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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

St. Mark Roman Catholic Parish Phoenix;
Christ the King Liturgical Charismatic
Church, Inc.; and First Christian Church
of Phoenix, Arizona, Inc.,

Plaintiffs,

vs.

City of Phoenix, Arizona,

Defendant.

Case No. 2:09-cv-01830-SRB

FINAL ORDER AND JUDGMENT

On September 2, 2009, Plaintiffs filed a Complaint challenging sections 23-12 to 23-15 of the Phoenix Municipal Code (“Noise Ordinance”) as unconstitutional and as a violation of Arizona’s Free Exercise of Religion Act.

On March 3, 2010, this Court entered a preliminary injunction, preliminarily enjoining Defendant City of Phoenix from enforcing the Noise Ordinance, Phoenix, Ariz., Municipal Code §§ 23-12 to 23-15, against any sound generated in the course of religious expression.

The parties have stipulated that this Court may enter a final order and judgment in favor of the Plaintiffs, granting the Plaintiffs the relief requested in their Complaint. Plaintiff St. Mark Roman Catholic Parish has waived its claim for nominal damages.

Based on the foregoing,

IT IS ORDERED granting Plaintiffs’ request for a permanent injunction, and permanently enjoining Defendant City of Phoenix from enforcing the Noise Ordinance,

1 Phoenix, Ariz., Municipal Code §§ 23-12 to 23-15, against any sound generated in the
2 course of religious expression.

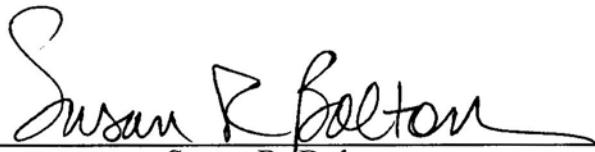
3 **IT IS FURTHER ORDERED** granting Plaintiffs' request for a declaratory
4 judgment, declaring that the Noise Ordinance, Phoenix, Ariz., Municipal Code §§ 23-12
5 to 23-15, when enforced against any sound generated in the course of religious
6 expression, violates the First and Fourteenth Amendments to the United States
7 Constitution.

8 **IT IS FURTHER ORDERED** that Defendant City of Phoenix shall pay the sum
9 of \$25,000.00 to the Alliance Defense Fund in full satisfaction of Plaintiffs' claim for
10 attorneys' fees and costs pursuant to 42 U.S.C. § 1988.

11 As this Order disposes of all claims as to all parties,

12 **IT IS FURTHER ORDERED** that final judgment is hereby entered for the
13 Plaintiffs and against Defendant City of Phoenix, and the Clerk is directed to close this
14 case and vacate all further hearings in this matter.

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16 Dated this 19th day of April, 2010.

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21 Susan R. Bolton
22 United States District Judge
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