

Hon. Marsha J. Pechman

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MAY - 3 2011

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY _____ DEPUTY



11-CV-00432-JGM

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.

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6 Dated this 27th of April, 2011.

7 BY:


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10 JOHN C. KROACK

11 BY:

12 JENNY A. DURKAN
13 UNITED STATES ATTORNEY

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1 **ORDER APPROVING CONSENT JUDGMENT AND PERMANENT INJUNCTION**

2 AND NOW, this 2 day of May, 2011, upon consideration of the Complaint
3 of Plaintiff, the United States of America, and the parties' above-signed Consent to Judgment, it is
4 hereby ORDERED that judgment is entered in favor of Plaintiff and against Defendant, John C. Kroack,
5 and a permanent injunction shall issue in the above-agreed to form.
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7 APPROVED AND ORDERED BY THIS COURT

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10 MARSHA J. PECHMAN
11 UNITED STATES DISTRICT JUDGE
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