

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GORDON LEE BAUM and COUNCIL)
OF CONSERVATIVE CITIZENS,)
)
Plaintiffs,)
)
vs.)
)
MAPLEWOOD CITY LIBRARY, *et al.*,)
)
Defendants.)
_____)

Cause No. 4:06-CV-453 – CDP

**PROPOSED ORDER FOR DECLARATORY JUDGMENT AND
PERMANENT INJUNCTION**

Before the Court is Plaintiffs’ Motion for Default Judgment and Permanent Injunction. Upon due consideration, the Court makes the following findings of fact and conclusions of law and enters this permanent injunction against Defendant, Festus City Library:

Defendant Festus City Library, having been found by this Court to be in default, it is now ordered and adjudged that:

1. Festus City Library’s use of a software hate speech filter to prevent library patrons from accessing the web site of Plaintiffs Council of Conservative Citizens and Gordon Lee Baum constitutes unlawful discrimination on the basis of Plaintiff’s content and viewpoint and is a violation of the First and Fourteenth Amendments to the United States Constitution.

2. Both Plaintiffs Gordon Lee Baum and the Council of Conservative Citizens have suffered and will continue to suffer immediate and irreparable harm by the continued denial of their rights under the First and Fourteenth Amendments to the United States Constitution.

3. Plaintiffs have no adequate remedy at law with which to correct the deprivation of their Constitutional rights pursuant to the First and Fourteenth Amendments to the United States Constitution.

WHEREFORE, it is ordered that Festus City Library is permanently enjoined from utilizing any software filters on its publicly available internet terminals for the purpose of further blocking of the website of the Council of Conservative Citizens and Gordon Baum;

WHEREFORE, it is further ordered that Plaintiffs are hereby awarded costs and attorneys' fees assessed against Defendant Festus City Library.

SO ORDERED.

Date

United States District Court Judge