

DEC 19 2006

JAMES N. HATTEN, Clerk  
By: *[Signature]*  
Deputy Clerk

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

\_\_\_\_\_  
JEFFREY MICHAEL SELMAN,  
KATHLEEN CHAPMAN, JEFF SILVER,  
PAUL MASON, and TERRY JACKSON,

*Plaintiffs,*

v.

COBB COUNTY SCHOOL DISTRICT,  
COBB COUNTY BOARD OF  
EDUCATION, JOSEPH REDDEN,  
superintendent,

*Defendants.*

CIVIL ACTION  
FILE NO. 1:02-CV-2325-CC

\_\_\_\_\_  
CONSENT JUDGMENT AND ORDER  
\_\_\_\_\_

The disclaimer stickers that are the subject of this action having already been removed from the science textbooks used by students in the Cobb County schools, and the parties having agreed to resolve this dispute in the manner set forth below, this Court orders and decrees as follows:

- (1) Defendants, their officers, agents, successors, servants, employees, attorneys, and anyone acting in concert with them are enjoined from restoring to the science textbooks of students in the Cobb County schools any stickers, labels, stamps, inscriptions, or other warnings or disclaimers bearing language substantially similar to that used on the sticker that is the subject of this action.
- (2) Defendants, their officers, agents, successors, servants, employees, attorneys, and anyone acting in concert with them are further enjoined from taking the following actions that would prevent or hinder the teaching of evolution in the School District:
  - a. making any disclaimers regarding evolution orally, in writing, or by any other means;
  - b. placing on students' science textbooks any stickers, labels, stamps, inscriptions, or other warnings or disclaimers referring or relating to evolution or Charles Darwin;
  - c. placing on students' science textbooks any stickers, labels, stamps, inscriptions, or other statements relating to creationism,

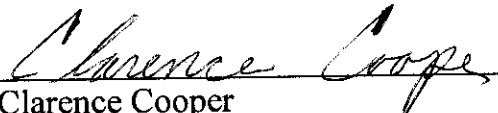
creation science, intelligent design, or any other religious view concerning the origins of life or the origins of human beings;

- d. excising or redacting materials on evolution in students' science textbooks; or
  - e. violating Georgia Code § 20-2-140, as amended, which requires that local school boards adopt the State Board of Education's "uniformly sequenced core curriculum as the basis for its own curriculum," including the state's requirements with respect to the teaching of evolution, and Georgia Code § 20-2-142, as amended, which deems each local schoolboard "responsible for ensuring that," among other things, "the uniformly sequenced core curriculum . . . [is] fully and effectively implemented."
- (3) This Order is binding on the Cobb County Board of Education and its officers and members in perpetuity, notwithstanding any changes to the Board's membership that may result from future elections, appointments, vacancies, or other changes to the Board or its composition.
- (4) This Court reserves jurisdiction to enforce this Order. In the event that Defendants fail to comply with this order, Plaintiffs, the American Civil

Liberties Union of Georgia, or Americans United for Separation of Church and State may file a motion with this Court seeking enforcement of the Order. Defendants are deemed to have submitted irrevocably to the jurisdiction and venue of this Court, and to have waived any objection thereto, for any proceeding to enforce this Order.

- (5) This Order is intended to resolve all issues before the Court in this action. Except as provided herein, the parties do not waive their rights or obligations with regard to future claims respecting the First Amendment to the United States Constitution.
- (6) Plaintiffs' remaining claims under 42 U.S.C. § 1988 and 28 U.S.C. § 2412 having been resolved by the parties in a separate agreement, no petition under Local Rule 54.2 is required.
- (7) Full and final judgment having been entered, this matter is dismissed with prejudice.

SO ORDERED this 19<sup>th</sup> day of December, 2006.

  
Clarence Cooper  
United States District Judge

/s/ Richard B. Katskee  
Counsel for Plaintiffs

Dated: December 19, 2006

/s/ E. Linwood Gunn  
Counsel for Defendants

Dated: December 19, 2006