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**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO**

ABOLITIONISTS4LIFE, an expressive
student organization at Boise State University,

Plaintiff,

v.

ROBERT W. KUSTRA, in his official
capacity as President of Boise State University;

Case No.

VERIFIED COMPLAINT

LISA B. HARRIS, in her official capacity as Vice President for Student Affairs;
CHRISTIAN K. WUTHRICH, in his official and individual capacities as Dean of Students;
CHARLIE VARLAND, in his official and individual capacities as Senior Associate Director of Student Involvement and Leadership Center; **ASHLIE BATY**, in her official and individual capacities as Student Organizations Coordinator,

Defendants.

Plaintiff Abolitionists4Life, by and through counsel, and for its Complaint against the Defendants, hereby states as follows:

INTRODUCTION

1. The campus of a public university is known as a “marketplace of ideas.” That marketplace depends on free expression by students, even on so-called “controversial” ideas.

2. This case arises from policies and practices of Boise State University (the “University”) and public officials employed by the University that restrict the expressive rights of students.

3. The University’s Open Spaces Use Policy (the “Open Spaces Policy”), which regulates expressive activity on campus, declares the outdoor public areas of campus to be public forums for speech by students and the public.

4. Students may speak, distribute literature, hold signs, and picket in those public areas without prior approval of the University.

5. Students that want to host a display, table, or exhibit must reserve one of eight small speech zones on campus.

6. Once a student organization reserves space for an activity, it may not distribute flyers or speak outside of that speech zone.

7. The University also grants the Vice President of Student Affairs or her designee unbridled discretion to restrict the content and viewpoint of student speech if it is deemed “controversial” or not “suitable.”

8. Plaintiff Abolitionists4Life is a student group at the University and hosted two activities on campus in late April and early May 2014, both of which used information and images about abortion to communicate its pro-life message.

9. The group properly reserved a speech zone on the Central Quad for both events, but the University required the group to place warning signs around its pro-life displays because, in the University’s words, the material being presented was “controversial” and passersby might be offended by it.

10. The University also told the group that it was prohibited from distributing flyers in other areas of campus once it decided to reserve a speech zone in the Central Quad for its displays.

11. This action is premised on the United States Constitution concerning the denial of Plaintiff’s fundamental rights to freedom of speech, due process, and equal protection of law.

12. The aforementioned policies and practices are challenged on their face and as applied to Plaintiff.

13. Defendants’ policy and practice has deprived and will continue to deprive Plaintiff of its paramount rights and guarantees under the United States Constitution.

14. Each and every act of Defendants alleged herein was committed by Defendants, each and every one of them, under the color of state law and authority.

JURISDICTION AND VENUE

15. This civil rights action raises federal questions under the United States Constitution, particularly the First and Fourteenth Amendments, and the Civil Rights Act of 1871, 42 U.S.C. § 1983.

16. This Court has original jurisdiction over these federal claims pursuant to 28 U.S.C. §§ 1331 and 1343.

17. This Court has authority to award the requested damages pursuant to 28 U.S.C. § 1343; the requested declaratory relief pursuant to 28 U.S.C. §§ 2201-02; the requested injunctive relief pursuant to 28 U.S.C. § 1343 and Fed. R. Civ. P. 65; and costs and attorneys fees under 42 U.S.C. § 1988.

18. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because the Defendants reside in this district and/or all of the acts described in this Complaint occurred in this district.

PLAINTIFF

19. Plaintiff Abolitionists4Life is an unincorporated expressive student organization at the University.

20. Abolitionists4Life is registered as a recognized student organization at the University.

21. Abolitionists4Life is founded upon the undeniable truth that all human life from the point of conception until natural death is sacred and has inherent dignity.

22. The mission of Abolitionists4Life is to transform the culture and mindset about abortion. It provides resources for women both pre- and post-abortion through partnering with local pregnancy crisis centers, adoption agencies, and organizations who provide depression and grief counseling.

23. Abolitionists4Life aspires to speak not only at the University, but also to the public and elected officials.

24. Abolitionists4Life expresses its pro-life message on the University's campus through a variety of means including flyers, signs, peaceful demonstrations, hosting tables with information, inviting speakers to campus, and talking with fellow students about pro-life ideas, just to name a few.

25. When engaged in these expressive activities, Abolitionists4Life discusses political, religious, social, cultural, and moral issues, events, and ideas.

26. Abolitionists4Life brings this suit on behalf of itself as a recognized student organization at the University and on behalf of its individual student members.

DEFENDANTS

27. Defendant Robert W. Kustra is, and was at all times relevant to this Complaint, the President of Boise State University, a public university organized and existing under the laws of the State of Idaho.

28. The Idaho State Board of Education governs the University.

29. The Idaho State Board of Education has delegated to the President of the University powers to exercise discretionary authority and to perform duties vested in the state board related to the operation, control and management of the University.

30. Defendant Kustra is the chief educational and administrative officer of the University.

31. The Idaho State Board of Education delegates to Defendant Kustra the responsibility for final policymaking authority concerning student free speech activities at the University.

