

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED
NOV 21 11 09 53
U.S. DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION
CL. CLYDE W. COLEMAN

BERNICE BROWN, et al.,
Plaintiffs,
v.
THE INVISIBLE EMPIRE,
KNIGHTS OF THE KU KLUX
KLAN, etc., et al.,
Defendants.

CV No. 80-HM-1449-S

ENTERED
NOV 21 1989

FINAL ORDER APPROVING CONSENT DECREES

Plaintiffs have filed in the above entitled civil action MOTION FOR FINAL ORDER APPROVING CONSENT DECREES. Specifically, plaintiffs seek final approval of ten (10) separate proposed consent decrees entered into between plaintiffs and defendants Berryhill, Campbell, Godfrey, Handley, Mason, Mize, Smith, Steele, Tucker, and White.

On August 31, 1989, the Court gave its preliminary approval to the consent decrees entered into between plaintiffs and those ten defendants. At that time the Court ordered the plaintiffs to notify class members of the terms of the proposed settlement and the procedure for objecting. Counsel for plaintiffs then properly notified all plaintiff class members, see Plaintiffs' Compliance with Class Notification, and none of the class members filed objections to the proposed settlement.

On November 9, 1989, the Court held a fairness hearing and heard and considered the views of counsel concerning the propriety of the proposed consent decrees. Upon consideration of the proposed consent decrees, the views of counsel, the absence of objections to the proposed decrees, the Court record in the above entitled civil action

and the Court's familiarity with this case, the Court expressly adopts as final its conditional findings as set forth in the August 31, 1989 order preliminarily approving the proposed consent decrees.

Accordingly, the Court expressly finds and determines that the terms and provisions of the proposed consent decrees above referenced submitted by the remaining plaintiffs and remaining defendants in this case are fair, reasonable and adequate and are in the best interest of the members of the plaintiff class. It is therefore

ORDERED, ADJUDGED and DECREED that the above referenced proposed consent decrees submitted in the above entitled civil action between plaintiffs and the remaining defendants Doug Berryhill, Herbert Campbell, Derane O'Neil Godfrey, Roger Handley, Johnny Mason, Betty Mize [widow of deceased defendant Jack Mize], Jerry M. Smith, Ray Steele, Terry Tucker, and Lenwood Lewis White be and each hereby are finally approved by the Court. Pursuant to the Court's final approval of the above referenced proposed consent decrees, it is further

ORDERED that the following defendants shall not be a member of certain white supremacist groups, as set forth and further defined in the consent decrees, for the stated period of time:

Doug Berryhill -- ten (10) years;
Herbert Campbell -- ten (10) years;
Derane O'Neil Godfrey -- ten (10) years;
Roger Handley -- two (2) years;
Jerry M. Smith -- ten (10) years; and
Terry Tucker -- ten (10) years.

It is further

ORDERED that defendants Doug Berryhill, Herbert Campbell, Derane O'Neil Godfrey, Jerry M. Smith, and Terry Tucker are prohibited and enjoined from committing or conspiring to commit acts of violence,

intimidation, harassment, or assault upon any black person, where such actions are done because of race. It is further

ORDERED that defendants Doug Berryhill, Herbert Campbell, Derane O'Neil Godfrey, Roger Handley, and Terry Tucker shall attend a two-hour course on race relations and prejudice under the terms set forth in the consent decrees. It is further

ORDERED that defendants Doug Berryhill, Herbert Campbell, Derane O'Neil Godfrey, Jerry M. Smith, and Terry Tucker shall each perform fifty (50) hours of community service under the terms set forth in the consent decrees. It is further

ORDERED that the following defendants shall pay the following sums into the plaintiffs' designated settlement fund under the terms set forth in the consent decrees:

Derane O'Neil Godfrey -- \$1000.00;

Roger Handley -- \$2000.00;

Johnny Mason -- \$2000.00;

Betty Mize [as widow of Jack Mize] -- \$1000.00;

Jerry M. Smith -- \$1000.00;

Ray Steele -- \$500.00;

Terry Tucker -- \$1000.00; and

Lenwood Lewis White -- \$2000.00.

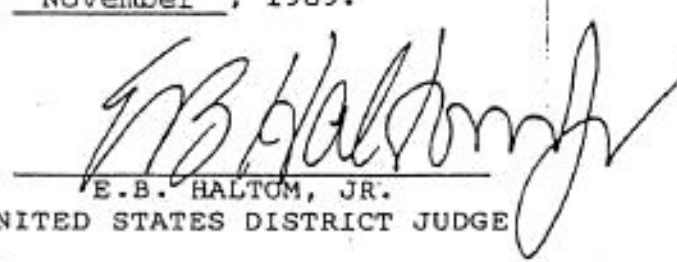
It is further

ORDERED that each party shall pay his own costs and attorney's fees resulting from this litigation, up to and until the date of entry of this Final Order. Finally, it is

ORDERED that all terms in each of the proposed consent decrees approved herein which are not set forth in this Final Order shall be and are hereby adopted and incorporated by reference in this Final Order as if fully copied herein.

The Clerk is directed to serve notice of the entry of this Order upon all parties of record.

DONE and ORDERED this 21st day of November, 1989.



E.B. HALTON, JR.
UNITED STATES DISTRICT JUDGE