Case No. 21-2061

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Speech First, Inc.,

Plaintiff – Appellant,

v.

Timothy Sands, in his personal capacity and
official capacity as President of Virginia Polytechnic Institute and State University,

Defendant – Appellee.

On Appeal from the United States District Court
for the Western District of Virginia, No. 7:21-cv-00203 (Urbanski, J.)

BRIEF OF AMICUS CURIAE SOUTHEASTERN LEGAL FOUNDATION IN SUPPORT OF PLAINTIFF-APPELLANT AND REVERSAL

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January 18, 2022

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

DISCLOSURE STATEMENT

- In civil, agency, bankruptcy, and mandamus cases, a disclosure statement must be filed by **all** parties, with the following exceptions: (1) the United States is not required to file a disclosure statement; (2) an indigent party is not required to file a disclosure statement; and (3) a state or local government is not required to file a disclosure statement in pro se cases. (All parties to the action in the district court are considered parties to a mandamus case.)
- In criminal and post-conviction cases, a corporate defendant must file a disclosure statement.
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No. 21-2061 Caption: Speech First, Inc. v. Timothy Sands

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If yes, identify all parent corporations, including all generations of parent corporations:

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5. Is party a trade association? (amici curiae do not complete this question) ☐YES ☐NO
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6. Does this case arise out of a bankruptcy proceeding? ☐YES ☑NO
If yes, the debtor, the trustee, or the appellant (if neither the debtor nor the trustee is a party) must list (1) the members of any creditors' committee, (2) each debtor (if not in the caption), and (3) if a debtor is a corporation, the parent corporation and any publicly held corporation that owns 10% or more of the stock of the debtor.

7. Is this a criminal case in which there was an organizational victim? ☐YES ☑NO
If yes, the United States, absent good cause shown, must list (1) each organizational victim of the criminal activity and (2) if an organizational victim is a corporation, the parent corporation and any publicly held corporation that owns 10% or more of the stock of victim, to the extent that information can be obtained through due diligence.

Signature: /s/ Celia H. O'Leary Date: 01/18/2022

Counsel for: Amicus

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IDENTITY AND INTEREST OF AMICUS CURIAE[1]

Southeastern Legal Foundation (SLF) is a national nonprofit, public interest law firm and policy center that advocates for constitutional individual liberties, limited government, free speech, and free enterprise in the courts of law and public opinion. This case concerns Amicus because SLF has an abiding interest in the protection of our First Amendment freedoms—namely the freedom of speech. This is especially true when a public university suppresses free discussion and debate on public issues that are vital to America's civil and political institutions. Through its 1A Project, SLF equips college students with resources to share their ideas and protects students' freedom of speech.

STATEMENT OF THE ISSUES

I. Virginia Tech maintains a "bias response team"—a group of authority figures that solicits reports of "bias," tracks them, investigates them, asks to meet with the perpetrators, and threatens to refer students for formal discipline. The Fifth and Sixth Circuits held that virtually identical teams objectively chill students' speech. Was the district court correct that the University's team likely does not chill student speech?

II. The University's "informational-activities" policy forbids students from "distributing literature or petitioning for signatures" on campus unless they receive

[1] Pursuant to Federal Rule of Appellate Procedure 29, all parties consented to the filing of this brief and no one other than amicus and their counsel wrote any part of this brief or paid for its preparation or submission.

prior approval from the University and are a member of a university-sponsored organization. The policy gives the University total discretion to permit or deny approval for any reason it chooses. Was the district court correct that it could not enjoin the policy because there was no evidence in the record that the policy is "reasonable as a matter of law"?

III. Appellate courts can order the entry of a preliminary injunction when a remand would be pointless or harmful. Here, the equitable factors are easy, and the district court already explained how it would weigh them if Speech First is likely to succeed on the merits. Should this Court enter a preliminary injunction now?

SUMMARY OF ARGUMENT

Since 1724, freedom of speech has famously been called the "great Bulwark of liberty[.]" 1 John Trenchard & William Gordon, *Cato's Letters: Essays on Liberty, Civil and Religious* 99 (1724), reprinted in Jeffrey A. Smith, *Printers and Press Freedom: The Ideology of Early American Journalism* 25 (Oxford University Press 1988). Our Founding Fathers recognized that different opinions would always accompany liberty. *See* The Federalist No. 10, at 73 (James Madison) (Clinton Rossiter ed., Signet Classics 2003). In "response to the repression of speech and the press that had existed in England" and to curb such tyranny in the future, the Founders established the First Amendment. *Citizens United v. FEC*, 558 U.S. 310, 353 (2010).