32. University policy vests Defendant Kustra with the final authority to adopt, amend, or suspend University policies.

33. Defendant Kustra has the authority to delegate authority among subordinates.

34. Defendant Kustra is responsible for enactment and enforcement of University policies, including the Open Spaces Policy challenged herein, and their application to Abolitionists4Life's speech.

35. Defendant Kustra possesses the authority and responsibility for regulation of expression by students, employees, and third parties on campus.

36. All changes in campus policy concerning student and public expression are made only with the prior approval of Defendant Kustra.

37. Defendant Kustra has not instructed the Defendants to change the Open Spaces Policy, as currently written, to comply with constitutional mandates.

38. Defendant Kustra is sued in his official capacity.

39. Defendant Lisa B. Harris is, and was at all times relevant to this Complaint, the Vice President for Student Affairs at Boise State University, a public university organized and existing under the laws of the State of Idaho.

40. Defendant Harris, in consultation with Defendant Kustra, is responsible for enactment and enforcement of University policies, including the Open Spaces Policy challenged herein, and their application to Abolitionists4Life's speech.

41. Defendant Harris possesses the authority and responsibility for regulation of campus expression by students.

42. All changes in campus policy concerning student expression are made only with the prior approval of Defendants Harris and Kustra.

43. Defendant Harris has not instructed the Defendants to change or alter the Open Spaces Policy, as currently written, to comply with constitutional mandates.

44. Defendant Harris has authority under the Open Spaces Policy to review, approve, modify, or reject requests to use campus facilities and grounds by students.

45. Defendant Harris is sued in her official capacity.

46. Defendant Christian K. Wuthrich is, and was at all times relevant to this Complaint, Dean of Students at Boise State University, a public university organized and existing under the laws of the State of Idaho.

47. Defendant Wuthrich is responsible for interpreting and enforcing policies that regulate students at the University as delegated to him by Defendant Harris, including the Open Spaces Policy challenged herein that was applied to Abolitionists4Life.

48. One of Defendant Wuthrich's responsibilities is to review and give final approval or disapproval to requests by students to engage in expressive activities on campus and to regulate student expression on campus.

49. In executing his duty to review student speech requests and regulate student speech, Defendant Wuthrich implements the University's Open Spaces Policy.

50. Defendant Wuthrich enforced the Open Spaces Policy against Abolitionists4Life and made the decision that it must place warning signs around its pro-life displays and may not distribute literature outside of its reserved area.

51. Defendant Wuthrich is sued both in his individual and official capacities.

52. Defendant Charlie Varland is, and was at all times relevant to this Complaint, Senior Associate Director of Student Involvement and Leadership Center at Boise State University, a public university organized and existing under the laws of the State of Idaho.

53. Defendant Varland is responsible for and in charge of working with student organizations when they plan expressive activities on campus, particularly when student organizations reserve one of the designated speech zones on campus.

54. Defendant Varland, in consultation with and at the direction of Defendants Harris and Wuthrich, is responsible for interpreting and applying University policies governing student and public expression, including the Open Spaces Policy that he applied to Abolitionists4Life.

55. Defendant Varland is also responsible for helping students understand campus policies, including the Open Spaces Policy.

56. Defendant Varland, in consultation with Defendants Harris and Wuthrich, is also responsible for determining, pursuant to the Open Spaces Policy, which student organization expressive activities need to have warning signs and where students may distribute literature.

57. Defendant Varland participated in the decision to require Abolitionists4Life to place warning signs around its pro-life events and to prohibit it from distributing literature outside of its reserved speech zone.

58. Defendant Varland is sued both in his individual and official capacities

59. Defendant Ashlie Baty is, and was at all times relevant to this Complaint, Student Organizations Coordinator at Boise State University, a public university organized and existing under the laws of the State of Idaho.

60. Defendant Baty is responsible for and in charge of working with student organizations when they plan expressive activities on campus, particularly when student organizations reserve one of the designated speech zones on campus.

61. Defendant Baty, in consultation with and at the direction of Defendants Harris, Wuthrich, and Varland, is responsible for interpreting and applying University policies governing student and public expression, including the Open Spaces Policy that she applied to Abolitionists4Life.

62. Defendant Baty is also responsible for helping students navigate and understand campus policies, including the Open Spaces Policy.

63. Defendant Baty, in consultation with Defendants Harris, Wuthrich, and Varland, is also responsible for determining, pursuant to the Open Spaces Policy, which student organization expressive activities need to have warning signs and where students may distribute literature.

64. Defendant Baty participated in the decision to require Abolitionists4Life to place warning signs around its pro-life events and to prohibit it from distributing literature outside of its reserved speech zone.

65. Defendant Baty is sued both in her individual and official capacities.

FACTUAL BACKGROUND

66. Boise State University is a public university organized and existing under the laws of the State of Idaho, and receives funding from the State of Idaho to operate.

