

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

WOUNDED WARRIOR PROJECT, INC.,

Plaintiff,

v.

HELP INDIANA VETS, INC. and
DEAN M. GRAHAM,

Defendants.

Civil Action No.: 1:14-cv-00075-PPS-CAN

**MOTION FOR ENTRY OF CONSENT
JUDGMENT AND PERMANENT INJUNCTION**

COMES NOW the Plaintiff Wounded Warrior Project, Inc. (“WWP”), by and through its counsel of record, and respectfully moves this Court for the entry of the attached Proposed Consent Judgment and Permanent Injunction. Both parties have agreed to the relief sought in this Motion, as reflected by their signatures on the Proposed Consent Judgment and Permanent Injunction.

WHEREFORE, WWP respectfully requests that the Court grant this Motion and enter the Proposed Consent Judgment and Permanent Injunction executed by the parties.

Dated: May 29, 2014 .

Respectfully submitted,

By: /s/Jessica M. Lindemann
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Counsel for Plaintiff:

Wounded Warrior Project, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2014, a copy of the foregoing was filed electronically. I further certify that on May 29, 2014 a copy of the foregoing was served by email, with a copy to follow by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Help Indiana Vets, Inc.
10720 Gathering Drive
Acton, Indiana 46259

Dean M. Graham
10720 Gathering Drive
Acton, Indiana 46259

s/ Jessica M. Lindemann
Jessica M. Lindemann

indirectly, false and/or misleading statements of fact regarding WWP and/or its programs, services, financial information, supporters, donors, business relationships, and/or business conduct.

WWP is hereby granted permanent injunctive relief enjoining and restraining Defendant Graham and his agents, employees, representatives, affiliates, successors, and those persons in active concert or participation with him, from making, either directly or indirectly, defamatory statements regarding WWP and/or its programs, services, financial information, supporters, donors, business relationships, and/or business conduct.

Any content regarding WWP and/or its programs, services, financial information, supporters, donors, business relationships, and/or business conduct on the HIVI website shall be removed from such website by Defendants upon notice of this Consent Judgment and Permanent Injunction.

Defendants shall issue a retraction within 30 days of this Consent Judgment and Permanent Injunction on the HIVI website, and any other websites in which Defendants' false, defamatory, and misleading statements have been republished, expressly stating that their false, misleading, and defamatory statements published therein are incorrect. Such retraction shall provide as follows:

The content I, Dean M. Graham, authored and published on behalf of myself and Help Indiana Vets, Inc. regarding Wounded Warrior Project, Inc. and its programs, services, financial information, supporters, donors, business relationships, and business conduct is not substantiated by any factual information, and is false, misleading, and defamatory. I retract all such statements, including my statement that Wounded Warrior Project, Inc. is a fraudulent organization. The truth is that Wounded Warrior Project, Inc. does provide services to warriors, it does not receive government funds, and it does not pay its board members. I apologize to Wounded Warrior Project, Inc. and acknowledge my publication of false, misleading, and defamatory content regarding Wounded Warrior Project, Inc. was a disrespectful and inappropriate action on my behalf. Furthermore, I apologize for the loss of donations I have caused and continue to cause Wounded Warrior Project, Inc. because of my publication of such false, misleading, and defamatory statements.

Judgment shall be entered in favor of WWP, and this Court shall retain jurisdiction over the subject matter hereof and the parties hereto for the purposes of enforcing this Consent Judgment and Permanent Injunction.


This Consent Judgment and Permanent Injunction constitutes a final judgment pursuant to Fed. R. Civ. P. 54. Each party shall bear its own costs and attorney's fees incurred in connection with this case.

CONSENTED AND AGREED TO:

WOUNDED WARRIOR PROJECT, INC
Plaintiff

By: /s/ Jessica M. Lindemann

HELP INDIANA VETS, INC and
DEAN M. GRAHAM, Defendants

By: 

Jessica M. Lindemann (31058-49)

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-and-

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IT IS SO ORDERED.

Dated United States District Court Judge
 for the Northern District of Indiana