

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

<b>JUDITH REILLY,</b>	:	
<b>Plaintiff</b>	:	
<b>v.</b>	:	<b>C.A. No. 10-461S</b>
	:	
<b>CITY OF PROVIDENCE, by and</b>	:	
<b>through its Treasurer, STEPHEN T.</b>	:	
<b>NAPOLITANO, alias, and PAUL</b>	:	
<b>KENNEDY, alias, and ALYSSA</b>	:	
<b>DeANDRADE, alias, individually and in</b>	:	
<b>their official capacities as police officers in:</b>	:	
<b>the City of Providence Police Department,:</b>	:	
<b>and DEAN ESSERMAN, alias,</b>	:	
<b>individually and in his official capacity as :</b>	:	
<b>Chief of the City of Providence Police ;</b>	:	
<b>Department,</b>	:	
<b>Defendants</b>	:	

**CONSENT JUDGMENT**

By agreement of the parties and with approval of this Court, judgment shall enter for the Plaintiff as follows:

1. That the Defendant City of Providence (“City”) unconstitutionally interfered with the Plaintiff’s right to peaceably publish and distribute political flyers on the public sidewalk adjacent to Cranston Street in front of the Providence Career and Technical Academy in the City of Providence, Rhode Island on February 2, 2010 in violation of the Plaintiff’s rights to freedom of speech and of the press guaranteed by the First and Fourteenth Amendments to the United States Constitution and Article 1, §§20 and 21 of the Rhode Island Constitution.

2. That the Defendant City police department custom of clearing vast public spaces in order to keep exit passageways open was unconstitutionally applied in the context of this case.

3. That the Defendant City shall pay the sum of **Five Hundred (\$500.00) Dollars** to the Plaintiff as compensatory damages.

4. That the Defendant City shall pay to Plaintiff’s counsel the sum of **Five Thousand Two Hundred Sixty-Six and 91/100 (\$5,266.91) Dollars** in costs and **Sixty-Nine Thousand Two**

**Hundred Thirty-Three and 09/100 (69,233.09) Dollars** in counsel fees incurred in prosecuting the case.

5. The claims against Defendants Esserman, Kennedy, and DeAndrade are dismissed with prejudice in consideration of the within Consent Judgment.

Entered as a **Judgment** of this Court on the \_\_\_\_ day of \_\_\_\_\_, **20**\_\_.

**ENTER:**

**PER ORDER:**

\_\_\_\_\_  
\_\_\_\_\_  
**District Court Judge**

\_\_\_\_\_  
**Clerk**

**ASSENTED TO AS TO FORM AND SUBSTANCE:**

Plaintiff, **JUDITH REILLY**  
By her attorneys,

**Date:** \_\_\_\_\_, **20**\_\_

\_\_\_\_\_  
**Richard A. Sinapi, Esq. (#2977)**  
**American Civil Liberties Union, R.I. Affiliate**  
Sinapi Law Associates, Ltd.  
175 Hillside Road  
Cranston, RI 02920  
Phone: (401) 944-9692; FAX: (401) 943-9040

Defendants, **CITY OF PROVIDENCE, DEAN ESSERMAN, and PAUL KENNEDY, alias**  
By their attorneys,

**Date:** \_\_\_\_\_, **20**\_\_

\_\_\_\_\_  
**Kevin F. McHugh Esq. (#3927)**  
**City Solicitor's Office**  
444 Westminster Street, Suite 220  
Providence, RI 02903

Defendants, **ALYSSA DeANDRADE, alias**  
By her attorneys,

**Date:** \_\_\_\_\_, **20**\_\_

\_\_\_\_\_  
**Michael J. Colucci Esq.**  
**Olenn & Penza Address**  
530 Greenwich Ave  
Warwick, RI 02886-1824