67. The University's campus is composed of various publicly-accessible buildings and outdoor areas, including public streets, sidewalks, open-air quadrangles, and parks. A copy of the University's campus map is attached as Exhibit 1 to this Complaint.

68. The outdoor areas of the University's campus are open to the public and there are no gates or barriers to pedestrian entry.

69. The campus is maintained like a park with large cultivated grass areas, trees, benches, and sidewalks. There are concrete areas set up like town squares in miniature.

70. The campus is located in the City of Boise, between the Ann Morrison and Julia Davis Parks, and there are no gates or barriers preventing access between these parks and the campus.

71. Public streets and sidewalks run through the campus, and these sidewalks are connected to sidewalks along public streets in Boise.

72. The University's campus is approximately 175 acres, which is approximately 7,623,000 square feet of land.

73. The University's campus has many suitable streets, sidewalks, open-air quadrangles, parks, and open spaces where expressive activity will not interfere with or disturb the University's educational environment or access to buildings and sidewalks.

74. The University recognizes that organized student groups are a valuable part of the student educational environment, because they further the University's educational mission.

75. More than 200 student organizations are recognized by the University each year.

76. Student organizations provide opportunities for learning outside the classroom, for meeting other people with similar interests, for developing life, work and leadership skills, for gaining a broader experience and a greater perspective, and for engaging students as citizens of the campus community. A copy of the University's Student Organization Handbook is attached as Exhibit 2 to this Complaint.

77. Defendant Harris possesses the final authority to recognize student organizations on behalf of the University.

78. Among other things, the benefits of official recognition include access to mandatory student fee funding, reservation of campus facilities, soliciting students, and posting flyers. Ex. 2 at 008.

79. All recognized student organizations must adhere to the University's policies and procedures.

The Open Spaces Policy

80. The University regulates student oral, written, and graphic speech through University Policy #1100, titled: Open Spaces Use (the “Open Spaces Policy”). A copy of the Open Spaces Policy is attached as Exhibit 3 to this Complaint.

81. The Open Spaces Policy was adopted by Defendant Kustra or his predecessor.

82. The Open Spaces Policy identifies Defendant Harris as the University employee responsible for administration and implementation of the policy.

83. The Open Spaces Policy identifies Defendant Harris as possessing the sole authority to interpret the policy and her interpretations are binding. Ex. 3 at 043 (Policy § XII.B).

84. University Policy #1000, entitled Policy Development Authority, gives Defendant Kustra the final authority to adopt, amend, or suspend a policy, as necessary, including the Open Spaces Policy. A copy of University Policy #1000 is attached as Exhibit 4 to this Complaint.

85. The purpose of the Open Spaces Policy is to assure that the University “remains a forum for the broadest expression of views not in conflict with the normal uses of the campus, the rights of others, and the limitations of lawful conduct.” Ex. 3 at 039.

86. The University permits students and members of the public to engage in oral expression, literature distribution, and the carrying of signs anywhere in the outdoor areas of campus, so long as they do not impede pedestrian and vehicular traffic, block University buildings, or disrupt University activities. Ex. 3 at 040 (Policy § II.C.).

87. Students and members of the public do not need a permit to speak through these mediums in the outdoor areas of campus.

88. The “Public Areas of the campus may be used by individuals lawfully on the University property for any free expression activities, such as passing of petitions, distribution of written information, oral presentation, and/or picketing and carrying of placards,” so long as these activities do not otherwise violate federal, state, or local laws. Ex. 3 at 040 (Policy § II.A).

89. The “Public Areas” of campus are “those areas of campus generally open to the public during the times the University is open,” but they do not include the interiors of University buildings.

90. The University places restrictions on “activities” in the public areas of campus.

91. “Activities” include displays, exhibits, information tables, sales, or advertised activities. Ex. 3 at 040 (Policy § V).

92. Student organizations and individuals must reserve a speech zone in the public areas for an activity. Ex. 3 at 041 (Policy § V.A.1).

93. Once a student organization or individual reserves a speech zone in the public areas for an activity, it is the policy and practice of the University to prohibit that organization or individual from engaging in speech, literature distribution, or the display of hand-held signs anywhere except its reserved speech zone.

94. Students who reserve speech zones may not freely engage in speech in the public areas of campus, but must remain in their reserved zones.

95. Students who do not reserve speech zones may freely engage in speech in the public areas of campus.

96. The prohibition on students engaging in speech, literature distribution, and the display of hand-held signs once they reserve a speech zone is an unwritten policy and practice of the University and the Defendants herein.

97. The unwritten policy contains no objective criteria for University officials and the defendants to use when regulating student speech.

98. Reservation of a speech zone is made through the University Conference Services Office on a first come, first served basis.

99. According to the Conference Services Outdoor Spaces Policy, reservations must be made 72 hours in advance. A copy of the University Conference Services Outdoor Spaces Policy is attached as Exhibit 5 to this Complaint.

