

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE**

JANE DOE, and CHARLES BOONE,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	C.A. No. 1:10-cv-00473-LPS
	:	
WILMINGTON HOUSING AUTHORITY and	:	
FREDERICK S. PURNELL, SR., in his official	:	
capacity as executive director of the	:	
Wilmington Housing Authority,	:	
	:	
Defendants.	:	

ORDER

Having considered the Opening Brief in Support of Plaintiffs’ Motion for Summary Judgment, and any response thereto, and the oral arguments presented to the Court, the Court hereby concludes the following:

1. The Original Policies¹ violate the Second Amendment to the United States Constitution.
2. The Original Policies violate Article I, § 20 of the Delaware Constitution.
3. The Original Policies and the New Policy are preempted by the law of the State of Delaware.
4. The New Policy’s Common Area Provision violates the Second Amendment to the United States Constitution.
5. The New Policy’s Common Area Provision violates Article I, § 20 of the Delaware Constitution; and

¹ Each capitalized term not otherwise defined herein shall have the meaning ascribed to such term in the Opening Brief in Support of Plaintiffs’ Motion for Summary Judgment.

BASED UPON these CONCLUSIONS, it is hereby

ORDERED that Plaintiffs' Motion for Summary Judgment is hereby GRANTED; and it is further

ORDERED that Defendants shall not revert to the Original Policies; and it is further

ORDERED that the New Policy's Common Area Provision and Reasonable Cause Provision are hereby invalidated; and it is further

ORDERED that Defendants are permanently enjoined from enforcing the Original Policies, or the Common Area Provision of the New Policy, or the Reasonable Cause Provision of the New Policy; and it is further

ORDERED that Plaintiffs are awarded compensatory, punitive and exemplary damages in the amount of \$ _____; and it is further

ORDERED that Plaintiffs are awarded their attorney's fees and costs pursuant to 42 U.S.C. § 1988(b) in the amount of \$ _____.

The Honorable Leonard P. Stark
United States District Court Judge

Dated: April ____, 2011