

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

THOMAS K. JONES,  
Plaintiff

v.

C.A. No. 08-375ML

TOWN OF WEST WARWICK, by and  
through its Treasurer, Malcolm A. Moore,  
FRANK VENEZIA, in his individual  
and official capacities as Acting Building  
Official for the Town of West Warwick, and  
PETER CALCI, in his individual and official  
capacities as a Town of West Warwick  
Town Councilman and former acting  
Town Council President,  
Defendants

US. DISTRICT COURT  
DISTRICT OF R.I.  
AUG 21 2009  
RECEIVED

CONSENT JUDGMENT

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

1. That the Defendants, their officers, successors, agents, servants, employees, attorneys, and those in active concert or participation with them are hereby permanently restrained and enjoined from enforcing section 5.10 of the Town Zoning Ordinance entitled "Signs" and subsection 3.74.11 ("Town sign ordinance"), so as to prohibit the erection and display of political signs, including but not limited to candidate campaign signs or issue signs, whether or not either is the subject of a pending ballot question or election or are considered "off-premises," or from subjecting the posting of any such signs to any durational limitation or more stringent size or other limitations than those imposed on non-political signs.

2. That the Defendants, their officers, successors, agents, servants, employees, attorneys, and those in active concert or participation with them are hereby permanently restrained and enjoined from enforcing or attempting to enforce the Town sign ordinance with respect to any eight (8) foot by four (4) foot free standing political signs within the Town posted

by the Plaintiff, whether relating to his candidacy or the Shipwreck Falls Water Park or any other issue or cause.

3. That the Defendants, their officers, successors, agents, servants, employees, attorneys, and those in active concert or participation with them are hereby permanently restrained and enjoined from in any way applying more stringent limitations on political signs erected by the Plaintiff, whether relating to his candidacy or the Shipwreck Falls Water Park or any other issue or cause, than are applied by Defendants to any other political signs posted within the Town.

4. Should the Defendant Town amend, modify or replace the above Town sign ordinance, it shall do so in compliance with existing state and federal constitutional law.

5. That the Defendant Town shall pay the sum of Thirty Thousand and 00/100 (\$30,000.00) Dollars to the Plaintiff, which amount is intended to include any and all damages as well as interest, attorney's fees and costs incurred in prosecuting the case, which said sum shall be paid within thirty (30) days of the entry of the within judgment.

Entered as a Judgment of this Court on the 24<sup>th</sup> day of August, 2009.

**ENTER:**

**PER ORDER:**

Mary M. Rice

Barbara Barletta

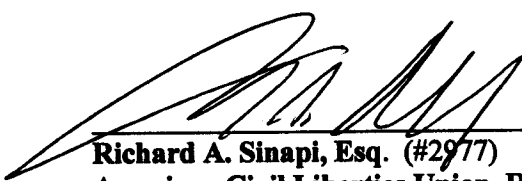
US District Court Judge

Clerk

**AGREED TO AS TO FORM AND SUBSTANCE:**

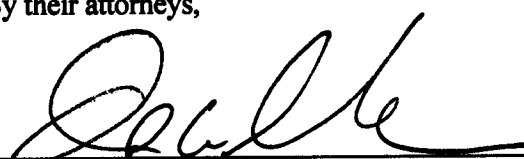
**PLAINTIFF,  
THOMAS K. JONES**  
By his attorneys,

Date: August 20, 2009


  
Richard A. Sinapi, Esq. (#2977)  
American Civil Liberties Union, R.I. Affiliate  
Sinapi, Formisano & Company, Ltd.  
100 Midway Place, Suite 1  
Cranston, RI 02920  
Phone: (401) 944-9690; FAX: (401) 943-9040

**DEFENDANTS,  
TOWN OF WEST WARWICK, PETER CALCI  
and FRANK VENEZIA**  
By their attorneys,

Date: August 18, 2009

  
Timothy A. Williamson, Esq. (#4173)  
West Warwick Town Solicitor  
1193 Tiogue Ave  
Coventry, RI 02816  
Phone: (401) 823-9200; Fax: (401) 823-9278

Date: 8/20, 2009

  
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