

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

THE ARKANSAS SOCIETY OF FREETHINKERS PLAINTIFF

v. CASE NO. 4:09-CV-00925


**CHARLIE DANIELS, in his official capacity as DEFENDANT
ARKANSAS SECRETARY OF STATE**

CONSENT JUDGMENT

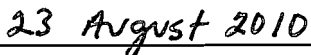
The Court, having found that defendant Arkansas Secretary of State Charlie Daniels, in his official capacity, unconstitutionally denied plaintiff permission to erect a Winter Solstice display on the State Capitol grounds, and having preliminarily enjoined Daniels from denying plaintiff its First Amendment right to install this display and further, having required Daniels to permit the display to be placed on the State Capitol grounds for the same period of time as granted for the nativity scene then on display and in a location that provides the same prominence as provided for the nativity scene, the Court hereby declares and orders, by the consent of the parties, as follows:

1. Defendant Arkansas Secretary of State Daniels' denial of the plaintiff's application to install its Winter Solstice display on the State Capitol grounds violated the plaintiff's First Amendment rights.
2. Defendant Arkansas Secretary of State and his successors are permanently enjoined from denying the plaintiff access to the display area on the State Capitol grounds for the erection of a display as is provided to, and on the same terms, and under the same criteria as, all other nongovernmental actors.
3. The defendant is ordered to pay to the plaintiff within three business days of the entry of this Consent Judgment its attorneys fees and costs in the amount of \$25,800.00.
4. The Court retains jurisdiction to enforce this consent judgment.

So Ordered.



D. P. Marshall Jr.
United States District Judge



Date