

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

FREEDOM FROM RELIGION FOUNDATION,
INC., CRAIG GOSLING, JOHN KIEL, SEAN
O'BRIEN, DIANA O'BRIEN, and JONATHAN
KRAESZIG,

Case No. 1:07-CV-00559-DFH-JMS

Plaintiffs,

v.

E. MITCHELL ROOB, JR., SECRETARY,
INDIANA FAMILY AND SOCIAL SERVICES
ADMINISTRATION, in his official and individual
capacities,

Defendant.

STIPULATION AND ORDER FOR DISMISSAL

STIPULATION

The plaintiffs, Freedom From Religion Foundation, Inc. ("FFRF"), Craig Gosling, John Kiel, Sean O'Brien, Diana O'Brien, and Jonathan Kraeszig, by their attorneys, Godfrey & Kahn, S.C. and the Law Office of William O. Harrington, P.C., and the defendant, E. Mitchell Roob, Jr., stipulate as follows:

1. The plaintiffs filed their Complaint in this action on May 2, 2007, challenging on constitutional grounds the Indiana Family and Social Services Administration's (the "FSSA") Chaplaincy Program (the "FSSA Chaplaincy Program"), including the hiring of Pastor Michael L. Latham as the Chaplain for the FSSA.

2. The plaintiffs filed an Amended Complaint on July 10, 2007.

3. Before Mr. Roob had responded to the Amended Complaint, the FSSA terminated the Chaplaincy Program and terminated Pastor Latham's employment with the FSSA.

4. Accordingly, the plaintiffs and the defendant now stipulate to dismissing this action, including all of the plaintiffs' claims, with prejudice and without costs to any party.

GODFREY & KAHN, S.C.

Date: _____

By: _____

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Foundation, Inc., Craig Gosling, John Kiel, Sean
O'Brien, Diana O'Brien, and Jonathan Kraeszig

STEVE CARTER, INDIANA ATTORNEY
GENERAL

Date: _____

By: _____

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Attorneys for Defendant E. Mitchell Roob, Jr.

ORDER

Based on the above Stipulation of the parties, IT IS HEREBY ORDERED that this action, including all of the Plaintiffs' claims, is dismissed with prejudice and without costs to any party.

Dated: _____, 2007.

BY THE COURT:

Hon. David Frank Hamilton
District Court Judge

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