

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JAMES G. GILLES	:	Case No. 1:04-cv-702
	:	
Plaintiff,	:	
v.	:	Judge Michael H. Watson
	:	
DR. DAVID HODGE, et al.	:	
	:	
Defendants.	:	

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), by stipulation of the Parties, Plaintiff hereby dismisses his Amended Complaint against all Defendants with prejudice. There is no prevailing party, and each Party is to bear its own attorneys fees and costs. In conjunction with this stipulation of dismissal, Miami University, has issued to Plaintiff the letter attached as Exhibit A hereto.

AGREED:

RICHARD CORDRAY
ATTORNEY GENERAL OF OHIO

/s/Nathan W. Kellum per email authority
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MIAMI
UNIVERSITY

OFFICE OF GENERAL COUNSEL

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June 15, 2009

Mr. James G. Gilles
5144 Jeffries Lane
Newburgh, IN 47630

* Re: *Gilles v. Hodge, et al.*
U.S.D.C., S.D. Ohio, E.D., Case No. 1:04-cv-702

Dear Mr. Gilles:

Miami University's policies governing speeches by visitors to the campus apply to you as they would apply to any other visitor to campus who is not invited by the University or sponsored by a recognized student organization.

Miami University acknowledges the following interpretation of its current policies:

- 1) You are not prohibited from preaching on sidewalks directly adjacent to the following streets that are on the perimeter of campus and that run through campus: Spring Street, High Street, Patterson Avenue, Chestnut Street, Tallawanda Road, Campus Avenue, Sycamore Street, and Oxford-Trenton Road.
- 2) You are not prohibited from walking through campus so long as you do not make speeches or presentations, erect displays, engage in any commercial activities, or conduct similar activities.
- 3) While on campus, you:
 - (a) are not prohibited from engaging in a consensual, personal conversation with individual(s), provided that such conversation is not disruptive or loud and does not rise to the level of a speech or presentation;
 - (b) may not engage in, or attempt to engage in, non-consensual conversations, which includes soliciting individuals to engage with you in conversation after they have declined to converse, and/or gather or attempting to gather a group of individuals by projecting your conversation to a general audience rather than hold conversations on an individual, personal level; and

EXHIBIT

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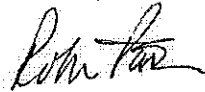
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James G. Gilles
June 15, 2009
Page 2

- (c) may not distribute or hand-out literature on campus, including randomly offering literature to individuals as they walk by or randomly approaching individuals offering them literature. You may, however, give literature to an individual after such individual has agreed to enter into a consensual, personal conversation with you and as part of that conversation.
- 4) You are not prohibited from distributing literature from the sidewalks directly adjacent to the streets identified above.

Nothing in this letter limits or restricts Miami University's right to alter its policies governing speeches by visitors to campus so long as consistent with the law. Nothing in this letter limits or restricts Miami University's right to enforce generally applicable policies or laws against you.

Sincerely,



Robin Parker
General Counsel