

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

MAINE INDEPENDENT COLLEGES )  
ASSOCIATION, MAINE PRESS )  
ASSOCIATION, NETCHOICE, AND )  
REED ELSEVIER, INC., )

Plaintiffs, )

v. )

CV-09-396-B-W

GOVERNOR JOHN BALDACCI )  
and ATTORNEY GENERAL JANET )  
MILLS, in their official capacities, )  
and JOHN DOE, )

Defendants. )

**STIPULATED ORDER OF DISMISSAL**

The Court finds that the Plaintiffs have met their burden of establishing a likelihood of success on the merits of their claims that Chapter 230 is overbroad and violates the First Amendment. The Attorney General has acknowledged her concerns over the substantial overbreadth of the statute and the implications of Chapter 230 on the exercise of First Amendment rights and accordingly has committed not to enforce it. She has also represented that the Legislature will be reconsidering the statute when it reconvenes. As a result, third parties are on notice that a private cause of action under Chapter 230 could suffer from the same constitutional infirmities.

In light of these considerations, the parties have agreed to a dismissal of this action without prejudice and the Court hereby SO ORDERS.

/s/John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 9th day of September, 2009