

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE

CLOSED

Kombe Sefelino,

Plaintiff,

v.

County College of Morris, et al.

Defendants.

Case No. 2:23-cv-01595-JKS-LDW

STIPULATED FINAL ORDER

Plaintiff Kombe Sefelino (“**Sefelino**”) and defendants County College of Morris, Janique Caffie, and Vivyen Ray (collectively, the “**College**”) stipulate to the entry of this final order (“**Final Order**”) and agree as follows:

1. The Court has jurisdiction over the subject matter of this litigation and each of the parties to this action.
2. Nothing in this **Final Order** shall be deemed an admission of liability by any party.
3. In imposing a weeklong suspension on **Sefelino** and by removing him from campus for engaging in public speaking and exercising his freedom of speech while on campus, the **College** violated **Sefelino’s** rights under the First and Fourteenth Amendments to the United States Constitution, as alleged in this suit.
4. The **College** shall permit **Sefelino** to re-enroll in the **College**, without penalty, if **Sefelino** so chooses.

5. The **College** shall revoke and expunge any and all disciplinary actions or adverse actions that it took against **Sefelino** in response to his preaching on campus, and remove any references to such disciplinary actions or adverse actions from **Sefelino's** academic records, transcripts, and files relating to the same, including but not limited to November 2022 and March 2023 suspensions, and the **College's** decision to remove **Sefelino** from campus in March of 2023.

6. The College shall permit Sefelino to make up any applicable or outstanding academic work (if any exists) that he failed to complete as a result of the disciplinary actions and adverse actions that the **College** took against **Sefelino** in response to his preaching on campus, and the **College** acknowledges and represents that **Sefelino** was not penalized academically on account of these disciplinary actions and adverse actions that the College took against him because Sefelino administratively withdrew from all courses he registered for during the Spring 2023 Semester.

7. The **College** shall permit **Sefelino** to speak or preach in any public area of the College's campus, including preaching from the Bible, as well as any related content that Sefelino chooses in order to exercise his first amendment right, subject to time, place, and manner restrictions that are content-neutral and leave open ample alternative channels of communication in public forums so long as he is lawfully on the College's property. Further, nothing in this Order shall prohibit the College from enforcing any anti-violence or anti-harassment policy to prevent any student from being harassed or threatened on campus, or any other act in a lawful manner. The

College shall not threaten or retaliate against Sefelino for the content of his speech unless his speech falls outside the protection of the First Amendment, as interpreted by the Supreme Court of the United States.

8. The **College** shall pay **Sefelino** compensatory damages of \$35,000 within forty-five (45) days of the entry of this Final Order.

9. Under 42 U.S.C. § 1988, the **College** shall pay **Sefelino** attorneys' fees and costs of \$45,880.20 within forty-five (45) days of the entry of this **Final Order**.

10. The Parties agree that in exchange for the consideration above, the Plaintiff irrevocably and unconditionally fully and forever waives, releases, and discharges the College from any and all claims, demands, actions, causes of actions, judgments, rights, fees, damages, debts, obligations, liabilities, and expenses (inclusive of attorneys' fees) of any kind whatsoever, whether known or unknown from the beginning of time up to the date of entry of this order.

11. Without in any way affecting the finality of this **Final Order**, the Court shall retain exclusive jurisdiction over all matters relating to the enforcement and interpretation of this Final Order.

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APPROVED AND ORDERED BY THE
COURT:

A handwritten signature in black ink, appearing to read 'J.K. Semper', written over a horizontal line.

THE HONORABLE JAMEL K. SEMPER
United States District Court Judge
Dated: February 7, 2024