

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

US DISTRICT COURT
115 P L
2009 JUL 28 PM 15

ERIC HOLDER,
ATTORNEY GENERAL,
UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID ALLEN BRANCA,

Defendant.

CIVIL ACTION

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No. 09- CV-03145

FILED

JUL 29 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

CONSENT JUDGMENT AND ORDER OF APPROVAL

Plaintiff, Eric Holder, Attorney General of the United States of America (the "United States Attorney General"), and Defendant, David Allen Branca, hereby agree and consent to judgment in favor of Plaintiff and against Defendant in the form of the following permanent injunction:

- 1. Defendant, David Allen Branca, and his representatives, agents, employees and any others acting in concert or participation with him are PERMANENTLY ENJOINED from publishing, either orally or in writing, on paper or in electronic format, in whole or in substantial part, the messages appearing on his internet website as set forth in paragraph 13 of the government's complaint, or from publishing, either orally or in writing, on paper or in electronic format,

David A. Branca
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equivalent messages that contain the names, addresses, personal information or photographs of reproductive health care physicians, staff, or patients with the intent to threaten the physicians, staff or patients -- or any other person or any class of persons -- thus preventing individuals from obtaining or providing reproductive health care services.

2. The government shall monitor the Defendant's internet website to ensure Defendant is in compliance with the terms of this permanent injunction.
3. Nothing in this permanent injunction shall prohibit Defendant from picketing, creating, publishing, and disseminating anti-abortion information so long as such activities do not constitute illegal threats, elicit violence, nor

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violate the Freedom of Access to Clinic Entrances Act, 18 U.S.C. § 248 (1994), in any manner.

DAVID ALLEN BRANCA

ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA

Defendant

Plaintiff

BY: David A. Branca
DAVID ALLEN BRANCA

BY: MICHAEL L. LEVY
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ORDER APPROVING CONSENT JUDGMENT AND PERMANENT INJUNCTION

AND NOW, this 20th day of July, 2009,

upon consideration of the complaint of Plaintiff, Eric Holder, Attorney General of the United States of America, and the parties' above-signed Consent to Judgment, it is hereby ORDERED

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that judgment is hereby entered in favor of Plaintiff and against Defendant, David Allen Branca, and a permanent injunction shall hereby issue in the above-agreed to form.

APPROVED AND SO ORDERED
BY THE COURT:

Samuel J. David

UNITED STATES DISTRICT JUDGE

David A. Branca
7/18/09