

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION**

WEST VIRGINIA PARENTS FOR
RELIGIOUS FREEDOM et al.,

Plaintiffs,

Against

DR. MATTHEW CHRISTIANSEN, in his
official capacity as the State Health Officer;
and JUSTIN DAVIS, in his official capacity
as the interim Commissioner for the Bureau
of Public Health,

Defendants.

Civil Action No.: 5:23-cv-00158-JPB

STIPULATION OF DISMISSAL

Plaintiffs Pastor Chris Figaretti, Judd Uhl, and West Virginia Parents for Religious Freedom (“Plaintiffs”), and defendant Justin Davis, in his official capacity as the interim Commissioner for the Bureau of Public Health (“Defendant”), by and through their respective attorneys, hereby stipulate as follows:

Whereas, this action is on remand from the United States Court of Appeals for the Fourth Circuit, which vacated the stay imposed under *R.R. Comm’n of Tex. v. Pullman Co.*, 312 U.S. 496 (1941); ECF 71(slip op.); ECF 78 (mandate);

Whereas, on January 14, 2025, the Governor of West Virginia issued Executive Order 7-25, recognizing that W. Va. Code § 16-3-4 substantially burdens the free exercise of religion in violation of the Equal Protection for Religion Act of 2023, W. Va. Code § 35-1A-1, and further directing the West Virginia Bureau for Public Health to promulgate and develop a religious

exemption process for West Virginia Code § 16-3-4 that reflects the directives of West Virginia Code § 35-1A-1;

Whereas, on April 30, 2025, the Court ordered the plaintiffs to inform the Court whether they have obtained religious exemptions for their children and to submit briefing as to whether a redressable injury remains in this matter (ECF 79), by a deadline later extended by an order dated May 12, 2025 (ECF 81);

Whereas, on May 14, 2025, Plaintiff Pastor Chris Figaretti obtained a religious exemption letter for his child from the Bureau for Public Health in accordance with Executive Order 7-25;

Whereas, on May 20, 2025, Plaintiff Judd Uhl obtained religious exemption letters for his children from the Bureau for Public Health in accordance with Executive Order 7-25; and,

Whereas, both Plaintiffs have obtained relief from the Bureau for Public Health, they no longer have an injury that is caused by the Defendants in this suit, and any ongoing injury the Plaintiffs may suffer is the result of actions of third parties not before this court.

Accordingly, the parties stipulate to the dismissal of this action, without prejudice, under Federal Rule of Civil Procedure 41(a)(1), with each party bearing their own fees and costs.

Respectfully submitted,

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