

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

<p>SHAWN W. BYRNE, an individual,  Plaintiff,  v.  DAWN TERRILL, in her official capacity as Vermont Secretary of Transportation; and BONNIE L. RUTLEDGE, individually and in her official capacity as Vermont Commissioner of Motor Vehicles,  Defendants.</p>	<p>CASE NO. 2:05-cv-15  <b>STIPULATION OF DISMISSAL</b></p>
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Come now the Plaintiff and Defendants, by and through their respective counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) file this stipulation of dismissal. The parties have agreed to the following terms of settlement, and therefore agree that Plaintiff's case can be dismissed, with prejudice:

1. The Department of Motor Vehicles ("DMV") will issue plaintiff a license plate with the registration JN36TN upon receipt of a completed application form;
2. The State of Vermont will immediately stop enforcing the prohibition in Vt. Stat. Ann., tit. 23, sec. 304(d)(4)(2010), and in Department of Motor Vehicle Rule 16, against issuing vanity plates with "combinations of letters or numbers that refer, in any language, to ...religion...[or] deity...";
3. DMV will revise its application form for vanity plates to remove the prohibition against combinations of letters or numbers that refer to religion or deity;
4. DMV will initiate rulemaking under the Administrative Procedure Act to amend DMV Rule 16 (Registration Plates) to delete reference to the prohibition against vanity plates that refer to religion or deity, and will advise all participants throughout the amendment

process that the references to religion and deity should be removed to comply with the Second Circuit Court of Appeals decision in this case.

5. The State of Vermont will pay an agreed to amount of Plaintiff's attorneys' fees, pursuant to 42 U.S.C. § 1988.

Based on the above agreement, the parties stipulate that Plaintiff's lawsuit is dismissed, with prejudice.

Respectfully submitted this 10th day of January 2011.

By: s/ Jeremy D. Tedesco

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 10, 2011, I electronically filed the foregoing document using the CM/ECF system which will send a notification to the following:

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