

Orange County Public Schools

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January 3, 2014

via e-mail andrew@ffrf.org and US Mail

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Re: Distribution of Materials on January 16, 2014

Gentlemen:

As Mr. Marks informed you via letter dated December 9, 2013, passive distribution of materials by both World Changes of Florida and the Freedom From Religion Foundation/Central Florida Freethought Community will take place at our high schools on January 16, 2014. With respect to the current litigation styled Freedom From Religion Foundation, Inc., et al v. Orange County School Board, 6:13-cv-922-GKS-KRS, OCSB believes it has a defensible position that will survive Court scrutiny. However, in an effort to reduce litigation going forward, OCSB makes an unconditional offer separate and apart from the current litigation to allow the Freedom From Religion Foundation to passively distribute the following materials on January 16, 2014, along with any other material identified in the above-styled action that Freedom From Religion Foundation identified as being prohibited from being distributed:

Books:

1. *The Age of Reason* by Thomas Paine.
2. *Letter to a Christian Nation* by Sam Harris.
3. *Jesus Is Dead* by Robert Price:
4. *What on Earth is an Atheist* by Madalyn Murray OHair.
5. *Why I am Not a Muslim* by Ibn Warraq.



Miniature Brochures

1. *What They Said About Religion.*
2. *Dear Believer.*
3. *Ten Common Myths about Atheists.*
4. *Why Women Need Freedom From Religion.*
5. *What is a Freethinker?*
6. *What is Wrong with the Ten Commandments?*
7. *Why Jesus?*
8. *What Does the Bible Say About Abortion?*
9. *An X-Rated Book.*

Regular Brochures

1. *What is an Atheist:*
2. *Nontheistic Students In Your School:*
3. *Secular Student Alliance:*
4. *Humanist of the Year* wallet card:

Sticker

1. *Good without God.*

Any other materials to be distributed will need to be submitted to this office for by December 31, 2013. As with last year, any portion of the literature which solicits donations must be redacted.

As for the distribution guidelines for January 16, 2014, they will be as follows: Passive distribution will be allowed. Passive distribution means the approved materials may be placed on one unmanned table for distribution in a location where students normally congregate during non-instructional time. A written disclaimer should be displayed on the distribution table stating that the literature is not sponsored by, nor endorsed by, the Orange County School Board and identifying the organization sponsoring the distribution. The sign you have already provided and which is attached hereto is approved and must be displayed. A sign stating that the literature is available free of charge and one copy can be taken may be displayed on the table.

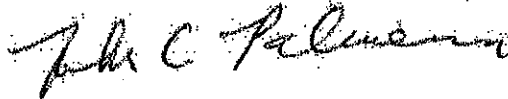
The representatives must not speak to students or encourage them to pick up the literature. The representatives must not position themselves at the table continuously throughout the distribution day. The representatives may only be allowed to replenish the literature if it runs out and must remove any undistributed literature at the end of the distribution day. The representatives may be provided with suitable staging area where students do not generally congregate so that they do not have to leave the school campus. The representatives should not enter classrooms or other instructional areas.

No student may be excused from instructional time to visit the distribution table. Students shall only be allowed to visit the distribution table during non-instructional time, such as between classes or during lunch.

No school employ shall assist or participate with the distribution of literature, other than to direct the representative to the distribution location and to ensure strict adherence to these distribution guidelines.

If you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Palmerini". The signature is written in a cursive style with a large initial "J" and "P".

John C. Palmerini
Associate General Counsel

cc: School Board
Superintendent Barbara Jenkins
General Counsel Diego "Woody" Rodriguez
Community Relations Senior Manager Pam Carson
Howard Marks, Esq.

BURR • • • FORMAN LLP

results matter

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December 9, 2013

ORIGINAL TO FOLLOW BY U.S. MAIL
VIA EMAIL (sam1027j@aol.com, steven@bradylaw.us, aseidel@ffrf.org)

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**Re: Freedom From Religion Foundation, Inc. et al. v. Orange County School Board,
Case No. 6:13-cv-00922-GKS-KRS**

Gentlemen:

This will confirm a telephone conference with Jerry Jeffrey today. This letter will serve as notice that the World Changers will passively distribute bibles on January 16, 2014. To the extent that Freedom From Religion Foundation, Inc. is desirous of passive distribution of its literature it will also be on January 16, 2014.

If your client is desirous of participating in the passive distribution, we would greatly appreciate it if you would forward a list of materials that your client would like to distribute.

Should you have any questions, please do not hesitate to give me a call.

Sincerely,

Howard S. Marks

HSM/dm