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 CITY OF LAGUNA BEACH

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 8 UNITED STATES DISTRICT COURT  
 9 CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION

10  
 11 STEVE KLEIN, HOWARD PUTNAM  
 and GLEN BIONDI,

Case No. SACV 08-1369 CJC (MLGx)

12  
 13 Plaintiffs,

**DEFENDANT’S REVISED  
 JUDGMENT**

14  
 15 v.

16 CITY OF LAGUNA BEACH, and  
 DOES 1 through 10,

17 Defendants.  
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19 This Court filed an Order, dated May 24, 2011, granting in part and denying  
 20 in part the Motion for Summary Judgment filed by Plaintiffs’ Steve Klein, Howard  
 21 Putnam and Glen Biondi (collectively, “Plaintiffs”) and the Cross-motion for  
 22 Summary Judgment filed by Defendant City of Laguna Beach (“City”). This Court  
 23 granted Judgment in accordance with that Order on June 14, 2011. On appeal from  
 24 that Judgment, the Ninth Circuit Court of Appeals, in a Memorandum dated July 18,  
 25 2013, affirmed in part, and reversed in part, this Court’s Judgment. Judgment is  
 26 hereby entered in accordance with the Ninth Circuit’s Memorandum and the Court’s  
 27 June 14, 2011 Judgment, to the extent it was not appealed or was affirmed by the  
 28 Ninth Circuit.

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

2 A. Judgment is entered in favor of Plaintiffs on:

- 3 1. Their claim for nominal damages, brought pursuant to 42 U.S.C.  
4 § 1983, that the repealed Laguna Beach Municipal Code Sections  
5 5.40.10 and 5.40.20 violated Plaintiffs' free speech rights  
6 contained in the First Amendment of the United States  
7 Constitution as-applied to Plaintiffs' proposed amplified speech  
8 activity; and  
9 2. Their claim for nominal damages, brought pursuant to 42 U.S.C.  
10 § 1983, that the repealed Laguna Beach Municipal Code Section  
11 7.25.120 violated Plaintiffs' free speech rights contained in the  
12 First Amendment of the United States Constitution as-applied to  
13 Plaintiffs' proposed amplified speech activity immediately  
14 adjacent to the Laguna Beach City Hall and in the downtown  
15 business district area of the City between 5 p.m. and 6 p.m.

16 Each Plaintiff shall recover nominal damages of \$1.00 for each of these  
17 claims.

18 B. Judgment is entered in favor of the City on:

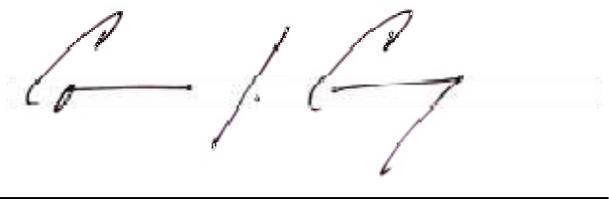
- 19 1. Plaintiffs' claim for nominal damages, brought pursuant to 42  
20 U.S.C. § 1983, that the repealed Laguna Beach Municipal Code  
21 Section 7.25.120 violated Plaintiffs' free speech rights contained  
22 in the First Amendment of the United States Constitution as-  
23 applied to Plaintiffs' proposed amplified speech activity adjacent  
24 to Laguna Beach High School;  
25 2. Plaintiffs' claims for declaratory and injunctive relief for  
26 violation of the First Amendment to the United States  
27 Constitution as-applied to all of Plaintiffs' proposed amplified  
28 speech activity;

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3. Plaintiffs' claims for nominal damages, declaratory relief and injunctive relief for violation of Article I, Section 2 of the California Constitution as-applied to all of Plaintiffs' proposed amplified speech activity; and
4. Plaintiffs' claim for violation of the California Bane Act, Cal. Civil Code § 52.1.

These claims are dismissed with prejudice and Plaintiffs shall recover nothing by way of these claims.

It is **FURTHER ORDERED** that Plaintiffs shall be entitled to recover their costs and reasonable attorneys' fees, if and to the extent permitted by law, by way of a subsequent motion.



DATED: September 18, 2013

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Hon. Cormac J. Carney  
United States District Judge