

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

A.W. a minor, by and through her next friend,  
Stephanie Wright; and STEPHANIE WRIGHT,

PLAINTIFFS

v.

Case No. 4:10-cv-00240-BSM

PULASKI COUNTY SPECIAL SCHOOL DISTRICT;  
ROB MCGILL, Acting Superintendent of Pulaski County  
Special School District, in his official capacity; RHONDA  
HARNISH, Director of Elementary Education of  
Pulaski County Special School District, in her official  
capacity; and JOSIE BRAZIL, Principal of Sherwood  
Elementary School, in her official capacity;

DEFENDANTS

**STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE**

Plaintiff Stephanie Wright, individually and as natural guardian of A.W. (“Plaintiffs”) and Defendants Pulaski County Special School District (the “District”), Rob McGill, Acting Superintendent of Pulaski County Special School District, in his official capacity; Rhonda Harnish, Director of Elementary Education of Pulaski County Special School District, in her official capacity; and Josie Brazil, Principal of Sherwood Elementary School (collectively, the “Defendants”), by and through their undersigned counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), file this stipulated voluntary dismissal with prejudice, stating as follows:

1. On April 13, 2010, Plaintiffs filed a lawsuit in the United States District Court for the Eastern District of Arkansas, No. 4:10-CV-0240 BSM, seeking a preliminary and permanent injunction enjoining Defendants’ from prohibiting A.W.’s student-to-student distribution of religious literature and prohibiting Stephanie Wright’s distribution of religious literature to parents and students through the students’ take home flyer forum or any other such means

by which non-instructional materials from outside groups or individuals are distributed to or sent home with students.

2. On May 25, 2010, Plaintiffs filed a Motion for Preliminary Injunction requesting the Court to enjoin Article V, Section M.2 of the Pulaski County Special School District Handbook for Student Conduct and Discipline, the first two paragraphs of District Policy KHA/KHB, and the first paragraph of District Policy KHC, and requiring the District to permit A.W. and Stephanie Wright to distribute flyers at Sherwood Elementary.
3. On March 25, 2011, the Court granted Plaintiffs' Motion for Preliminary Injunction and enjoined the District from prohibiting Plaintiffs from distributing flyers for church-sponsored events and activities in student take home folders and on Sherwood Elementary School's literature distribution rack and enjoined the enforcement Article V, Section M.2 of the Pulaski County Special School District Handbook for Student Conduct and Discipline, the first two paragraphs of District Policy KHA/KHB, and the first paragraph of District Policy KHC with respect to flyers for church-sponsored events and activities.
4. The Defendants have agreed to permit A.W. to distribute religious literature at District schools pursuant to the terms of the revised District policies. The District has further agreed to permit Stephanie Wright to distribute religious literature at District schools on the same terms and conditions as other community members pursuant to the terms of the revised District policies.
5. Defendants have paid fees and costs to Plaintiffs' attorneys.

Based on the above mentioned actions, the parties hereby stipulate to the voluntary dismissal of this action, with prejudice, and without any further costs or fees to any party.

Respectfully submitted this 2nd day of February, 2012.

/s/ David A. Cortman

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*(Signed by Filing Attorney with Permission of  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 2, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

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