

**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO**

EDWARD WATTERS *et al.*,

CASE NO. 1:12-cv-00076-BLW

Plaintiffs,

vs.

FINAL JUDGMENT

C.L. (BUTCH) OTTER, in his official capacity
as the Governor of the State of Idaho, *et al.*,

AND

Defendants.

PERMANENT INJUNCTION

In accordance with this Court's memorandum decisions and orders in this case, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** as follows:

- (1) The Court hereby **DECLARES** that the defendants' policy of enforcing Idaho Code §§ 67-1613 and 67-1613A to remove symbolic and assembly tents on State grounds or to prevent protesters from staffing tent protests around the clock violates the First Amendment.
- (2) The defendants and their officers, agents, employees, attorneys, and all persons who are in active concert or participation with them are hereby **PERMANENTLY ENJOINED** and shall enforce Idaho Code §§ 67-1613 and 67-1613A consistently with this Court's decisions at docket nos. 17, 53, 115, and 122 in this case.
- (3) The plaintiffs' claims directed to IDAPA 38.04.06.200.03, 38.04.06.201, 38.04.06.400.01, 38.04.06.400.03, 38.04.08.200.03, 38.04.08.201, 38.04.08.400.07, 38.04.08.500.01 and 38.04.08.500.03 are **DISMISSED** as moot pursuant to this Court's memorandum decision and order at docket no. 140. The remainder of the Idaho Department of Administration rules challenged by the plaintiffs are

constitutional on their face pursuant to this Court's memorandum decision and order at docket no. 122.

(4) Idaho Code §§ 67-1613 and 67-1613A, as enacted on February 21, 2012, are constitutional on their face pursuant to the Court's memorandum decision and order at docket no. 115.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that this action shall be DISMISSED and the Clerk is directed to close this case.



DATED: July 1, 2014

B. Lynn Winmill

B. Lynn Winmill

Chief Judge

United States District Court