The Founders recognized that nowhere are the threats of censorship more dangerous than when a restriction prohibits public discourse on current affairs.

Therefore, they sought to ensure complete freedom for "discussing the propriety of public measures and political opinions." Benjamin Franklin's 1789 newspaper essay, reprinted in Smith, at 11. "Believing in the power of reason as applied through public discussion, they eschewed silence coerced by law—the argument of force in its worst form." *Whitney v. California*, 274 U.S. 357, 376 (1927) (Brandeis, J., concurring).

As the United States Supreme Court has acknowledged, "Whatever differences may exist about interpretations of the First Amendment, there is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs." *Brown v. Hartlage*, 456 U.S. 45, 52 (1982) (quoting *Mills v. Alabama*, 384 U.S 214, 218–19 (1966)). The First Amendment has "its fullest and most urgent application precisely to the conduct of campaigns for political office." *Monitor Patriot Co. v. Roy*, 401 U.S. 265, 272 (1971). It guards against prior restraint or threat of punishment for voicing one's opinions publicly and truthfully. *Meyer v. Grant*, 486 U.S. 414, 421 (1988) (quoting *Thornhill v. Alabama*, 310 U.S. 88, 101–02 (1940)). It protects and encourages discussion about political candidates, government structure, and political processes. *Mills*, 384 U.S. at 218–19.

In addition to providing a check on tyranny, freedom of speech and the press ensure the "unfettered interchange of ideas for the bringing about of political and social changes desired by the people." *Id.* (quoting *Roth v. United States*, 354 U.S. 476, 484 (1957) (internal quotation marks omitted)). Speech about public affairs is thus "the essence of self-government" because citizens must be well-informed. *Garrison v.*

Louisiana, 379 U.S. 64, 74–75 (1964). They must know "the identities of those who are elected [that] will inevitably shape the course that we follow as a nation." *Buckley v. Valeo*, 424 U.S. 1, 14–15 (1976); *see also Citizens United*, 558 U.S. at 349. For these reasons, public discussion is not merely a right; "[it] is a political duty." *Whitney*, 274 U.S. at 376 (Brandeis, J., concurring).

The freedom to publicly speak about political issues on our country's public college and university campuses is critical to both a functioning democracy *and* a well-rounded college experience. College students are in the unique position of being surrounded by true diversity: diversity of thought, race, religion, and culture. For many, this is the first—and perhaps only—time they will be exposed to a "marketplace of ideas" that differ from their own. The college experience can have a significant impact on the leaders of tomorrow. And during their four years of college, most students will be first-time voters. College campuses should therefore encourage lively political discussion to develop a well-informed student body and citizenry.

Speech First's members at Virginia Tech want to engage in discussions about public affairs, including the Black Lives Matter movement, immigration, and gender identity. Br. of Pl.-Appellant at 11. But the students have self-censored their speech out of fear that other students will report them to the University's bias response team ("BIRT") for bias incidents.

It is imperative that if a public college or university suppresses political speech, students have the ability to protect their freedom by challenging the constitutionality of

these stifling policies. The Supreme Court has consistently held that a plaintiff need not expose himself to prosecution before challenging censorship. *See Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 158–61 (2014) (finding plaintiffs sufficiently alleged a threat of future enforcement when they showed "an intention to engage in a course of conduct arguably affected with a constitutional interest"). To do otherwise would turn respect for the law on its head and force law-abiding Americans into self-censorship because they would face an unreasonable choice: either break the rules and face the consequences or keep quiet out of fear of prosecution.

Ignoring these principles, the district court has refused to hear Speech First's challenges to the constitutionality of Virginia Tech's speech codes unless the challengers first subject themselves to punishment that could lead to the end of their college and future careers. The district court's approach abridges the freedom of speech and suppresses open discussion of governmental affairs and debate on public issues, both of which are vital to America's civil and political institutions. To ensure the University does not violate the Constitution through forced self-censorship, and to prevent it from robbing its students of their freedom to participate in both the political process and the campus community, this Court should reverse the district court and grant Speech First a preliminary injunction.

