

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

MICHAEL DIPAOLA,	:	
Plaintiff	:	
v.	:	C.A. No. 21-0042-WES-LDA
	:	
TOWN OF PORTSMOUTH,	:	
by and through its Treasurer, LISA	:	
MILLS , and GARY CROSBY , in his	:	
individual and official capacities as the	:	
Acting Building Official and Zoning	:	
Enforcement Officer for the Town of	:	
Portsmouth,	:	
Defendants	:	

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 Town of Portsmouth (“Town”), its officers, agents, servants, employees, attorneys, and those in active concert or participation with them are hereby permanently restrained and enjoined from enforcing and/or threatening to enforce Sec. 405-IX.B of the Town Zoning Ordinance entitled “Signs” (“Town Sign Ordinance”), in its current form, as it relates to a) any posting of signs by Plaintiff on any of his properties in the Town; and/or, b) any non-commercial speech signs posted in the Town.

2. That the Defendant Town shall pay the sum of Seventeen Thousand Five Hundred and 00/100 (\$17,500.00) Dollars to Plaintiff’s counsel, Sinapi Law Associates, Ltd., as payment for attorney’s fees and costs incurred in prosecuting the within case, which said sum shall be paid within thirty (30) days of the entry of the within judgment. The sharing of the tribunal-approved award with the American Civil Liberties Union Foundation of Rhode Island is consistent with this Court’s decision in *RI Training School v. Martinez*, 465 F. Supp. 2d 131 (D.R.I. 2006) and Rhode Island R.P.C. 5.4(a)(4).

Entered as a **Judgment** of this Court on April 19, 2021.



William E. Smith
District Court Judge

ASSENTED TO AS TO FORM AND SUBSTANCE:

Plaintiff, **Michael DiPaola**
By his attorneys,

Date: April 15, 2021

/s/ **Richard A. Sinapi**
Richard A. Sinapi, Esq. (#2977)
American Civil Liberties Union Foundation of Rhode Island
Sinapi Law Associates, Ltd.
2374 Post Road, Suite 201
Warwick, RI 02886
Phone: (401) 739-9690; FAX: (401) 739-9040
Email: ras@sinapilaw.com

Defendants, **Town of Portsmouth and Gary Crosby,**
By their attorneys,

Date: April 15, 2021

/s/ **Kevin P. Gavin**
Kevin P. Gavin, Esq. (#2969)
Portsmouth Town Solicitor
31 Harrington Avenue
Portsmouth, RI 02871
Phone: (401) 6832044
Email: kevingavinlaw@gmail.com

Date: April 15, 2021

/s/ **Kathleen A. Hilton**
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