

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RIVER HILLS COMMUNITY CHURCH
OF SAUK PRAIRIE, a Wisconsin church,
individually and in its capacity as representative
of certain individual members,

Plaintiff,

v.

VILLAGE OF SAUK CITY, WISCONSIN,

Defendant.

ORDER

14-cv-48-wmc

Based on the stipulations of the parties to this action, outlined in the Stipulation For Entry of Order For Interim Relief to Allow Church Use of 1111 Sycamore Street (“the Stipulation”), it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. This court has jurisdiction over the subject matter of this dispute arising under the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. § 2000cc, *et. seq.*; all parties reside within this district; and venue is proper.

2. Defendant is not to enforce its Zoning Code to inhibit plaintiff from using the property at 1111 Sycamore Street, Sauk City, WI (“the Property”) for religious assembly (church use) during the pendency of this litigation and until the conclusion of the above-captioned proceeding, whether by settlement, final judgment, or any other means.

3. Plaintiff shall use and occupy the Property for religious assembly (church use) immediately after the Church closes its contract to purchase the Property on or about January 31, 2014, during the pendency of this litigation and until the conclusion

of the above-captioned proceeding, whether by settlement, final judgment, or any other means.

4. Neither party may use the Stipulation or any of its terms and conditions in support of any claim or defense in the above-captioned proceeding.

5. Neither party to the above-captioned proceeding shall attempt to introduce this Stipulation or any of its terms and conditions into evidence, nor shall this Stipulation or any part thereof be admitted as evidence at any stage of this proceeding.

6. In the event that it is determined that plaintiff is not entitled to use the Property for religious assembly (church) upon conclusion of the above-captioned proceeding by an order which is non-appealable or not appealed, plaintiff will upon 30-days notice cease using the Property for such purposes. Plaintiff's Emergency Motion for Temporary Restraining Order and Preliminary Injunction is DISMISSED.

7. 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.

8. This order neither adjudicates plaintiff's claims to damages, nor the amount of reasonable attorneys' fees and costs, if any, to which plaintiff may be entitled under 42 U.S.C. § 1988.

Entered this 31st day of January, 2014.

BY THE COURT:


WILLIAM M. CONLEY
District Judge