

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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ORDER

September 5, 2024

Before

MICHAEL Y. SCUDDER, *Circuit Judge*
THOMAS L. KIRSCH II, *Circuit Judge*
DORIS L. PRYOR, *Circuit Judge*

No. 24-2501	SPEECH FIRST, INC., Plaintiff - Appellant v. PAMELA WHITTEN, et al., Defendants - Appellees
Originating Case Information:	
District Court No: 1:24-cv-00898-JPH-MG Southern District of Indiana, Indianapolis Division District Judge James P. Hanlon	

The following are before the court:

- 1. APPELLANT'S MOTION TO SUSPEND BRIEFING AND SUMMARILY AFFIRM**, filed on August 30, 2024, by counsel for the appellant.
- 2. APPELLEES' MOTION TO DISMISS APPEAL AND RESPONSE TO MOTION TO SUSPEND BRIEFING AND SUMMARILY AFFIRM**, filed on September 4, 2024, by counsel for the appellees.
- 3. APPELLEES' APPENDIX IN SUPPORT OF THEIR MOTION TO DISMISS APPEAL AND THEIR RESPONSE TO APPELLANT'S MOTION TO SUSPEND BRIEFING AND SUMMARILY AFFIRM**, filed on September 4, 2024, by counsel for the appellees.

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This court has carefully reviewed the final order of the district court, the record on appeal, appellant's motion to suspend briefing and for summary affirmance, and appellees' motion to dismiss. Based on this review, the court has determined that any issues which could be raised are foreclosed by this court's holding in *Speech First, Inc. v. Killeen*, 968 F.3d 628 (7th Cir. 2020). "Summary disposition is appropriate 'when the position of one party is so clearly correct as a matter of law that no substantial question regarding the outcome of the appeal exists.'" *Williams v. Chrans*, 42 F.3d 1137, 1139 (7th Cir. 1995) (citing *Joshua v. United States*, 17 F.3d 378, 380 (Fed. Cir. 1994)). Based on this court's precedent, the district court correctly held that Speech First does not have standing to seek a preliminary injunction because it has not shown that its members face a credible fear of discipline.

Accordingly, **IT IS ORDERED** that the appellant's motion to suspend briefing and for summary affirmance is **GRANTED**, the appellees' motion to dismiss is **DENIED** as unnecessary, and the judgment of the district court is summarily **AFFIRMED**.