

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

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MARY H. HARRIS

AUG 10 2006

CIRCUIT & DISTRICT  
COURT CLERK  
SHELBY CO.

CARITAS OF BIRMINGHAM, COMMUNITY)  
OFCARITAS and TERRY COLAFRANCESCO, )

Plaintiffs, )

v. )

PHILLIP J. KRONZER, THE PHILLIP J.)  
KRONZER FOUNDATION FOR RELIGIOUS)  
RESEARCH; and DONN WATERS, )

Defendants. )

CIVIL ACTION NO. CV 05-1158

870  
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CIRCUIT & DISTRICT  
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SHELBY CO.~~

PERMANENT INJUNCTION

COME NOW the Parties, represented by counsel, and appearing in open court on July 12, 2006, and advising the Court that they have reached an agreement concerning the terms and provisions of a Permanent Injunction, it is hereby ORDERED, ADJUGED and DECREED as follows:

1. Phillip J. Kronzer, the Phillip J. Kronzer Foundation for Religious Research, Donn Waters and their officers, agents, servants, employees and attorneys, and those persons in active concert or participation with them, are hereby permanently enjoined from disseminating, in any manner whatsoever, either in person, in writing, by email, on a website or in any other way, any statement which references in any way, Caritas of Birmingham, The Community of Caritas, Terry Colafrancesco, or their officers, agents, servants, employees and attorneys.
2. Additionally, Phillip J. Kronzer, the Phillip J. Kronzer Foundation for Religious Research, Donn Waters and their officers, agents, servants, employees and attorneys, and those persons in active concert or participation with them, are hereby ordered to comply

with the terms and provisions of the Settlement Agreement, entered into between the parties, in April 2005, said Settlement Agreement being the basis for the Complaint filed in this case, on October 27, 2005.

3. Pursuant to the agreement of the parties, who are represented by their respective counsel, it is further ordered that in the event this Court determines that the permanent injunction is violated by any of the Defendants, the Defendant/Defendants found to be in violation of this Order will consent to be found in civil contempt of court, will be incarcerated for a minimum of 45 consecutive days, and will be responsible for any costs incurred in the enforcement of this injunction, including attorney's fees. The Court reserves the right to impose any additional remedies it deems necessary in the event any of the Defendants are found to be in violation of this permanent injunction.
4. The Defendants consent to this Court retaining jurisdiction to enforce the terms and provisions of this permanent injunction.
5. The bond, previously posted by the Plaintiffs, prior to the issuance of the Temporary Restraining Order, is hereby released.
6. Court costs of this action are taxed to the Defendants and shall be paid within 30 days of the date of this Order.

DONE and ORDERED this the 20<sup>th</sup> day of July, 2006.

  
J. Michael Joiner  
Circuit Court Judge

cc: Daniel J. Burnick, Esq.  
Brad Overton, Esq.