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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

CALVARY CHAPEL PEARL
HARBOR, d/b/a A PLACE FOR
WOMEN IN WAIPIO, a Hawaii
corporation; NATIONAL INSTITUTE
OF FAMILY AND LIFE
ADVOCATES d/b/a NIFLA, a
Virginia corporation,
Plaintiffs

v.

RUSSELL A. SUZUKI, in his official
capacity as Attorney General for the
State of Hawaii; DAVID IGE, in his
official capacity as Governor of the
State of Hawaii,
Defendants.

Civil Action No. 17-00326-DKW-KSC
PERMANENT INJUNCTION AND
FINAL JUDGMENT

PERMANENT INJUNCTION AND FINAL JUDGMENT

In light of the United States Supreme Court’s decision in *Nat’l Inst. of Family & Life Advocates v. Becerra*, 138 S. Ct. 2361 (2018), and the parties’ Stipulation For Entry of Permanent Injunction and Final Judgment in Favor of Plaintiffs, it is hereby **ORDERED**:

1. That judgment is entered in favor of Plaintiffs on the First Claim of their Verified Complaint, filed in this action on July 12, 2017 (Dkt. No. 1).

2. That Hawaii Revised Statutes § 321-561(b)-(c) is declared to be unconstitutional under the United States Constitution as-applied to Plaintiffs with respect to Plaintiffs’ First Amendment Free Speech Claim.

3. Defendants, their employees, agents, and successors in office, along with any person acting in concert with them, are permanently enjoined from enforcing Hawaii Revised Statutes § 321-561(b)-(c) as against Plaintiffs.¹

4. The remaining claims in Plaintiffs’ Verified Complaint (*i.e.* the Second Claim, Third Claim, Fourth Claim, and Fifth Claim) are dismissed, without prejudice.

¹ Plaintiffs brought this action seeking a permanent injunction with respect to Senate Bill 501, SD1 HD1 CD1, being Act 200 of the 2017 Hawaii legislature (“Act”). The Act was codified as HRS §§ 321-561 – 321-562. HRS § 321-561(a), (d)-(f) was unaffected by the United States Supreme Court’s decision in *Nat’l Inst. of Family & Life Advocates v. Becerra*, 138 S. Ct. 2361 (2018).

5. Pursuant to Local Rule 54.3, the parties are directed to confer and attempt to reach an agreement as to Plaintiffs' attorneys' fees and costs in this matter. If the parties are not able to reach an agreement as to attorneys' fees and costs, Plaintiffs are directed to file a motion, consistent with Fed. R. Civ. P. 54 and LR 54.3, or to schedule a conference with the Magistrate Judge.

SO ORDERED.

DATED: September 20, 2018 at Honolulu, Hawai'i.



/s/ Derrick K. Watson

Derrick K. Watson
United States District Judge

Calvary Chapel Pearl Harbor, et al. v. Russell A. Suzuki, et al.; Civil No. 17-00326 DKW-KSC; **PERMANENT INJUNCTION AND FINAL JUDGMENT**