

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

OPEN DOOR CHURCH OF SUN PRAIRIE,)	
WISCONSIN, a nonprofit organization,)	
)	Case No. 3:08-cv-00531-SLC
Plaintiff,)	
)	Magistrate Judge Crocker
v.)	
)	
SUN PRAIRIE AREA SCHOOL DISTRICT,)	
)	
Defendant.)	

COMES NOW the Plaintiff, Open Door Church of Sun Prairie, Wisconsin (“Church”), by and through counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) files this voluntary dismissal stating the following:

1. On September 10, 2008, the Church filed a Verified Complaint in this case. Through it, the Church challenged policies of the Sun Prairie Area School District (“District”) imposing on the Church a rental fee for after-school access to District facilities, yet granting free access to nonreligious community groups.

2. The Church alleged that pursuant to Policy KG and Procedure KG-R, the District required a rental fee from the Church solely because of the religious content and viewpoint of its weekly AWANA meetings, where children gathered to learn Bible teachings about leadership, responsibility, cooperation, and kindness, among other things.

3. The Church specifically challenged the discriminatory application of Policy KG and Procedure KG-R to its religious speech, as well as the facial validity of the Policy and Procedure.

4. After the Church filed its Verified Complaint, and as a result of settlement talks between the parties, the District revised Policy KG and Procedure KG-R to remove the provisions

imposing a discriminatory rental fee on religious groups and granting District officials unbridled discretion.

5. The District fully implemented revised Policy KG and Procedure KG-R and agreed not to charge the Church a rental fee for its after-school AWANA meetings.

6. The District also paid attorneys' fees under 42 U.S.C. § 1988.

7. Based on the above actions of the District, the Church agrees to dismiss its lawsuit against the District, with prejudice.

Respectfully submitted this 30th day of October, 2008.

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CERTIFICATE OF SERVICE

I certify that on October 30, 2008, the foregoing Notice of Voluntary Dismissal was filed with the Clerk of Court using the CM/ECF system, causing it to be served on the following counsel of record for the Defendant:

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