

1 INSTITUTE FOR FREE SPEECH
2 Alan Gura, SBN 178221
3 agura@ifs.org
4 Endel Kolde, admitted pro hac vice
5 dkolde@ifs.org
6 1150 Connecticut Avenue, N.W., Suite 801
7 Washington, DC 20036
8 Phone: 202.967.0007
9 Fax: 202.301.3399

Attorneys for Plaintiff Daymon Johnson

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DAYMON JOHNSON,

11 *Plaintiff,*

12 v.

13 JERRY FLIGER, et al.,

14 *Defendants.*

Case No.: 1:23-cv-00848-KES-CDB

JOINT MOTION FOR ENTRY OF
PROPOSED STIPULATED ORDER FOR
PERMANENT INJUNCTION

17 Pursuant to this Court's May 20, 2026, order, the parties, Daymon Johnson, Plaintiff; and
18 Stacy Pfluger, Sean Hancock, John Corkins, Nan Gomez-Heitzeberg, Yovani Jimenez, Danny Diaz,
19 and Kay S. Meek, Defendants sued in their official capacities as Members and Officers of
20 Bakersfield College and the Kern Community College District Board of Trustees,¹ have resolved all
21 issues in this matter by the Proposed Stipulated Order for Permanent Injunction and Other Relief.

22 The Parties submit that good cause exists for the Court to enter the Stipulated Proposed
23 Order. Specifically, the Proposed Stipulated Order will provide just relief on the allegations in the
24 Complaint, including appropriate safeguards to prevent violations of Plaintiff's First Amendment
25 rights. No award of attorney fees and expenses pursuant to 42 U.S.C. § 1988 or otherwise is made
26

27
28 ¹ Stacy Pfluger has replaced Jerry Fliger, Sean Hancock has replaced Steven Bloomberg, and Danny Diaz has replaced Romeo Agbalog by operation of the law as official capacity defendants in this matter.

1 by this Court and instead the matter of fees and expenses is resolved by agreement of the parties.
2 Defendants do not admit the allegations in the Complaint but support entry of the Stipulated
3 Proposed Order to avoid the time and expense of litigation.

4 In light of this agreed-upon resolution of this action, the Parties respectfully request that the
5 Court enter the Stipulated Proposed Order.

6 Dated: July 6, 2026

Respectfully submitted,

7
8 By: /s/ Alan Gura
Alan Gura (SBN 178221)
agura@ifs.org
9 Endel Kolde, admitted pro hac vice
dkolde@ifs.org
10 INSTITUTE FOR FREE SPEECH
11 1150 Connecticut Avenue, N.W., Suite 801
Washington, DC 20036
Phone: 202.967.0007 / Fax: 202.301.3399

12 Attorneys for Plaintiff Daymon Johnson

13
14 By: /s/ David A. Urban (as authorized on July 6, 2026)
Jesse J. Maddox (SBN 219091)
jmaddox@lcwlegal.com
15 David A. Urban (SBN 159633)
durban@lcwlegal.com
16 Olga Y. Bryan (SBN 298969)
obryan@lcwlegal.com
17 Morgan J. Johnson (SBN 345620)
mjohanson@lcwlegal.com
18 LIEBERT CASSIDY WHITMORE
A Professional Law Corporation
19 5250 North Palm Ave, Suite 310
Fresno, California 93704
20 Phone: 559.256.7800 / Fax 559.449.4535

21 Attorneys for Defendants Jerry Fliger, in his
22 official capacity as President Bakersfield
College; et al.
23
24
25
26
27
28