

UNIVERSAL LIFE CHURCH MONASTERY STOREHOUSE, a Washington non-profit corporation; ERIN PATTERSON, an individual; and GABRIEL BISER, an individual;

Plaintiffs,

v.

WAYNE NABORS, in his official capacity as County Clerk of Putnam County, Tennessee; JENNINGS H. JONES, in his official capacity as District Attorney General for Rutherford County; COTY WAMP, in her official capacity as District Attorney General for Hamilton County; and BRYANT C. DUNAWAY, in his official capacity as District Attorney General for Putnam County,

Defendants.

Case No. 2:19-cv-00049

STIPLULATION AND ORDER

Plaintiffs, the Universal Life Church Monastery Storehouse (ULCM), Erin Patterson, and Gabriel Biser, on one hand, and Defendants Jennings H. Jones, in his official capacity as District Attorney General for Rutherford County, Coty Wamp, in her official capacity as the District Attorney General for Hamilton County, and Bryant C. Dunaway, in his official capacity as the District Attorney for Putnam County (collectively, the Defendants) stipulate as follows:

1. On June 21, 2019, Plaintiffs filed this lawsuit, challenging the constitutionality of Tenn. Code Ann. § 36-3-301. Plaintiffs contend that they could be prosecuted under Tenn. Code Ann. § 39-16-504 because they make a false statement when they make the attestation required by Tenn. Code Ann. § 36-3-304. Defendants contend that Plaintiffs do not have standing to challenge the statute because there is no credible threat of prosecution.
2. Defendants stipulate and represent that it has always been their position that there is no criminal prosecution mechanism in Tenn. Code Ann. § 36-3-301 and thus Plaintiffs cannot be prosecuted under that statute.

3. In addition, Defendants stipulate and represent that it has always been their position that notwithstanding Tenn. Code Ann. § 36-3-301, by simply making the attestation required by Tenn. Code Ann. § 36-3-304, Plaintiffs are not making a false statement and thus there is no prosecutable offense under Tenn. Code Ann. § 39-16-504.
4. Defendants also stipulate and represent that it has always been their position that they are not involved with the issue of whether any marriage is valid and Defendants will not challenge the validity of marriages officiated or solemnized by ULCM ministers.
5. Defendants acknowledge that Plaintiffs ULCM and its ministers, including Gabriel Biser and Erin Patterson, intend to solemnize weddings in Defendants' respective counties in reliance on these stipulations.

The Court makes a FINDING that the parties have made these stipulations. Based on these stipulations, the parties agree to dismiss this lawsuit. It is therefore ORDERED, ADJUDGED, and DECREED that this case shall be dismissed with prejudice.

IT IS SO ORDERED.

By: /s/ WAVERLY D. CRENSHAW, JR

WAVERLY D. CRENSHAW, JR

CHIEF UNITED STATES DISTRICT JUDGE

