, Defendant and its officers, agents, servants, employees, and attorneys, and those in active concert or participation with them who receive actual notice by personal service or otherwise, are hereby **enjoined** to refrain from the display, placement, or authorization of the placement of:

(a) the Ten Commandments picture described in subparagraph 1 on the wall of the breezeway connecting the Barrow County Courthouse and the Courthouse annex or in any other public area of any building or other property under the authority of the Barrow County Board of Commissioners; or

(b) any substantially similar and unconstitutional presentation of the Ten Commandments on or in said places; provided, however, that any individual Barrow County employee or official may, at his or her voluntary election, display the Ten Commandments in any form or any place on his or her person or in his or her personal office so long as such display is not in any public area of any building or property under the authority of the

Barrow County Board of Commissioners.

(3) Nothing in this "Judgment and Order" shall preclude any party from filing any future litigation concerning any future Ten Commandments display.

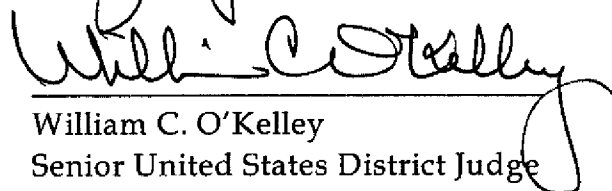
**It is further ordered** that the Protective Order entered in this case on February 25, 2004, shall remain in force but shall be modified so as to now contain the following provision:

"(10) Nothing in this Protective Order shall prevent Counsel for Defendants from informing their clients that a person has falsely identified herself or himself as the 'John Doe' plaintiff in this action."

And, **it is further ordered** that, on or before August 10, 2005, Defendant pay to Plaintiff attorneys' fees and expenses in the amount of \$150,000 (one hundred fifty thousand dollars).

Full and final judgment having been entered herein, **it is finally ordered** that this matter is dismissed with prejudice.

SO ORDERED: This the 18<sup>th</sup> day of July 2005.

  
William C. O'Kelley  
Senior United States District Judge

Presented by:

/s Frank Derrickson (signed by Margaret F. Garrett with express permission)  
Frank L. Derrickson  
Attorney for Plaintiff

Consented to:

/s Herbert W. Titus (Signed by Margaret F. Garrett with express permission)  
Herbert W. Titus  
Attorney for Defendants

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BARROW COUNTY, GEORGIA,	)	
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_____	)	

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2005, I electronically filed the foregoing Judgment and Order with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

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DATED: This 18th day of July, 2005.

/s Margaret F. Garrett  
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