

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

KEILA FRANKS, by and through her next friend and mother Pamela Auble;
BRYANNA SHELTON, by and through her next friend and mother, Angie Wright;
EMILY LOGAN, by and through her next friend and father, Andy Logan;
and KARYN STORTS-BRINKS,
Plaintiffs,

v. . . .

CIVIL ACTION NO. 3:09-00446

METROPOLITAN BOARD OF PUBLIC EDUCATION; JESSIE REGISTER, in his official capacity as Director of Schools for Metropolitan Nashville Public Schools; KNOX COUNTY SCHOOLS BOARD OF EDUCATION; and JAMES MCINTYRE, in his official capacity as Superintendent of Knox County Schools,
Defendants.

v. . . .

JUNE GRIFFIN, individual taxpayer,
Intervenor-Countercomplainant.

DUPED
True motion
NOT ADDED
W. Griffin
W. Griffin
8-10-09

JOINT MOTION FOR ENTRY OF ORDER OF DISMISSAL

Plaintiffs and defendants jointly move this Court for an order dismissing all of plaintiffs' claims against defendants with prejudice. As grounds for this motion, these parties state to the Court as follows:

On May 19, 2009, plaintiffs filed suit seeking permanent injunctive and declaratory relief against defendants' alleged censorship of political and educational websites that provide information regarding, support, promote, or cater to one's sexual orientation or gender identity including but not limited to lesbian, gay, bi-sexual, and

transgender sites and which do not contain sexually gratuitous content, personals, and/or chat capabilities (the “LGBT sites”);

Defendants currently do not utilize filtering software at the schools within their jurisdiction that blocks or otherwise places a barrier to student or faculty access to the LGBT sites;

Plaintiffs and defendants desire to resolve this matter to avoid the additional expense of litigation and with each party bearing their own costs and fees;

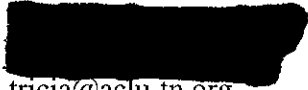
Plaintiffs and defendants have entered into the settlement agreement attached as Exhibit A (“the Settlement Agreement”) hereto;

Defendants expressly deny the allegations set forth in the Lawsuit, and this Settlement Agreement shall in no way be construed as an admission of liability on the part of any defendant;

Plaintiffs and defendants request that this Court dismiss plaintiffs’ claims against defendants with prejudice but retain jurisdiction over this action for the sole purpose of enforcing the terms of the Settlement Agreement.

A proposed Order of Dismissal is filed contemporaneously herewith.

Submitted and approved by:

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*Counsel for Defendants Metropolitan Board of
Public Education and Jessie Register, in his
official capacity*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was filed electronically this 30th day of July, 2009. Notice of this filing will be sent by operation of the Court's electronic filing system to those parties indicated on the electronic filing receipts. All other parties will be served by U.S. mail.

June Griffin
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/s/ Tricia R. Herzfeld
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