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July 12, 2018

Via Hand Delivery

Lleazelle Agustin Dugger, Clerk  
Charlottesville Circuit Court  
315 East High Street  
Charlottesville, VA 22902

Re: *City of Charlottesville, et al. v. Pennsylvania Light Foot Militia, et al.*  
Case No. CL17000560-00

Dear Ms. Dugger:

Enclosed for filing in the above-referenced matter, please find a Consent Motion for Entry of Consent Decree for Defendant Jason Kessler, along with the fully endorsed Consent Decree. Please forward the endorsed Consent Decree to Judge Moore's chambers for his review and entry.

Thank you for your attention, and please call should you have any questions.

Sincerely yours,

E. Kyle McNew

EKM:mel  
Enclosure

cc: All Counsel of Record

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF CHARLOTTESVILLE

CITY OF CHARLOTTESVILLE, *et al.*,  
Plaintiffs,  
v.  
PENNSYLVANIA LIGHT FOOT MILITIA,  
*et al.*,  
Defendants.

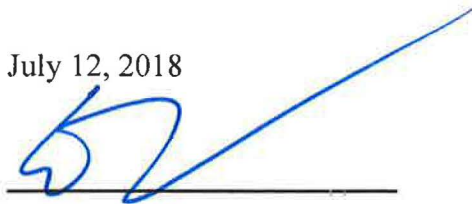
Case No. 17000560-00

**CONSENT MOTION FOR ENTRY OF CONSENT DECREE**

The Plaintiffs in this matter and Defendant Jason Kessler have resolved the issues in controversy between them and have agreed to the terms of the Consent Decree submitted with this Motion. Plaintiffs respectfully request that the Court enter the attached Consent Decree as a full and final resolution of Plaintiffs' claims against Defendant Jason Kessler.

Defendant Jason Kessler consents to the filing of this Motion.

July 12, 2018



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Respectfully submitted,

MARY B. MCCORD\*  
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DOUGLAS N. LETTER\*  
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*Counsel for the City of Charlottesville*

\*Admitted pro hac vice.

## CERTIFICATE OF SERVICE

I hereby certify that true and accurate copies of the foregoing Consent Motion for Entry of Consent Decree and proposed Consent Decree were sent via electronic mail on July 12, 2018, to the following:

Elmer Woodard\*  
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\*Motion to withdraw pending.



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VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF CHARLOTTESVILLE

CITY OF CHARLOTTESVILLE, *et al.*,

Plaintiffs,

v.

PENNSYLVANIA LIGHT FOOT MILITIA,  
*et al.*,

Defendants.

Case No. 17000560-00

**CONSENT DECREE**

The Plaintiffs in this matter and Defendant Jason Kessler have resolved the issues in controversy between them and have agreed to the terms of this Consent Decree, as follows:

**I. STIPULATED RECITALS**

1. This Consent Decree constitutes the entire agreement between Plaintiffs and Defendant Jason Kessler.
2. This Consent Decree does not constitute evidence or admission of any issues of fact or law and is not an admission of civil or criminal liability.
3. Each party has entered into this Consent Decree voluntarily.

**II. ORDER**

1. Defendant Jason Kessler is hereby permanently enjoined from:
  - a. returning or soliciting other individuals or groups to return to Charlottesville, Virginia, as part of a unit of two or more persons acting in concert while armed with a firearm, weapon, shield, or any item whose purpose is to inflict bodily harm, at any demonstration, rally, protest, or march;

- b. instructing or facilitating the instruction of individuals or groups in the use of any weapon or technique capable of causing injury or death, knowing or intending that the weapon or technique will be used at any demonstration, rally, protest, or march, in Charlottesville, Virginia; and
- c. issuing any commands, instructions, or directives to any group of two or more persons armed with a firearm, weapon, shield, or any item whose purpose is to inflict bodily harm, which commands, instructions, or directives are related to the use of such weapons or any techniques capable of causing injury or death, at any demonstration, rally, protest, or march, in Charlottesville, Virginia.

2. With respect to any future demonstration, rally, protest, or march in Charlottesville, Virginia, Defendant Jason Kessler hereby agrees to use best efforts to ensure that attendees do not, as part of a unit of two or more persons, act in concert while armed with a firearm, weapon, shield, or any item whose purpose is to inflict bodily harm. Best efforts shall include:

- a. Communicating in all promotional materials and advertisements for such event, including but not limited to social-media posts, podcasts, videos, speeches, and posters, that attendees shall not, as part of a unit of two or more persons, act in concert while armed with a firearm, weapon, shield, or any item whose purpose is to inflict bodily harm;
- b. Announcing, verbally and through signage, at any such event that attendees shall not, as part of a unit of two or more persons, act in concert while armed

with a firearm, weapon, shield, or any item whose purpose is to inflict bodily harm; and

- c. Requesting that any individuals or groups at any such event who are unwilling to comply with these requirements must leave the event.
- d. For purposes of subsections a. and b., above, communicating or announcing that attendees shall not bring any weapons to any such event shall constitute best efforts.

3. Nothing in this Consent Decree shall be construed to prohibit the otherwise lawful carrying of a firearm for one's individual self-protection; infringe the right to self-defense or defense of others as recognized under Virginia law; or prohibit the otherwise lawful organizing of a political rally.

4. A violation of this Consent Decree shall be punishable by contempt and may subject the entity or person in violation to all penalties or sanctions allowed by law.

5. This Consent Decree may be modified only by order of this Court.

6. The failure of any party to exercise any right under this Consent Decree shall not be deemed a waiver of any right or any future rights.

7. If any part of this Consent Decree shall for any reason be found or held invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the remainder of this Consent Decree, which shall survive and be construed as if such invalid or unenforceable part had not been contained herein.

ENTERED:        /        /



**WE ASK FOR THIS:**

CITY OF CHARLOTTESVILLE  
DOWNTOWN BUSINESS ASSOCIATION OF CHARLOTTESVILLE  
CHAMPION BREWING COMPANY, LLC  
QUALITY PIE  
ALAKAZAM TOYS AND GIFTS  
HAYS + EWING DESIGN STUDIO, PC  
WOLF ACKERMAN DESIGN, LLC

By: 

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