ARGUMENT

I. Courts consistently recognize standing in First Amendment pre-enforcement challenges, even when no actual prosecution or conviction has occurred.

As Justice Brandeis explained in his famous *Whitney v. California* concurrence, "[i]t is therefore always open to Americans to challenge a law abridging free speech and assembly[.]" 274 U.S. at 377 (Brandeis, J., concurring). Nowhere is this truer than when a university's policy punishes or threatens speech, causing a person to choose between either her college and future career or self-censorship.

Under typical standing law, an individual must violate a law and be punished before he can challenge the law's constitutionality.[2] But most students are unwilling to risk their college education and future careers in this way. They would rather not exercise their First Amendment rights at all than risk intense scrutiny from peers and administrators that could result in suspension or expulsion.

Recognizing this Catch-22, courts do not require plaintiffs to expose themselves to prosecution before raising a First Amendment challenge. *See Doe v. Bolton*, 410 U.S. 179, 188 (1973) (holding that a plaintiff "should not be required to await and undergo a criminal prosecution as the sole means of seeking relief"); *see also Steffel v. Thompson*,

[2] The basic inquiry made to determine whether a party has alleged a case or controversy under Article III of the Constitution "is whether the conflicting contentions of the parties . . . present a real, substantial controversy between parties having adverse legal interests, a dispute definite and concrete, not hypothetical or abstract." *Babbitt v. UFW Nat'l Union*, 442 U.S. 289, 297–98 (1979) (internal quotations omitted).

415 U.S. 452, 459 (1974) (finding that although the plaintiff had not been arrested for violating the contested law, he had standing to challenge the law because he claimed that it deterred his constitutional rights). Instead, a person may hold his tongue and challenge the law or policy immediately, for the harm of self-censorship is a harm that can be realized even without an actual prosecution. *See Virginia v. Am. Booksellers Ass'n*, 484 U.S. 383, 392–93 (1988) (finding that the plaintiffs had standing to challenge the constitutionality of a criminal statute prohibiting the display of sexually explicit materials even though the plaintiffs were neither charged nor convicted of the crime); *see also Cooksey v. Futrell*, 721 F.3d 226, 235 (4th Cir. 2013) ("[W]hen a challenged statute risks chilling the exercise of First Amendment rights, the Supreme Court has dispensed with rigid standing requirements[.]") (internal quotation marks and citation omitted). All that is needed is a "credible threat of enforcement." *Susan B. Anthony List*, 573 U.S. at 159.

The Supreme Court recognizes a credible threat of enforcement when a plaintiff alleges "an intention to engage in a course of conduct arguably affected with a constitutional interest, but proscribed by a statute." *Babbitt*, 442 U.S. at 298 (finding that the plaintiffs could challenge a statute imposing sanctions upon consumers who planned to boycott products through deceptive publicity because the statute was vague and plaintiffs reasonably feared prosecution); *see also Holder v. Humanitarian Law Project*, 561 U.S. 1, 15 (2010) (allowing plaintiffs to challenge a law that criminalized providing material support to terrorist organizations because plaintiffs had provided support in

the past and planned to provide support again in the future). Likewise, this Court has held that "[a] non-moribund statute that facially restricts expressive activity by the class to which the plaintiff belongs presents such a credible threat . . . . This presumption is particularly appropriate when the presence of a statute tends to chill the exercise of First Amendment rights." *North Carolina Right to Life, Inc. v. Bartlett*, 168 F.3d 705, 710 (4th Cir. 1999) (internal quotation and citations omitted).

Virginia Tech maintains an entire department devoted to eliminating biased speech. Br. of Pl.-Appellant at 5. When a student "feels" that a "statement or expression" is biased, the Dean of Students encourages him or her to report it. *Id.* at 7. In turn, the University broadly defines bias as "expressions against" a person based on certain traits and lists some examples of "bias-related conduct." *Id.* at 5-6.

