

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 11-22026-Civ-COOKE/TURNOFF

BERND WOLLSCHLAEGER, *et al.*,

Plaintiffs

vs.

FRANK FARMER, *et al.*,

Defendants.

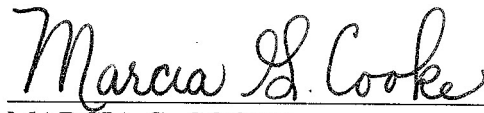
FINAL JUDGMENT

Pursuant to Rule 58 of the Federal Rules of Civil Procedure and this Court's Omnibus Order on Cross Motions for Summary Judgment (ECF No. 105), it is hereby **ORDERED and ADJUDGED** that judgment is entered in this matter in favor of the Plaintiffs and against Defendants.

It is **FURTHER ORDERED and ADJUDGED** that, pursuant to this Court's Omnibus Order on Cross Motions for Summary Judgment (ECF No. 105), this Court **DECLARES** that Fla. Stat. § 790.338(1), (2), (5), and (6) is unconstitutional as a violation of the First Amendment to the U.S. Constitution, as applied to the State of Florida through the Fourteenth Amendment to the U.S. Constitution.

It is **FURTHER ORDERED and ADJUDGED** that Defendants are permanently enjoined from enforcing § 790.338(1), (2), (5), and (6). Defendants are also permanently enjoined from enforcing § 790.338(8), to the extent that it provides that violations of § 790.338(1) and (2) constitute grounds for disciplinary action. Defendants are further permanently enjoined from enforcing § 456.072(1)(mm), to the extent that it provides that violations of § 790.338(1), (2), (5), and (6) shall constitute grounds for which disciplinary actions specified under § 456.072(2) may be taken.

DONE and ORDERED in chambers at Miami, Florida, this 2nd day of July 2012.

A handwritten signature in cursive script that reads "Marcia G. Cooke". The signature is written in black ink and is positioned above a horizontal line.

MARCIA G. COOKE
United States District Judge

Copies furnished to:
William C. Turnoff, U.S. Magistrate Judge
Counsel of record