

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

ANDREA SHELTON, on her own behalf)	
and as a parent and next friend of J.S.,)	
a minor,)	
)	
Plaintiffs,)	
)	Civil Action No.
vs.)	NO. 1:09-cv-0806-WSD
)	
ATLANTA PUBLIC SCHOOLS; and)	
DR. BEVERLY L. HALL, individually)	
and in her official capacity as)	
Superintendent of Atlanta Public Schools,)	
)	
Defendants.)	
)	

PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL

COME Now the Plaintiffs Andrea Shelton and J.S.,¹ by and through counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), files this voluntary dismissal stating as follows:

1. On March 25, 2009, Plaintiffs filed a Complaint in this case challenging the Defendants' denial of equal access to their Student to Student Club ("STS") at Sutton Middle School, located in Atlanta, Georgia.

¹In accordance with Section II.I.1 of the Court's Electronic Case Filing and Administrative Procedures Manual, Plaintiff J.S. is identified by his initials, rather than his full name, in order to keep his identity private.

2. In their complaint, Plaintiffs alleged that the Defendants' policies and practices denied STS the right to conduct meetings free of charge on campus and denied the Club the same attendant rights, benefits, and privileges afforded to other student clubs which are permitted to so meet.

3. Plaintiffs alleged that this denial of equal access was based on the religious nature and speech of the STS Club.

4. After Plaintiffs filed their complaint, Defendants have begun to treat STS equally with other student groups and have agreed to continue to provide equal access and similar treatment as provided to other student groups.

5. In addition, Defendants have agreed to pay damages to the Plaintiffs by refunding all fees assessed against the Plaintiffs for STS to meet on campus which were not similarly assessed against any other student groups.

6. Defendants have also agreed to pay the attorneys' fees of the Plaintiffs, as the prevailing party, pursuant to 42 U.S.C. §1988.

Based on the above mentioned actions of the Defendants, Plaintiffs hereby voluntarily dismiss this action, with prejudice.

Respectfully submitted this 27th day of July, 2009.

/s/David A. Cortman

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