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14 *Attorneys of Record for Plaintiff B.H.*

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11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**  
13 **WESTERN DIVISION - LOS ANGELES**

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14 B.H., a minor, by and through his  
15 next friend, Adriana Hickman,

16 Plaintiff,

17 v.

18 MONICA GARCIA, MARGUERITE  
19 LAMOTTE, TAMAR GALATZAN,  
20 STEVE ZIMMER, YOLIE FLORES,  
21 NURY MARTINEZ, and RICHARD  
22 VLADOVIC, all individually and in  
23 their official capacities as members of  
24 the Los Angeles Unified School  
25 District Board of Education;  
26 RAMON CORTINES, individually  
27 and in his official capacity as  
28 Superintendent of the Los Angeles  
Unified School District; and  
JERILYN SCHUBERT, individually  
and in her official capacity as  
Principal of Superior Street  
Elementary School,

Defendants.

CASE NO. CV11-875 RGK (FFMx)

VOLUNTARY DISMISSAL  
WITH PREJUDICE

1 Plaintiffs B.H., by and through his undersigned counsel, and pursuant to  
2 Federal Rule of Civil Procedure 41(a)(1)(A)(i), files this voluntary dismissal with  
3 prejudice, stating as follows:

4 1. On January 28, 2011, Plaintiff filed a complaint against Defendants  
5 seeking a preliminary and permanent injunction from Defendants' actions of  
6 prohibiting B.H. from performing his selected religious song at a talent show at  
7 Superior Street Elementary School on February 4, 2011.

8 2. On February 1, 2011, Plaintiff filed an Application for Temporary  
9 Restraining Order and Motion for Preliminary Injunction requesting the Court to  
10 enjoin the Defendants from prohibiting B.H. from performing his selected religious  
11 song at the Talent Show.

12 3. On February 1, 2011, the Defendants agreed to permit B.H. to perform  
13 his selected religious song at the Talent Show.

14 4. The Defendants have also agreed to revise the District Bulletin  
15 entitled "Guidelines for Teaching About Religions" (BUL-4983.0) to ensure that  
16 student religious expression is protected at student assemblies and extracurricular  
17 activities. The Defendants will revise the Bulletin to include "or talent shows" in  
18 the following sentence which is located on page 4 in said Bulletin, and which will  
19 now state: "Student speakers at student assemblies and extracurricular activities  
20 such as sporting events or talent shows may not be selected on a basis that either  
21 favors or disfavors religious speech."

22 5. Defendants have agreed to pay fees and costs to Plaintiff's attorneys.

23 Based on the above mentioned actions, the Plaintiff hereby voluntarily  
24 dismisses this action, with prejudice.

1 Respectfully submitted this 21st day of March, 2011.

2 ALLIANCE DEFENSE FUND

WATKINS & LETOFSKY, LLP

3 /S/ David A. Cortman

/S/ Daniel R. Watkins

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13 \* Admitted pro hac vice.

14 *Attorneys of Record for Plaintiff B.H.*

1 **PROOF OF SERVICE**

2 I hereby certify that on March 21, 2011, I electronically filed the foregoing  
3 paper with the Clerk of Court using the ECF system which will send notification  
4 of such filing to the following:

5 Robert Cuen  
6 Los Angeles Unified School District  
7 Office of the General Counsel  
8 333 South Beaudry Avenue  
9 20th Floor  
10 Los Angeles, CA 90017  
11 213-241-7600  
12 robert.cuen@lausd.net

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