

Honorable Marsha J. Pechman

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT C. WARDEN,)	No: 2:09-cv-01686-MJP
Plaintiff,)	
)	
vs.)	ORDER GRANTING PLAINTIFF'S
)	MOTION FOR SUMMARY JUDGMENT
GREGORY J. NICKELS and)	
CITY OF SEATTLE,)	
Defendants.)	(Proposed Order)
_____)	

This matter is before the Court on Plaintiff's Motion for Summary Judgment. The Court finds that there is no genuine issue of material fact on which reasonable minds could differ. The Court further finds that Plaintiff has suffered harm and has established standing; that Defendants violated Plaintiff's right to bear arms under both the federal and state constitutions; and that Defendant Nickels acted with reckless or callous disregard for federally protected rights. Plaintiff is entitled to judgment as a matter of law on all claims articulated in the First Amended Complaint.

1 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

2 Defendants, their officers, agents, servants, employees,
3 and all persons in active concert or participation with them who
4 receive actual notice, are permanently enjoined from enforcing
5 Rule/Policy Number P 060-8.14.

6 Rule/Policy Number P 060-8.14 violates the U.S. and
7 Washington constitutions, and is thus null and void.

8 Plaintiff is awarded nominal damages in the amount of
9 one dollar.

10 Plaintiff is awarded costs of suit.

11 Plaintiff is awarded punitive damages against Defendant
12 Nickels in his individual capacity in the amount of
13 _____, an amount determined by the Court to
14 be sufficient to effectively deter future Washington municipal
15 officials from behaving with reckless or callous disregard for
16 federally protected rights.

17 DATED this _____ day of _____, 2010.

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Judge Marsha J. Pechman