Bias incidents are reported to the Bias Response Team (BIRT) through an online form. *Id.* at 6. The BIRT consists of university officials, including members of the Dean of Students Office, the Office of Student Conduct, and the Virginia Tech Police Department. *Id.* at 5. The BIRT's guidelines for determining whether something is biased are as loose as the guidelines for students. *See id.* at 8; *see also* JA333. For example, the BIRT is expected to determine whether an expression is bias by begging the question of whether it "seem[s] . . . bias-motivated." JA333. If the BIRT concludes that bias or a possible conduct violation exists, it will refer the incident to other departments, including the Virginia Tech Police Department and the Student Conduct Office—

meaning members of the BIRT refer bias incidents to themselves. Br. of Pl.-Appellant at 8.

Virginia Tech argues that there is no credible threat of enforcement against the members of Speech First because the BIRT cannot actually punish students for perceived bias. But the University misses the point: even the mere appearance of authority is enough to chill speech. *See Speech First, Inc. v. Schlissel*, 939 F.3d 756, 764 (6th Cir. 2019). The BIRT is composed of university officials who are *also* responsible for punishing students in other departments. Surely this overlap is enough to deter students from saying or doing anything to appear on the BIRT's radar. The BIRT information is even housed on the Dean of Students' webpage. JA63, 333. And the University's terminology surrounding BIRT—like "victim," "targeted," and "perpetrator"—shows that reported parties are already at a disadvantage. Br. of Pl.-Appellant at 25. As Speech First points out, "the very name Bias Intervention and Response Team" suggests wrongdoing. "It is not the 'Bias Incident Support Team,' after all." *Id.* Finally, it is not clear anywhere on Virginia Tech's website how much authority the BIRT actually has to discipline students.[3] It took filing a lawsuit for Students A and C to get some

[3] *See, e.g.*, Virginia Tech Dean of Students, *Commitment to Bias-Free Experiences*, https://dos.vt.edu/express_a_concern.html; Virginia Tech Dean of Students, *What is Bias?*, https://dos.vt.edu/express_a_concern/bias-related-incident.html; Virginia Tech, *Bias Incident Reporting Form*, https://cm.maxient.com/reportingform.php?VirginiaTech&layout_id=6.

answers.[4] If students are expected to take the drastic step of suing their university each time they are unsure about a department's authority, it can hardly be said there is no risk of a chilling effect on their speech.

Moreover, it is only a matter of time before Virginia Tech's various speech codes and their related enforcement mechanisms come into conflict with the First Amendment. Let's say fictitious Student D decides to hand out flyers depicting abortion procedures to raise awareness for pro-life causes. Another student believes the flyer is "demeaning" and reports Student D to the BIRT. *See* Br. of Pl.-Appellant at 6 (listing examples of bias incidents, including "posting flyers that contain demeaning language or images"). At some point, the BIRT will have a decision to make. Does it agree that it is best not to offend anyone and demand that Student D find a different image for her flyer? The University should be aware that any attempt to stop students from handing out flyers supporting the pro-life movement would amount to viewpoint- and content-based discrimination, so this cannot be the answer. Does the BIRT tell the offended student that the flyer is *not* demeaning, essentially invalidating the student's personal feelings? Given the BIRT's mission, this seems like the wrong choice. Or does the BIRT agree that the flyer is demeaning, but advise the student there is nothing it

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[4] The district court wrote, "Nothing in the Student Code, the protocol, or the BIRT procedures document indicates that the protocol or BIRT procedures document are policies that can be violated and punished under the Code." JA648. But by the same token, nothing says they *aren't*. A reasonable eighteen- to twenty-two-year-old would not know the difference.

can do, thereby ignoring the perceived injustice? This option is probably the best out of the three, but it demonstrates that the bias reporting process is an enormous waste of resources that only results in disappointment for the offended party and confusion for the reported party. Either the University is committed to eliminating bias or it is not. In this way, bias codes inevitably clash with the First Amendment.

Moreover, it is wrong to assume these students' fears of prosecution are unfounded. Beginning in 2020, as universities struggled to address the COVID pandemic, many created COVID response teams that directly mirrored bias response teams.[5] Students were encouraged to report their peers for any perceived violation of campus COVID guidelines. The COVID response team would then investigate, request a meeting with reported students, and, if necessary, refer the issue to other administrators. Just like Virginia Tech's bias reporting form, COVID reporting forms included open-ended prompts where students could anonymously accuse their peers of misconduct on any part of campus. *See* Br. of Pl.-Appellant at 6; JA148-49.

