

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Case No. 21-CV-1159

People of the State of New York, by LETITIA JAMES,
Attorney General of the State of New York,

CONSENT JUDGMENT

Plaintiff,

-against-

BEVELYN BEATTY and EDMEE CHAVANNES,

Defendants.

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WHEREAS, The New York State Office of the Attorney General (“OAG” or “Plaintiff”) filed this action on February 9, 2021, for injunctive relief and damages pursuant to the Freedom of Access to Clinic Entrances Act, 18 U.S.C. § 248 (“FACE”), the New York Clinic Access Act, N.Y. Civ. Rights Law § 79-m (“NY Clinic Access Act”), and the New York City Access to Reproductive Health Care Facilities Act, N.Y.C. Admin. Code §§ 10-1004 and 10-1005, (“NYC Clinic Access Act”). In its Complaint, the OAG alleged that Bevelyn Beatty and Edmee Chavannes (“Defendants”) have used force, threats of force, and physical obstruction to intentionally intimidate and/or interfere with, or attempt to intimidate and/or interfere with, people at Planned Parenthood’s Manhattan Health Center (“the Center”) located at 26 Bleecker Street in Manhattan because those people have obtained or provided, or sought to obtain or provide, reproductive health services, and that Defendants have followed and harassed people within fifteen feet of the Center.

WHEREAS, the Defendants deny any and all liability.

WHEREAS, the Parties, having the mutual desire to settle this action and to avoid protracted, expensive, and unnecessary litigation in the future.

NOW, THEREFORE, based on the parties' mutual consent, this Court hereby ORDERS the following:

1. Defendants agree not to be present in or on any portion of the sidewalk or curb on the east side of Mott Street within a buffer zone that extends 30 feet 2 inches to the north and 18 feet to the south of the entrance to the Center, and otherwise as such buffer zone is demarcated on the diagram attached hereto and made a part hereof as Exhibit 1, unless it is for the sole purpose of passing through on their way to another destination.
2. Upon a finding of any violation of this Consent Judgment, Defendants agree to pay to the Plaintiff the sum of \$5,000 per violation, as well as all attorneys' fees and related costs incurred by Plaintiff in relation to the enforcement of this Order..
3. Upon entry of this Consent Judgment, all claims in this action will be deemed to have been dismissed with prejudice. No party is being awarded any damages. In entering this Consent Judgment, the Court at this time is not making any finding or determination of liability.
4. Nothing in this Order shall be construed to limit Defendants and those acting in concert with them from exercising their rights under the First Amendment of the United States Constitution at locations other than those set forth in paragraph 1 above.
5. Nothing in this Order shall be construed to limit or interfere with the ability of federal, state, and local law enforcement authorities to take, if necessary, additional measures under the law, above and beyond the restrictions contained in this Order, to maintain order and keep the peace.
6. This Order may be enforced by a motion for criminal and/or civil contempt.

IT IS SO ORDERED as of the date of this Consent Judgment's entry.

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', written over a horizontal line.

JESSE M. FURMAN
United States District Judge

April 29, 2021

The Clerk of Court is directed to close this case. All conferences and hearings are canceled. All motions are moot.

EXHIBIT 1

