

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KINGDOM FIRST MINISTRIES,)	
)	
Plaintiff,)	CASE NO. 08-3100-MHS
)	
v.)	
)	
CITY OF ATLANTA,)	
)	
Defendant.)	

**CONSENT ORDER FOR PLAINTIFF'S EMERGENCY
MOTION FOR A TEMPORARY RESTRAINING
ORDER/PRELIMINARY INJUNCTION**

It is hereby consented and otherwise stipulated by and between Kingdom First Ministries ("Plaintiff") and the City of Atlanta ("Defendant"), through their respective counsel as indicated by their signatures below, that:

WHEREAS, Plaintiff instituted this suit by filing a Verified Complaint (Doc. 1) on October 2, 2008, alleging that the Defendant's zoning ordinance, both on its face as as-applied, inhibits Plaintiff's religious mission and keeps it from using its desired property at 535 Joseph E. Lowery Boulevard, SW, in Atlanta, Georgia (the "Lowery Property"), for church ministry.

WHEREAS, on October 20, 2008, Plaintiff filed an Emergency Motion for a Temporary Restraining Order/Preliminary Injunction (Doc. 7).

WHEREAS, upon the filing of Plaintiff's Verified Complaint and Emergency Motion for a Temporary Restraining Order/Preliminary Injunction, the City has consented to allow Plaintiff to begin operating as a church immediately at the Lowery Property.

WHEREAS, upon this Court signing and entering this Consent Order, Plaintiff agrees to withdraw its Emergency Motion for a Temporary Restraining Order/Preliminary Injunction.

WHEREAS, the Parties agree to continue to confer in good faith and work toward a complete and full settlement of this case.

It is hereby ORDERED, ADJUDGED, AND DECREED as follows:

- (1) This Court has jurisdiction over the subject matter of this case and has jurisdiction over all parties to this Consent Order;
- (2) Venue properly lies with this Court;
- (3) Defendant will allow Plaintiff to begin operating as a church immediately at the Lowery Property.
- (4) The Court is hereby signing and entering this Consent Order, and Plaintiff's Emergency Motion for a Temporary Restraining Order/Preliminary Injunction is hereby withdrawn.

(4) The Defendant will notify and/or promptly provide a copy of this Order to each of its officers, agents, servants, and employees, and those persons in active concert or participation with them.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for all purposes.

IT IS SO ORDERED THIS 23rd DAY OF October, 2008.



Hon. Marvin H. Shoob
Senior Judge, United States District Court

Respectfully submitted this 21st day of October, 2008.

s/ Peter J. Andrews
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*Admitted *Pro Hac Vice*
+Admission pending

Attorneys for Plaintiff

CERTIFICATION OF FORMAT

Pursuant to LR 7.1D, I hereby certify that the foregoing document complies with LR 5.1B as it was prepared in Times New Roman, 14-point font.

s/ David A. Cortman
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on October 21st, 2008, I electronically filed the foregoing Consent Order with the Clerk of Court using the CM/ECF system, and that I have sent the document by UPS delivery to Peter J. Andrews (a non-CM/ECF participant) at the following address:

Peter J. Andrews
City of Atlanta Department of Law
68 Mitchell Street
Suite 4100
Atlanta, GA 30303

s/ David A. Cortman
Attorney for Plaintiffs