

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

No. 5:17-CV-00528-BO

JOHN R. MEREDITH,)
)
Plaintiff,)
)
v.)
)
JOSHUA STEIN, Attorney General of)
the State of North Carolina, in his)
official capacity; **BOB SCHURMEIER**,)
Director of the North Carolina State)
Bureau of Investigation, in his official)
capacity; **MICHAEL D. WATERS**,)
District Attorney of Franklin County,)
North Carolina, in his official capacity)
)
Defendants.)

JOINT CONSENT ORDER

1. On October 16, 2017, Plaintiff John R. Meredith (“Meredith”) filed a Complaint seeking injunctive and declaratory relief from Defendants Joshua Stein, as the Attorney General of the State, Bob Schurmeier, as the Director of the North Carolina State Bureau of Investigation, and Michael D. Waters, as the District Attorney of Franklin County, North Carolina, seeking a permanent injunction removing him from the North Carolina sex offender registry, barring his future inclusion on the registry based on his out of state conviction, and costs.

2. Defendants subsequently filed a motion to dismiss and, following the Court's denial of that motion, a period of discovery was opened.

3. Meredith thereafter issued interrogatories, requests for production of documents and subpoenas for depositions to which Defendants responded.

4. Following the completion of discovery, the parties cross-moved for summary judgment. The Court, in a written Order issued November 6, 2018, denied Defendants' motion for summary judgment, granted summary judgment for Meredith enjoining Defendants from placing Meredith on the North Carolina Sex Offender Registry without affording an opportunity to be heard and prosecuting him for failure to comply with sex offender registry rules and regulations.

5. The parties believe that a resolution of the matter at this time and in the manner encompassed by the terms of this Consent Order serves the best interests of the State and its citizens.

6. The parties agree that this Consent Order promotes judicial economy, protects the limited resources of the parties, and resolves Meredith's claims against the Defendants.

7. The parties wish to record this agreement as set forth in this Consent Order, and thereby effect a binding and enforceable resolution of the claims raised by Meredith against the Defendants in the Complaint.

8. The parties therefore consent to entry of the following final and binding judgment as dispositive of all claims raised by Meredith against the Defendants.

9. The North Carolina Department of Justice agrees to pay Meredith's attorney, Paul M. Dubbeling, the sum of \$54,363.55 for attorney's fees and litigation costs incurred by Dubbeling in his representation of Plaintiff in this action, with the amount to be paid by North Carolina Department of Justice within thirty (30) days of the entry of this Consent Order.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

1. The Defendants shall not require Meredith to register on the North Carolina Sex Offender Registry for his 2004 Washington State conviction.
2. The Defendants shall not prosecute Meredith for a failure to comply with any North Carolina, federal or other law or regulation applicable to registered sex offenders based solely on his 2004 Washington State conviction.
3. The North Carolina Department of Justice will pay Paul M. Dubbeling the sum of \$54,363.55 for attorney's fees and litigation costs incurred in his representation of Plaintiff in this action, with the amount to be paid within thirty (30) days of the entry of this Consent Order

IT IS SO ORDERED:

Dated: 4.1.19


The Honorable Terrence W. Boyle
Chief United States District Judge

WE CONSENT:

/s/ Paul M. Dubbeling
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