



evidence as may be presented at the hearing on this motion, and such other matters of which the Court may take judicial notice.

The grounds for this motion are: (1) that no facts material to Plaintiffs' claims remain in dispute; and (2) that based on the undisputed facts as set forth in the PSUF, and for the reasons explained in the accompanying Memorandum of Law, Plaintiffs are entitled to judgment as a matter of law.

Accordingly, Plaintiffs respectfully request that this Court grant them summary judgment on their Establishment Clause claims, and that the Court issue an order awarding them the following relief:

1. A declaratory judgment that Defendant's ownership, maintenance and display of the Bladensburg Cross on public property violates the Establishment Clause of the First Amendment and is a violation of the Plaintiffs' constitutional rights under 42 U.S.C. § 1983;

2. Order Defendant to remove the Bladensburg Cross from the Property forthwith; or in the alternative, demolish the Bladensburg Cross or remove the arms of the Bladensburg Cross to form a non-religious slab or obelisk forthwith;

3. Permanently enjoin Defendant (and any successors or assigns) from displaying the Bladensburg Cross on public property and from taking other steps to maintain the Bladensburg Cross at the current location in violation of the Establishment Clause;

4. Award Plaintiff attorneys fees pursuant to 42 U.S.C. § 1988;

5. Award Plaintiffs nominal damages in the amount of \$1 each; and

6. Grant Plaintiffs such further relief as the Court deems proper.

Respectfully submitted,

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