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14 *Attorneys of Record for Plaintiff B.H.*

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **WESTERN DIVISION - LOS ANGELES**

14 B.H., a minor, by and through his
15 next friend, Adriana Hickman,

16 Plaintiff,

17 v.

18 MONICA GARCIA, MARGUERITE
19 LAMOTTE, TAMAR GALATZAN,
20 STEVE ZIMMER, YOLIE FLORES,
21 NURY MARTINEZ, and RICHARD
22 VLADOVIC, all individually and in
23 their official capacities as members of
24 the Los Angeles Unified School
25 District Board of Education;
26 RAMON CORTINES, individually
27 and in his official capacity as
28 Superintendent of the Los Angeles
Unified School District; and
JERILYN SCHUBERT, individually
and in her official capacity as
Principal of Superior Street
Elementary School,

Defendants.

CASE NO. CV11-875 RGK (FFMx)

VOLUNTARY DISMISSAL
WITH PREJUDICE

1 Plaintiffs B.H., by and through his undersigned counsel, and pursuant to
2 Federal Rule of Civil Procedure 41(a)(1)(A)(i), files this voluntary dismissal with
3 prejudice, stating as follows:

4 1. On January 28, 2011, Plaintiff filed a complaint against Defendants
5 seeking a preliminary and permanent injunction from Defendants' actions of
6 prohibiting B.H. from performing his selected religious song at a talent show at
7 Superior Street Elementary School on February 4, 2011.

8 2. On February 1, 2011, Plaintiff filed an Application for Temporary
9 Restraining Order and Motion for Preliminary Injunction requesting the Court to
10 enjoin the Defendants from prohibiting B.H. from performing his selected religious
11 song at the Talent Show.

12 3. On February 1, 2011, the Defendants agreed to permit B.H. to perform
13 his selected religious song at the Talent Show.

14 4. The Defendants have also agreed to revise the District Bulletin
15 entitled "Guidelines for Teaching About Religions" (BUL-4983.0) to ensure that
16 student religious expression is protected at student assemblies and extracurricular
17 activities. The Defendants will revise the Bulletin to include "or talent shows" in
18 the following sentence which is located on page 4 in said Bulletin, and which will
19 now state: "Student speakers at student assemblies and extracurricular activities
20 such as sporting events or talent shows may not be selected on a basis that either
21 favors or disfavors religious speech."

22 5. Defendants have agreed to pay fees and costs to Plaintiff's attorneys.

23 Based on the above mentioned actions, the Plaintiff hereby voluntarily
24 dismisses this action, with prejudice.

1 Respectfully submitted this 21st day of March, 2011.

2 ALLIANCE DEFENSE FUND

WATKINS & LETOFSKY, LLP

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/S/ Daniel R. Watkins

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13 * Admitted pro hac vice.

14 *Attorneys of Record for Plaintiff B.H.*

1 **PROOF OF SERVICE**

2 I hereby certify that on March 21, 2011, I electronically filed the foregoing
3 paper with the Clerk of Court using the ECF system which will send notification
4 of such filing to the following:

5 Robert Cuen
6 Los Angeles Unified School District
7 Office of the General Counsel
8 333 South Beaudry Avenue
9 20th Floor
10 Los Angeles, CA 90017
11 213-241-7600
12 robert.cuen@lausd.net

13 ALLIANCE DEFENSE FUND

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