

Hon. Marsha J. Pechman

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN C. KROACK,

Defendant.

Civil Action No.11-cv-0432-MJP

**CONSENT JUDGMENT AND
[PROPOSED] ORDER OF APPROVAL**

(Please Note on Calendar
for: April 27, 2011)

Plaintiff, the United States of America, and Defendant, John C. Kroack, hereby agree and consent to judgment in favor of Plaintiff and against Defendant as follows:

1. Defendant, John C. Kroack, and any others acting under his instruction or direction are **PERMANENTLY ENJOINED** from coming within 25 feet of the Lynnwood Health Center’s property located at 19505 76th Avenue in Lynnwood, Washington.
2. Defendant, John C. Kroack, and any others acting under his instruction or direction are **PERMANENTLY ENJOINED** from violating the Freedom of Access to Clinic Entrances (“FACE”) Act, 18 U.S.C. § 248 (1994).
3. Defendant, John C. Kroack, agrees to pay a civil penalty in the amount of \$5000.00, as authorized by the FACE Act, 18 U.S.C. § 248 (c)(2)(B).
4. A portion of the civil penalty totaling \$4000.00 shall be suspended and not become due unless the Defendant violates either of the first two provisions above.

1 5. The suspension of a portion of the civil penalty does not bar the United States seeking any other
2 appropriate remedy for any future violation of this permanent injunction.

3 6. The remaining portion of the civil penalty totaling \$1000.00 may be paid in 13 monthly
4 installments.

5
6 Dated this 27th of April, 2011.

7 BY:

8
9 
10 JOHN C. KROACK

11 BY:

12 JENNY A. DURKAN
13 UNITED STATES ATTORNEY

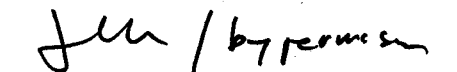
14 

15 J. MICHAEL DIAZ, WSBA # 38100
16 Assistant United States Attorney
17 United States Attorney's Office
18 700 Stewart Street, Suite 5220
19 Seattle, Washington 98101-1271
20 Phone: (206) 553-7970
21 Fax: (206) 553-4073
22 E-mail: Michael.Diaz@usdoj.gov

THOMAS E. PEREZ
Assistant Attorney General
Civil Rights Division

JONATHAN SMITH, Chief
Special Litigation Section

JULIE ABBATE
Deputy Chief
Special Litigation Section

23 
24 WILLIAM E. NOLAN
25 Senior Trial Attorney
26 U.S. Department of Justice
27 Civil Rights Division
28 Special Litigation Section
950 Pennsylvania Ave., N.W.
Washington, DC 20530
Phone: (202) 353-8560
Fax: (202) 514-6273
Email: William.Nolan@usdoj.gov

Attorneys for Plaintiff United States of America