Worse, students abused these reporting forms. At Florida Atlantic University ("FAU"), conservative students whose views generally align with Students A and C set up a table on campus to recruit new members to their organization.[6] They followed

[5] Adam Sabes, *Universities Ask Students to Play 'Coronavirus Police,' Report Peers Who Might Have Covid-19*, Campus Reform (Aug. 14, 2020), https://www.campusreform.org/?ID=15460.

[6] *See* Letter from Southeastern Legal Foundation to Florida Atlantic University (Sept. 23, 2020), https://tinyurl.com/y5thhs4e.

every campus guideline. However, when one student lowered his facemask to take a sip of water, a passerby took a photo of him. That same day, FAU notified the students that they were reported for a COVID violation and asked them to meet with the Assistant Director of Student Activities. During the meeting, FAU informed the students that they failed to follow social distancing and mask guidelines. Despite being careful to follow every rule, the students left the meeting feeling uneasy and uncertain—about what the COVID guidelines were, about who reported them and why, and about whether they could return to tabling the following week. Even though the meeting with the university was voluntary, the students were so concerned about being reported again, with or without serious consequences, that they did not resume tabling for months.

And at the University of North Florida ("UNF"), conservative students were reported for violating COVID facemask policies when they walked around campus to engage in speech activities.[7] The students were complying with COVID policies the entire time. In fact, there was no evidence to support the reported violation. Even without the evidence, UNF invited the reported students to attend a "voluntary" meeting to discuss the charges. But whether or not students attended the meeting, UNF had the ultimate authority to issue formal charges against them, thereby subjecting them to official disciplinary hearings. The students did not believe that the "voluntary"

[7] *See* Letter from Southeastern Legal Foundation to University of North Florida (Feb. 4, 2021), https://tinyurl.com/2p927jbw.

meeting with the university was really voluntary, and they feared being reported again if they engaged in future activities.

COVID reporting forms and bias reporting forms have the same end goal: to make campus "safer." *See* JA368. But in setting this goal, universities give administrators and other students the unfettered authority to monitor, report, and silence students who are exercising their freedom of speech. Virginia Tech attempts to shelter students from uncomfortable topics at the expense of constitutional freedom, forcing students like Student A and Student C to self-censor.

II. Reversal is necessary to prevent forced self-censorship and ensure our nation's college students can partake in open political discourse.

Self-censorship is exactly the type of harm pre-enforcement challenges seek to eliminate. *See Cooksey*, 721 F.3d at 235 (finding plaintiff could bring pre-enforcement challenge because he was within the class of individuals whose speech could be punished under a restrictive speech policy, causing him to self-censor); *see also Dombrowski v. Pfister*, 380 U.S. 479, 486 (1965) (noting an "exception to the usual rules governing standing" when an overly broad statute imposes a chilling effect on the exercise of speech). The district court accepts the University's claim that the BIRT cannot actually sanction students as proof positive that there can be no objective chill on speech. Br. of Pl.-Appellant at 14. But as the Sixth Circuit noted in *Speech First, Inc. v. Schlissel*, BIRT's lack of authority "is not dispositive." 939 F.3d at 764 (6th Cir. 2019). The mere appearance of authority can objectively chill speech. *Id.* (citing *Bantam Books,*

Inc. v. Sullivan, 372 U.S. 58, 68 (1963); *Okwedy v. Molinari*, 333 F.3d 339, 344 (2d Cir. 2003); *Levin v. Harleston*, 966 F.2d 85, 88–89 (2d Cir. 1992)). And arguing that there is no credible threat of enforcement because the University has not actually disciplined these students "misses the point. The lack of discipline against students could just as well indicate that speech has *already* been chilled." *Id.* at 766 (emphasis added).

The U.S. Supreme Court has affirmed these standards time and time again, especially related to First Amendment challenges. *See, e.g.*, *Am. Booksellers Ass'n.*, 484 U.S. at 392–93; *Babbitt*, 442 U.S. at 299–302; *Dombrowski*, 380 U.S. at 486. "First Amendment standards . . . must give the benefit of any doubt to protecting rather than stifling speech." *Citizens United*, 558 U.S. at 327 (internal quotations omitted).

