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For immediate release

Federal lawsuit against County of San Diego settled
County will permit religious use to continue in Bonsall

A federal lawsuit brought against the County of San Diego for banning the Vietnamese Buddhist Meditation Congregation's religious use of its property on Camino del Rey in Bonsall has been settled by the parties. The lawsuit, filed on June 3, 2005, had alleged that the County's cease and desist order issued earlier this year violated the Congregation's rights under the First Amendment and the federal Religious Land Use and Institutionalized Act (RLUIPA).

The settlement agreement lifts the cease and desist order, and permits the group to continue to meet. The Congregation and County will continue processing an application for a Major Use Permit to build a new facility on the site.

"This is a great victory for these monks and those who meditate with them," said Roman P. Storzer, attorney for the Congregation. "We applaud the County for agreeing to allow the use to continue." Under the terms of the settlement, the property will continue to be available for the Congregation's religious activities, which include weekly Buddhist services and other gatherings during the year.

This is the latest case to be resolved under RLUIPA, which prevents local governments from "substantially burdening" religious exercise unless they have compelling reasons for doing so. "This exactly the type of protection Congress meant to extend when it passed RLUIPA," said Attorney Storzer. "A small, minority religion without great political power in the County will now be able to continue engaging in the same religious activity they have enjoyed for several years."

The settlement agreement has been presented to the court for approval. The Congregation was also represented locally by William Fischbeck of La Mesa.

For more information, please contact Roman P. Storzer at (202) 857-9799.

Case: Vietnamese Buddhist Meditation Congregation v. County of San Diego, Civ. No. 05-1156 (S.D. Cal.)