100. The Conference Services Outdoor Spaces Policy designates eight spaces as available for reservation (herein “speech zones” or “speech zone”). Three spaces are available for reservation in the Central Quad, two spaces are available for reservation in Memorial Plaza, and three spaces are available for reservation in the Multipurpose Plaza. Ex. 5 at 050.

101. In practice, the University designates eleven spaces as available for reservation. Six spaces are available for reservation in the Central Quad, two spaces are available for reservation in Memorial Plaza, and three spaces are available for reservation in the Multipurpose Plaza.

102. The six speech zones in the Central Quad are approximately 4,900 square feet total, which is 0.06% of the University’s campus.

103. Under the Open Spaces Policy, students and student organizations may conduct activities (displays, exhibits, information tables, sales, or advertised activities) only in the designated speech zones and only if they secure a reservation 72 hours in advance.

104. The Vice President of Student Affairs, Defendant Harris, possesses the authority to evaluate whether student speech is suitable or controversial, and to place restrictions on the dissemination of that speech if she deems it necessary.

105. The Open Spaces Policy authorizes Defendant Harris to require a student organization or individual “to utilize reasonable methods to allow the public a choice about viewing or receiving certain material that the Vice President deems may not be suitable for a general audience or that are inconsistent with the University’s legitimate interests in maintaining a public area that is freely accessible to all members of the public.” Ex. 3 at 042-043 (Policy § XI).

106. The Conference Services Outdoor Spaces Policy similarly authorizes the Vice President of Student Affairs, Defendant Harris, “to require a student organization or individual to utilize reasonable methods to allow the public a choice about viewpoint or receiving certain materials that may not be suitable for a general audience.” Ex. 5 at 050.

107. Defendant Harris maintains final authority to implement the Open Spaces Policy, but has delegated enforcement and interpretation of the policy to Defendant Wuthrich.

108. The Open Spaces Policy authorizes Defendants Harris and Wuthrich or their designees to examine the content or viewpoint of expression and censor that expression based on the hypothetical and subjective reactions of listeners or viewers.

109. Section XI of the Open Spaces Policy, which allows the Vice President for Student Affairs or her designee to restrict speech so that the public may choose whether to hear or view it, contains no guidelines or standards to limit the discretion of the administrator enforcing the policy.

110. The Open Spaces Policy does not contain a deadline when the Vice President of Student Affairs or her designee must decide whether to place restrictions on student speech in the public areas of campus.

111. Under the Open Spaces Policy, the University may prohibit students and student organizations from speaking if they violate University policies, or federal, state, or local laws.

The Survivors of the Abortion Holocaust Event

112. The week of April 21, 2014, Abolitionists4Life requested permission to conduct an activity in the Central Quad on April 28-29, 2014.

113. Abolitionists4Life planned to display signs containing abortion images and information provided by a group named Survivors of the Abortion Holocaust (hereinafter the "Survivors" event).

114. On April 25, 2014, Defendant Baty approved the request, but suggested that Abolitionists4Life place warning signs around the event.

115. On April 28, 2014, Abolitionists4Life hosted the Survivors event in one of the designated speech zones on the Central Quad.

116. Abolitionists4Life did not place warning signs around the event on the first day.

117. On April 29, 2014, Abolitionists4Life again hosted the Survivors event in one of one of the designated speech zones on the Central Quad.

118. Abolitionists4Life did not place warning signs around the event on the second day.

119. At approximately noon on April 29, Defendant Baty told Abolitionists4Life that she did not see warning signs around the Survivors event and that on April 25 she told the group that whenever there is an event involving “controversial issues, specifically graphic pictures,” the University requires preemptive warning signs to be placed around the activity.

120. Defendant Baty said that the warning signs allow students who are walking by to know that they are about to “see something” that they might disagree with.

121. Defendant Baty said that she and Defendant Wuthrich had requested the warning signs before she approved the activity.

122. Defendant Baty applied Open Spaces Policy § XI to Abolitionists4Life when she told the group to place warning signs around its Survivors event.

123. Defendant Baty would not have approved the Survivors event if Abolitionists4Life had refused in advance to place warning signs around the activity.

124. Defendant Baty told Abolitionists4Life that it needed warning signs because the event was controversial and graphic.

125. On information and belief, Defendants Harris and Wuthrich told Defendant Baty to require warning signs for controversial, graphic, or pro-life expression, and, in particular, for Abolitionists4Life’s event.

126. On information and belief, Defendants Harris, Wuthrich, and Baty considered the reactions of listeners to Abolitionists4Life’s Survivors signs when deciding to require warning signs for the activity.

127. After Defendant Baty spoke to Abolitionists4Life, a woman from the University’s campus security office told Abolitionists4Life that it needed to move all of its signs inside its reserved speech zone.

128. Then a University lawyer from the general counsel’s office spoke to Ms. Atkins and gave her a copy of the Open Spaces Policy.

