

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

(1) **DR. ROBERT ZOELLNER,**)
(2) **CLAY CLARK**)
(3) **JAMES J. DECRISTOFARO**)
(4) **AARON A. ANTIS**)
(5) **DEBBIE L. ANTIS**)
(6) **STEPHEN N. CURRINGTON, and**)
(7) **JASON DANE MALIK BEASLEY,**)

Plaintiffs,)

vs.)

Case No: 20-CV-410-TCK

(1) **MAYOR GEORGE T. BYNUM, IV**)
(2) **BRUCE DART,**)
(3) **VANESSA HALL-HARPER,**)
(4) **JEANNIE CUE,**)
(5) **CRISTA PATRICK,**)
(6) **KARA JOY MCKEE,**)
(7) **LORI DECTER WRIGHT,**)
(8) **PHIL LAKIN, JR.,**)
(9) **BEN KIMBRO,**)
(10) **THE CITY OF TULSA, and**)
(11) **THE TULSA DEPT. OF HEALTH**)

Defendants.)

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

The parties to this action, acting through counsel, and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) hereby stipulate as follows:

1. That this action be dismissed with prejudice as to all claims, causes of action, and parties, whether served with notice of process, or not;
2. Each party shall bear their own attorney fees and costs, except as otherwise provided in ¶ 3 herein;
3. Should the Plaintiffs to this action, collectively, individually, or some combination thereof, and all others in privity with them, and their agents, servants, successors, heirs,

executors, administrators, and all other persons, firms, corporations, associations, or partnerships, file an **action based on or including the same claim or claims as made in this action**, against the same Defendant or Defendants, individually or collectively, as are named in this action, the Defendants reserve the right to seek their costs in this action, including, but not necessarily limited to, their respective attorney fees.

4. An “action based on or including the same claim or claims as made in this action”, as set forth in in ¶ 3 herein, shall include, but is not necessarily limited to, any and all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation, on account of, or in any way growing out of, any action taken, under the color of law or otherwise, by the Defendants, including legislative and/or executive action, and/or any public health mitigation strategies, regarding the enactment of City of Tulsa’s Municipal Ordinance No. 24408 (“Ordinance”), including, but not necessarily limited to any as-yet unenacted amendments to the Ordinance, and any as-yet unenacted ordinance that is **substantially similar** to the Ordinance.

5. “Substantially similar”, as set forth in in ¶ 4 herein, means any ordinance enacted by the City of Tulsa with the legislative aim of preventing and/or slowing the spread or prevalence of coronavirus disease 2019 (COVID-19), and the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) causing COVID-19, including, but not necessarily limited to, any strains or mutations of SARS-CoV-2, whether known or as-yet unknown.

Approved as to Form and Content

s/Glen R. Graham

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