

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ThinkRight Strategies, LLC;
Grant Strobl; and
Jacob Chludzinski,

Plaintiffs,

v.

City of Ann Arbor,

Defendant.

Case No. 2:19-cv-12233-DML-RSW

Stipulated Dismissal

District Judge: David M. Lawson
Magistrate Judge: R. Steven Whalen

Plaintiffs ThinkRight Strategies, LLC, Grant Strobl, and Jacob Chludzinski, as well as Defendant City of Ann Arbor, jointly stipulate to the dismissal of the above-captioned matter pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(ii).¹ The parties enter into this stipulated dismissal based upon—and with full knowledge of—the facts ThinkRight alleged in its various filings in this matter, some of which are summarized below in the second paragraph. Because Defendant Ann Arbor states, as summarized generally in the third paragraph, that ThinkRight and the services it provides are not subject to the ordinances challenged in this litigation, no controversy exists and/or remains in the above-captioned matter. The parties therefore jointly

¹ All Plaintiffs are referenced collectively as “ThinkRight” or “Grant and Jacob” unless context indicates otherwise.

stipulate to dismiss the above-captioned matter with all parties bearing their own fees and costs.

ThinkRight Strategies states some of its positions as follows from its complaint: ThinkRight Strategies is a for-profit political consulting and marketing firm that advertises and sells its services to the general public. Verified Compl. ¶¶ 8, 56, 58, 174-175. Any member of the general public may request ThinkRight’s services, ThinkRight will review all requests from the general public for its services, and ThinkRight then determines whether it can perform those requested services. *Id.* ¶¶ 70-72. While ThinkRight advertises to and receives requests for its services from the general public, ThinkRight will not fulfill any request if doing so involves promoting messages, views, policies, platforms, or causes contrary to ThinkRight’s conservative or religious principles. *Id.* ¶ 73, 160, 174. That is true even when the requested services are identical to services ThinkRight would provide to someone else. *Id.* ¶ 156. For instance, ThinkRight would create a graphic saying “Women Deserve Better” for Right to Life Michigan to promote pro-life pregnancy centers, but not for Planned Parenthood to promote abortion. *Id.* ¶ 159.

Ann Arbor states some of its positions as follows: Based on its review of the Exhibits to the complaint in this case, and other related documents filed, Ann Arbor does not consider ThinkRight to be a place of public accommodation as defined by Ann Arbor Code § 9:151(22).

That is because ThinkRight will only provide its services in ways that promote, or are not contrary to, its conservative political beliefs and therefore limits the platforms, views, policies, causes, events, or messages it will convey or promote through its services.

Because the parties agree that no controversy exists and/or remains in the above-captioned matter, the parties have agreed to dismiss the case.

Respectfully submitted this 5th day of September, 2019.

By: s/ Jonathan A. Scruggs

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of September, 2019, I electronically filed the foregoing paper with the Clerk of Court using the ECF system, which will send notification of such filing to all parties to this litigation.

s/ Jonathan A. Scruggs
Jonathan A. Scruggs
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