129. On information and belief, the lawyer was Nicole Pantera from the University's Office of the General Counsel.

130. The University lawyer also told Abolitionists4Life that two of its Survivors' signs were sitting on sidewalks that the group did not reserve in advance and that were not reservable spaces. The lawyer instructed Abolitionists4Life to move the signs because otherwise they might block pedestrian traffic.

131. Abolitionists4Life's signs were not blocking pedestrian traffic.

132. The University lawyer also said there are six speech zone spaces students may reserve in the Central Quad.

133. The University lawyer repeated Defendant Baty's request that Abolitionists4Life place warning signs around the Survivors event so that the public could have a choice whether or not to view its speech.

134. The University lawyer applied Open Spaces Policy § XI to Abolitionists4Life when she told the group to place warning signs around its Survivors event.

135. Ms. Atkins and a representative from the Survivors group asked the University lawyer what criteria the University used to determine whether warning signs were necessary.

136. The University lawyer responded that there were no criteria, but that the Vice President of Student Affairs, Defendant Harris, decides what may and may not be appropriate for the general audience on campus.

137. When Abolitionists4Life asked how the University decides which groups need warning signs, the University lawyer responded that the decision does not involve which groups need signs, but which messaging may not be appropriate for the general audience.

138. The University lawyer also explained that there may be different criteria depending on the event and message, and some criteria may be the graphic nature of the display.

139. When Abolitionists4Life asked to see the criteria the Vice President for Student Affairs or her designee uses to evaluate the appropriateness of an event, the University lawyer

said that the decision is within the discretion of the Vice President for Student Affairs over what may or may not be acceptable for a general audience and it is a fact-specific decision.

140. The University lawyer also said that Defendant Baty asked Abolitionists4Life to have warning signs and that the University is standing behind that request.

141. During the Survivors event, other individuals and groups were present in the Central Quad expressing their own messages without warning signs and outside the designated speech zones.

142. Planned Parenthood hosted a table near the Abolitionists4Life event in one of the Central Quad's speech zones.

143. Individuals also walked around offering free condoms to passersby.

144. On information and belief, the individuals offering free condoms were affiliated with the Planned Parenthood student group.

145. The Secular Student Alliance student group held pro-abortion and anti-religious signs outside the designated speech zones.

146. A sorority hosted a table raising money for autism awareness and research.

The “What Has Roe Done for Us?” Event

147. On May 6-7, 2014, Abolitionists4Life conducted an activity called “What Has Roe Done for Us?” (hereinafter the “Roe” display).

148. Abolitionists4Life secured a timely reservation to use one half of the Central Quad speech zones for this event.

149. The Roe display consisted of thirteen free-standing signs that displayed information about *Roe v. Wade*'s negative impact on women. The signs had text discussing abortion and some of them had pictures of people who performed or received abortions.

150. One sign in the Roe display included an autopsy photo of a woman who died during an abortion. But the photo was covered with a flap that said “Warning Autopsy Photo.”

151. Abolitionists4Life also planned to distribute postcard-sized flyers discussing abortion and its negative effects on society, and offering resources for people who have had abortions.

152. At the request of Defendants Varland and Baty, Ms. Aktins from Abolitionists4Life met with these administrators on May 5, 2014 to discuss the Roe display.

153. Defendant Baty asked about the size of the thirteen signs. She never expressed any concern that the signs were too big or numerous.

154. Defendant Varland told Abolitionists4Life that Open Spaces Policy § XI required the group to display a sign that said “graphic images coming up ahead” and that type of warning sign is mentioned in the policy.

155. Defendant Varland applied Open Spaces Policy § XI to Abolitionists4Life when he told the group to place warning signs around its Roe event.

156. Open Spaces Policy § XI does not explicitly discuss warning signs, but it does grant the Vice President of Student Affairs or her designee the authority to require such signs if, in their discretion, they deem it necessary after considering the information on the signs.

157. Ms. Atkins asked Defendants Varland and Baty if they wanted to see a picture of the sign containing the covered autopsy photo, and Defendant Varland said that he wanted to take a look at the warning it contained.

158. After examining a photo of the sign, Defendant Varland said that if someone is lifting up the warning sign to view the autopsy photo, it might make the photo visible to passersby, so Abolitionists4Life needed to place warning signs around the Roe event. He suggested using sandwich boards for the warning signs.

159. Defendant Baty said that Defendant Wuthrich interpreted the Open Spaces Policy and decided that Abolitionists4Life must place warning signs around its Roe event.

160. Defendant Baty indicated that Defendant Wuthrich had the authority to make this decision and was making it on behalf of Defendant Harris and the University.

161. On information and belief, Defendants Wuthrich, Varland, and Baty discussed the Roe display and its content, and Defendant Wuthrich decided that warning signs were necessary.

162. On information and belief, Defendants Wuthrich and Harris discussed the Roe event and decided that it needed warning signs around it.

163. Defendant Baty said that Defendant Wuthrich told her to instruct Abolitionists4Life to place warning signs on both ends of the Central Quad during its Roe display so that passersby know there are graphic images in the area.

