

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

KIMBERLY KLACIK,

Plaintiff,

v.

CANDACE OWENS,

Defendant.

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Case No. 21C1607

AGREED FINAL ORDER

Come now the Parties to this action, Plaintiff Kimberly Klacik and Defendant Candace Owens, and jointly submit this Agreed Final Order for the Court's approval. As evidenced by the signatures of adversary counsel below, the Parties have agreed to entry of the conclusive relief set forth below. Accordingly, having reviewed the Parties' agreement and the entire record, the Court **FINDS** and **ORDERS** as follows:

1. The Parties stipulate that the Defendant's *Tenn. Code Ann. § 20-17-104(a) Petition to Dismiss the Plaintiff's Complaint Pursuant to the Tennessee Public Participation Act* (Doc. 8) should be and is hereby **GRANTED**. Accordingly, the Plaintiff's Complaint, and all causes of action asserted within it, shall be and are hereby **DISMISSED WITH PREJUDICE**.

2. Upon entry of this Order, judgment shall **ENTER** in favor of the Defendant against the Plaintiff in the amount of **ONE HUNDRED AND FIFTEEN THOUSAND DOLLARS (\$115,000.00)**, inclusive of all claims for attorney's fees and discretionary costs, pursuant to Tennessee Code Annotated § 20-17-107(a). The Defendant agrees not to execute on this judgment provided that Plaintiff pays \$75,000.00 to Defendant within

sixty days of entry of this order and Plaintiff pays to Defendant the balance of the judgment, in full, within six months of entry of this order. The Defendant's claims for sanctions shall be withdrawn and are accordingly denied as moot.

3. This constitutes a final and conclusive resolution of the above-captioned case. The Clerk shall enter judgment pursuant to Tenn. R. Civ. P. 58. Upon entry of this Order, all outstanding matters shall be denied as moot.

4. The Plaintiff shall pay the court costs of this action, for which execution may issue if necessary.

IT IS SO ORDERED.

Entered this the ____ day of _____, 2022.

JUDGE C. DAVID BRILEY
Circuit Court Judge

APPROVED FOR ENTRY:

By: /s/ Daniel A. Horwitz
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of December, 2022, a copy of the foregoing was served via the Court's e-filing system upon:

Kathryn S. Wood (admitted pro hac vice), MI Bar #P55012

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Counsel for Plaintiff

By: /s/ Daniel A. Horwitz
Daniel A. Horwitz, Esq.



Case Title: KLACIK V OWENS

Case Number: 21C1607

Type: FINAL ORDER

The foregoing is hereby ORDERED, ADJUDGED
AND DECREED:

Judge C. David Briley, First Circuit