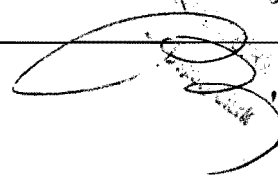


UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DEC 08 2010



GEOFFREY CALHOUN;)
 BENJAMIN CHEAVES;)
 JOHN CURRAN;)
 ALAN DALE;)
 MARK DANAK;)
 CHRISTOPHER DANIELS;)
 THOMAS FAST;)
 SEAN GABOYA;)
 FELIX GARCIA;)
 THOMAS HAYES;)
 BRIAN HUGHES;)
 KENNETH KECK;)
 NICHOLAS KOPERSKI;)
 ROBERT MARLOW;)
 RAYMOND MATHESON;)
 ROBERT MCLENDON, III;)
 JEFFREY MCLEOD;)
 SAVERIO MONTELEONE;)
 MATTHEW PRESLEY;)
 M. DU-WAYNE RAY;)
 CHRIS SCHMALTZ;)
 DAVID SHEPHERD;)
 DAVID THOMAS;)
 ROBERT TREUTEL, JR.;)
 ALLAN VIVES;)
 GARY ZIEMER;)
 RAMEY & KELLEY, INC. D/B/A ATLANTA EAGLE,)
 a Georgia corporation; and)
 RAWHIDE LEATHER, INC., a Georgia corporation,)
)
 Plaintiffs,)
)
)
 v.)
)
)

Civil Action
File No.:
1:09-CV-3286-TCB

RICHARD PENNINGTON, individually;)
GEORGE TURNER, Interim Chief of Police for the)
City of Atlanta, in his official capacity;)
CITY OF ATLANTA;)
WILLIE ADAMS, III, individually;)
BENNIE E. BRIDGES, individually;)
JOHN H. BROCK, individually;)
DIMITRIO O. CALDWELL, individually;)
KELLY COLLIER, individually;)
CRAIG CONDON, individually;)
GREGORY D. DABNEY, individually;)
STALONE DAVIS, individually;)
CHRISTOPHER DOWD, individually;)
JEREMY D. EDWARDS, individually;)
HERMAN E. GLASS, individually;)
ROBERT C. GODWIN, individually;)
BRANDON JACKSON, individually;)
DIMITRI JAQUES, individually;)
MELONIE MAGUE, individually;)
VICENTE MARCANO, individually;)
CAYENNE MAYES, individually;)
TIMOTHY MCCLAIN, individually;)
JAMES MENZOIAN, individually;)
DION MERIDITH, individually;)
MARLON O. NOBLE, individually;)
SCOTT PAUTSCH, individually;)
DARNELL PERRY, individually;)
SCOTT PERRY, individually;)
WILLIAM PORTER, individually;)
EDWARD RABB, individually;)
CEDRIC F. SMITH, individually;)
TYRONE TAYLOR, individually;)
KELLEITA THURMAN, individually;)
STEPHANIE UPTON, individually;)
RONALD J. WALKER, individually;)
WILLIAM WALTERS, individually;)
JARED G. WATKINS, individually;)
DEBRA A. WILLIAMS, individually;)
)
)
Defendants.)

ORDER

The Court hereby approves the settlement agreement negotiated by the parties, which includes (1) payment by the Defendants to the Plaintiffs the amount of One Million Twenty-Five Thousand Dollars (\$1,025,000); and, (2) the implementation by Defendant City of Atlanta of the reforms set forth in Exhibit A which are incorporated by reference in this Order.

The Court finds, based on the evidence in the record, that each of the above-named Plaintiffs was unlawfully searched, detained, and/or arrested on September 10-11, 2009, at the Atlanta Eagle in Atlanta, Georgia, and that none of the Plaintiffs was personally suspected of any criminal activity. This finding has no preclusive effect as to any other person or entity not a party to this litigation.

The Court is advised that the settlement negotiated by the parties required the legislative approval of the Atlanta City Council and the Mayor of the City of Atlanta, and that the requisite legislative and executive approval of the settlement has been accomplished in Council Resolution 10-R-2142, approved by the Atlanta City Council on December 6, 2010 and approved by the Mayor on December 7, 2010. The Resolution has been properly certified by the Municipal Clerk of the City of Atlanta.

This Court shall retain continuing jurisdiction and the Defendant City of Atlanta hereby agrees to the entry of a consent order requiring Defendant City of

Atlanta to implement the actions set forth in the Exhibit A if these actions have not been not fully implemented within one hundred eighty (180) days of the entry of this Order.

The parties having settled all issues in this matter and the Court having accepted the terms of the settlement, this matter is hereby DISMISSED with prejudice except for reopening as provided herein.

SO ORDERED, this 8th day of December, 2010.

A handwritten signature in black ink, appearing to read "Timothy C. Batten, Sr.", written over a horizontal line.

TIMOTHY C. BATTEN, SR.
UNITED STATES DISTRICT JUDGE