164. Defendant Baty said “this is how Dr. Wuthrich is interpreting the policy and this is how he is going to enforce the policy as well. And that will be Charlie and I’s job [to enforce it]. [Defendant Wuthrich] is asking that to use this space and use it correctly that you do have signs out there with text that either Charlie or I have seen before your event starts at 9:00 a.m. tomorrow.”

165. Defendants Wuthrich and Baty applied Open Spaces Policy § XI to Abolitionists4Life when they told the group to place warning signs around its Roe event.

166. Defendant Baty told Ms. Atkins to email her the text for the warning signs by 8:00 a.m. the next morning. Defendant Baty said she would communicate that information to Conference Services and Defendant Wuthrich.

167. Defendant Varland then told Ms. Atkins to tell members of Abolitionists4Life that they needed to stay within the reserved speech zone during the event.

168. Defendant Varland applied Open Spaces Policy §§ II and V to Abolitionists4Life when he told the group to place warning signs around its Roe event.

169. Ms. Atkins asked why they needed to stay within the reserved speech zone when the Open Spaces Policy permits the distribution of literature in the public areas of campus.

170. Defendant Varland said that Abolitionists4Life may only distribute literature within its reserved speech zone.

171. On information and belief, Defendant Wuthrich instructed Defendant Varland to restrict the ability of Abolitionists4Life to distribute flyers on campus.

172. On May 6, 2014, at 8:30 a.m. Ms. Aktins sent Defendant Baty an email saying that the warning signs would say, “Viewer Discretion Advised.”

173. When Abolitionists4Life went to campus to set up the Roe display, an employee in Conference Services told the group that the event was cancelled because Defendant Baty did not receive the warning sign email by 8:00 a.m.

174. Conference Services asked to see the warning signs and told Abolitionists4Life that the signs needed to be bigger and include the group’s name.

175. Conference Services eventually allowed Abolitionists4Life to set up the Roe display.

176. Abolitionists4Life did not want to display warning signs around its Roe event but did so to comply with the Defendants’ mandates and so it could speak on campus.

177. Abolitionists4Life wanted to distribute literature outside of its reserved speech zone in the Central Quad to reach a larger audience.

178. Abolitionists4Life wanted to distribute literature outside of its reserved speech zone because the University was requiring it to place warning signs around its Roe display, which would decrease the foot-traffic near its reserved space.

179. Abolitionists4Life did not distribute literature outside of its reserved speech zone for fear of punishment by the University.

180. On information and belief, the University has not restricted the ability of other student groups to distribute materials outside of their reserved speech zones.

181. Abolitionists4Life has witnessed other student organizations, like fraternities, sororities, and off-campus organizations hand out literature either without a speech zone reservation or outside of their reserved speech zone on the Central Quad.

182. Planned Parenthood hosted a table in the Central Quad during the Survivors event, and the University did not prevent it from distributing condoms outside of its reserved space.

183. The Secular Student Alliance student organization has distributed flyers in the open spaces of the campus for a debate discussing “Does God Exist?”

The Effect of Defendants’ Policy & Practices on Abolitionists4Life’s Speech

184. Abolitionists4Life desires to engage in peaceful expressive activities on campus—including oral communication, literature distribution, and the display of signs—in areas outside the designated speech zones, and without warning signs, but has not done so for fear of punishment.

185. Aside from the events detailed above, in the past, Abolitionists4Life has conducted many expressive events on campus.

186. Abolitionists4Life hosted a “Window to the Womb” event in May 2013, which was a live ultrasound on campus in partnership with Stanton Healthcare.

187. Abolitionists4Life hosted the “Planned Parenthood Project” in October 2013 on the Central Quad, which was a display presenting facts about Planned Parenthood and its abortion agenda.

188. Abolitionists4Life hosted “What Women Need for Valentine’s Day” in February 2014, which was the start of the group’s “Pregnant on Campus” initiative to provide more resources for pregnant and parenting students on campus. During the event, the group distributed flowers and free pregnancy tests with resources from local pregnancy centers.

189. Abolitionists4Life hosted a “Learn to Lobby” event in May 2014 with guest speakers from a local Right to Life group and a professional lobbyist.

190. Throughout the 2013-2014 academic year, Abolitionists4Life also held various tabling events on the Central Quad to raise awareness about the group and its pro-life message, and several events in the student center including weekly group meetings, occasional movie nights, and an end-of-year banquet.

191. Abolitionists4Life did not experience any problems in hosting these events, unlike the Roe and Survivors events.

192. The University did not require warning signs for these events, unlike the Roe and Survivors events.

193. The University's enforcement of the Open Spaces Policy against Abolitionists4Life's Survivors and Roe events, and any events that include "controversial" or "unsuitable" speech, burdens its speech for multiple reasons.

194. Abolitionists4Life wants to engage in speech containing religious, political, and pro-life messages while its representatives stand on public ways and open areas on campus.

195. Specifically, Abolitionists4Life wants to display graphic signs without warning signs in the public areas of campus.