Unique standing considerations associated with the First Amendment are even more critical when, as here, the speech codes that a party seeks to challenge tend to suppress political speech. At Virginia Tech, bias includes expression against individuals based on race, gender identity, sexual orientation, socioeconomic class, and even political affiliation. Br. of Pl.-Appellant at 5. In today's world, it is inevitable that political speech is woven into each of those topics.

Circuit courts of appeal, including this one, have applied these well-settled standards to pre-enforcement challenges of laws that seek to censor political speech and have consistently found such challenges justiciable. *See North Carolina Right to Life*, 168 F.3d at 713 (permitting pre-enforcement challenge against election law and striking it down as an overbroad regulation on political speech); *see also St. Paul Area Chamber of*

Commerce v. Gaertner, 439 F.3d 481, 487 (8th Cir. 2006) (permitting pre-enforcement challenge of a campaign finance law even though the plaintiffs did not violate the law); *Majors v. Abell*, 317 F.3d 719, 721 (7th Cir. 2003) (permitting pre-enforcement challenge of a criminal law regulating the content of election speech even though the plaintiffs were never charged, let alone convicted of the crime); *Vermont Right to Life Comm. v. Sorrell*, 221 F.3d 376, 382 (2d Cir. 2000) (permitting pre-enforcement challenge of civil campaign finance laws even though no prior suit was brought against the plaintiffs). These courts recognize that to find otherwise would be to force self-censorship of political speech—rejecting exactly what the district court has done here.

The district court's partial denial of a preliminary injunction should not be allowed to stand. Here, the mere appearance of disciplinary authority is tantamount to forced censorship of students who wish to contribute to political and public discourse. "[P]olitical speech must prevail against laws that would suppress it, whether by design or inadvertence." *Citizens United*, 558 U.S. at 340. The district court's treatment of standing scares university students who would otherwise partake in political debate into self-censorship. This Court's reversal of the district court is imperative to protect political speech and to ensure that university students and all Americans will continue to be free to participate in the democratic process.

CONCLUSION

This Court should reverse the district court and grant Speech First a preliminary injunction.

Respectfully submitted,

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January 18, 2022

CERTIFICATE OF COMPLIANCE

This brief complies with the type-volume limitation of Fed. R. App. P. 32(a)(7)(B) and Local Rule 29 because it contains 3847 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f).

This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and Local Rule 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) and Local Rule 32(a)(6) because it was prepared using Word 2016 and uses a proportionally spaced typeface, Garamond, in 14-point font.

January 18, 2022 /s/ Celia H. O'Leary

CERTIFICATE OF FILING AND SERVICE

On January 18, 2022, I filed this *Brief of Amicus Curiae Southeastern Legal Foundation in Support of Plaintiff-Appellant and Reversal* using the CM/ECF System, which will send a Notice of Filing to all counsel of record.

January 18, 2022 /s/ Celia H. O'Leary

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

APPEARANCE OF COUNSEL FORM

BAR ADMISSION & ECF REGISTRATION: If you have not been admitted to practice before the Fourth Circuit, you must complete and return an Application for Admission before filing this form. If you were admitted to practice under a different name than you are now using, you must include your former name when completing this form so that we can locate you on the attorney roll. Electronic filing by counsel is required in all Fourth Circuit cases. If you have not registered as a Fourth Circuit ECF Filer, please complete the required steps at Register for eFiling.

THE CLERK WILL ENTER MY APPEARANCE IN APPEAL NO. 21-2061 as

☑ Retained ☐ Court-appointed(CJA) ☐ CJA associate ☐ Court-assigned(non-CJA) ☐ Federal Defender

☐ Pro Bono ☐ Government

COUNSEL FOR: Southeastern Legal Foundation

______________________________ as the
(party name)

☐ appellant(s) ☐ appellee(s) ☐ petitioner(s) ☐ respondent(s) ☑ amicus curiae ☐ intervenor(s) ☐ movant(s)

/s/ Celia H. O'Leary
(signature)

Please compare your information below with your information on PACER. Any updates or changes must be made through PACER's Manage My Account.

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CERTIFICATE OF SERVICE *(required for parties served outside CM/ECF)*: I certify that this document was served on __________ by ☐ personal delivery; ☐ mail; ☐ third-party commercial carrier; or ☐ email (with written consent) on the following persons at the addresses or email addresses shown:

____________________ Signature

____________________ Date