

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – LANSING**

INTERVARSITY CHRISTIAN  
FELLOWSHIP/USA, *et al.*,

*Plaintiffs,*

v.

BOARD OF GOVERNORS OF WAYNE  
STATE UNIVERSITY, *et al.*,

*Defendants.*

Civil Action No. 1:18-cv-00231

**RULE 41(a)(1)(A)(ii) STIPULATION  
OF DISMISSAL**

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**RULE 41(a)(1)(A)(ii) STIPULATION OF DISMISSAL**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiffs InterVarsity Christian Fellowship/USA and InterVarsity Christian Fellowship Wayne State Chapter (collectively, “InterVarsity”) hereby give notice that they voluntarily dismiss their claims against Richard Snyder, in his official capacity as the Governor of Michigan, and Bill Schuette, in his official capacity as the Attorney General of Michigan, without prejudice. The Governor and the Attorney General stipulate to this dismissal.

On March 6, 2018, InterVarsity filed this action against the Governor and the Attorney General, as well as the Wayne State University Board of Regents, various Wayne State officials (collectively, “Wayne State”), and Augustin Arbulu, in his official capacity as the Director of the Michigan Department of Civil Rights. The crux of the lawsuit is that Wayne State’s action in derecognizing InterVarsity as a student organization and revoking the privileges and benefits given to recognized student organizations violated InterVarsity’s rights under the federal and Michigan Constitutions, the Elliott-Larsen Civil Rights Act, and other laws. InterVarsity has alleged that Wayne State did so because, although InterVarsity welcomes any student as a member, it requires its student leaders to embrace and live according to the organization’s statement of faith.

The Governor and Attorney General do not know whether the factual allegations in the complaint are true and take no substantive position in this case. But InterVarsity and the Governor and Attorney General agree that denying

available benefits to a student group due to its religious leadership requirements diminishes rights and privileges on account of religious belief, interferes with religious leadership selection and expressive association, and may constitute religious discrimination in violation of Michigan Compiled Laws 37.2402(a), of article I, § 4 of the Michigan Constitution, and of the Free Exercise, Establishment, and Free Speech Clauses of the United States Constitution. The Governor and Attorney General also agree with InterVarsity that an institution that does not have an “all comers” policy (and Wayne State University concedes that “the policy at issue here [is] not an all-comers policy,” Dkt. 18, Wayne State Defendants’ Mot. to Dismiss, PageID #302) cannot rely on the holding in *Christian Legal Society v. Martinez*, 561 U.S. 661 (2010).

Accordingly, Plaintiffs voluntarily dismiss all claims against Richard Snyder, Governor of Michigan, and Bill Schuette, Attorney General of Michigan, in this case.

s/ Lori H. Windham  
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July 12, 2018  
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Date