196. When Abolitionists4Life reserves space for an activity, it wants to distribute literature and hold signs outside of that reserved space.

197. The Open Spaces Policy §§ II & V and the unwritten policy and practice of the University prohibit Abolitionists4Life from distributing literature and holding signs in the public areas of campus once they have reserved a speech zone for an activity.

198. When Abolitionists4Life holds an activity in one of the speech zones, it wants to inform people on campus about the activity and its message by standing in the public areas of campus to distribute literature and hold signs.

199. The Open Spaces Policy §§ II & V and the unwritten policy and practice of the University burdened Abolitionists4Life's expression during the Roe and Survivors events, and continues to do so today.

200. The Open Spaces Policy § XI authorizes Defendants Harris and Wuthrich to require warning signs around a student organization event, and, thus, compels Abolitionists4Life to utter a message it does not want to say.

201. Abolitionists4Life does not want to warn people about its signs; it wants people to view the signs without preconceptions so that the group can interact with these people about its pro-life message.

202. The Open Spaces Policy § XI and the requirement by Defendants Harris, Wuthrich, Varland, and Baty to place warning signs around Abolitionists4Life's Survivors and Roe events burdened the group's expression.

203. Abolitionists4Life is bound to comply with the terms of the University's Open Spaces Policy and the directives of the defendants at all times on campus.

204. Abolitionists4Life is not engaging in oral, written, and symbolic speech on pro-life, political, and religious topics on campus due to the University's Open Spaces Policy.

205. Abolitionists4Life is chilled in its ability to discuss pro-life, political, and religious topics on campus due to the University's Open Spaces Policy.

206. If not for the University's Open Spaces Policy, and the actions of Defendants, Abolitionists4Life would immediately reserve space on campus to display signs and images similar to those it displayed during the Survivors and Roe events, and it would distribute flyers and hold signs in the public areas of campus outside of its reserved speech zone.

207. Abolitionists4Life refrains from doing so for fear of punishment under the University's Open Spaces Policy and other student conduct policies.

208. The fear of punishment severely limits Abolitionists4Life's constitutionally-protected expression on campus.

ALLEGATIONS OF LAW

209. At all times relevant to this Complaint, each and all of the acts alleged herein were attributed to the Defendants who acted under color of a statute, regulation, custom, or usage of the State of Idaho.

210. Defendants knew or should have known that by requiring Abolitionists4Life to place warning signs around its event and prohibiting its members from distributing flyers outside of the reserved space, the University violated Abolitionists4Life's constitutional rights.

211. Abolitionists4Life is suffering irreparable harm from the policy and practice of Defendants.

212. Abolitionists4Life has no adequate or speedy remedy at law to correct or redress the deprivation of its rights by Defendants.

213. Unless the conduct of Defendants is enjoined, Abolitionists4Life will continue to suffer irreparable injury.

FIRST CAUSE OF ACTION
Violation of Plaintiff's First Amendment Right to Freedom of Speech
Content & Viewpoint Discrimination

214. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1–213 of this Complaint.

215. Speech, including oral, written, and graphic expression, is entitled to comprehensive protection under the First Amendment.

216. Religious and political speech, including the distribution of literature and the display of signs, is also fully protected by the First Amendment.

217. The First Amendment rights of free speech and press extend to campuses of state colleges.

218. The sidewalks and open spaces of the University campus are designated public fora—if not traditional public fora—for speech and expressive activities by students enrolled at the University.

219. The First Amendment's Free Speech Clause, incorporated and made applicable to the states by the Fourteenth Amendment to the United States Constitution, prohibits content and viewpoint discrimination in the public forums for student speech and expression on the campus of a public university.

220. A public university's ability to restrict speech—particularly student speech—in a public forum is limited.

221. The First Amendment's Free Speech Clause prohibits censorship of religious and political expression.

222. The First Amendment prohibits the government from prohibiting or limiting speech because it might offend the sensibilities of listeners, and any governmental attempts to do so are inherently content and/or viewpoint based.

223. Under the First Amendment's Free Speech Clause, a prior restraint on citizens' expression is presumptively unconstitutional, unless it (1) does not delegate overly broad licensing discretion to a government official, (2) contains only content and viewpoint neutral reasonable time, place, and manner restrictions, (3) is narrowly tailored to serve a significant governmental interest, and (4) leaves open ample alternative means for communication.

224. Sections II, V and XI of Defendants' Open Spaces Policy and their unwritten practices are unconstitutional prior restraints on speech.

225. Defendants' Open Spaces Policy §§ II & V and practice restricts student speech to a few speech zones in areas of campus that are traditional or designated public fora for University students.

226. Defendants Harris, Wuthrich, Varland, and Baty prohibited Plaintiff from distributing literature outside of its reserved outdoor space.

227. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices grant University administrators unbridled discretion to regulate speech based on content or viewpoint and are not narrowly tailored to a compelling state interest.

228. Unbridled discretion to discriminate against speech based on its content or viewpoint violates the First Amendment regardless of whether that discretion has ever been unconstitutionally applied in practice.

229. Defendants regulated Plaintiff's speech based on the subjective reaction of listeners and required Plaintiff to alter its message.

230. Defendants Harris, Wuthrich, Varland, and Baty exercised the unbridled discretion granted them under the Open Spaces Policy §§ II, V, and XI when they required Plaintiff to place warning signs around its Survivors and Roe events and prohibited the group from distributing literature anywhere outside the speech zone.

231. Defendants' Open Spaces Policy §§ II, V, and XI provides no guidelines or standards to limit the discretion of University officials in deciding whether to restrict student speech or require warning signs based on the reactions of listeners.

232. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices gives Defendants unbridled discretionary power to limit student speech in advance of such expression on campus and to do so based on the content and viewpoint of the speech.

233. These grants of unbridled discretion to University officials violate the First Amendment because they create a system in which speech is reviewed without any standards, thus giving students no way to prove that a denial, restriction, or relocation of their speech was based on unconstitutional considerations.

234. The First Amendment's prohibition against content and viewpoint discrimination requires Defendants to provide adequate safeguards to protect against the improper exclusion, restriction, or relocation of student speech based on its content or viewpoint.

235. Because Defendants have failed to establish neutral criteria governing the decision to require warning signs, there is a substantial risk that University officials will engage in content and viewpoint discrimination when addressing student speech.

236. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices and practice are content- and viewpoint-based regulations of speech in traditional or designated public fora.

237. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices and practice restricts student speech based on the subjective reactions of listeners, which requires the Defendants to evaluate the content and viewpoint of the speech.

238. Defendants' Open Spaces Policy § XI and practice requires some students to place warning signs around their expressive activities, which requires the Defendants to evaluate the content and viewpoint of the speech.

239. Defendants Harris, Wuthrich, Varland, and Baty engaged in content and viewpoint discrimination when they labeled Plaintiff's speech "controversial" and for that reason

required Plaintiff to place warning signs around the Survivors and Roe events and refused to allow Plaintiff to speak anywhere but the designated speech zone.

240. Defendants permitted Planned Parenthood to reserve a speech zone for a table, distribute free condoms outside that area, and to do both of these things without a warning sign.

241. Defendants permitted the Secular Student Alliance student organization to distribute flyers in the open spaces of the campus for a debate discussing “Does God Exist?”

242. Defendants also regularly permit fraternities, sororities, and off-campus organizations to distribute flyers in the open spaces of the campus discussing events, activities, and job opportunities.

243. Defendants’ Open Spaces Policy §§ II, V, and XI and associated practices are not narrowly tailored to a compelling state interest.

244. Defendants’ Open Spaces Policy §§ II, V, and XI and associated practices that require students to place warning signs around controversial, unsuitable, and offensive speech, and that prohibit students from distributing literature once they have reserved a speech zone, are content-based, unreasonable “time,” “place,” and “manner” restrictions, not narrowly tailored to serve a significant governmental interest, and do not leave open ample alternative means for communication.

245. Once students reserve a speech zone, Defendants’ Open Spaces Policy §§ II and V and practices prohibits the students from speaking anywhere but the reserved zone.

246. The First Amendment protects the right to spontaneous and anonymous speech in public forums.

247. Defendants’ Open Spaces Policy §§ II and V and associated practices that prohibit students from distributing literature outside a reserved speech zone prohibits students from spontaneously communicating with passersby via oral, written, and graphic expression.

248. Defendants’ Open Spaces Policy §§ II, V, and XI and associated practices are also overbroad because they prohibit and restrict protected expression.

249. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices unconstitutionally censor or restrict controversial, unsuitable, or offensive speech.

250. The overbreadth of Defendants' policies and related practices chills the speech of students not before the Court who seek to engage in private expression in the open, outdoor areas of campus.

251. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices chill, deter, and restrict Plaintiff from freely expressing its religious and political beliefs.

252. Defendants' Open Spaces Policy §§ II, V, and XI and practice, facially and as applied, violate Plaintiff's right to free speech as guaranteed by the First Amendment to the United States Constitution.

253. Because of Defendants' actions, Plaintiff has suffered, and continues to suffer, economic injury and irreparable harm. It is entitled to an award of monetary damages and equitable relief.

254. Pursuant to 42 U.S.C. §§ 1983 and 1988, Plaintiff is entitled to a declaration that Defendants violated its First Amendment right to freedom of speech and an injunction against Defendants' policy and actions. Additionally, Plaintiff is entitled to damages in an amount to be determined by the evidence and this Court and the reasonable costs of this lawsuit, including its reasonable attorneys' fees.

SECOND CAUSE OF ACTION

Violation of Plaintiff's First Amendment Right to Freedom of Speech

Compelled Speech

255. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1–213 of this Complaint.

256. The First Amendment's Free Speech Clause prohibits the government from compelling citizens to express or support a message not of their own choosing.

257. The First Amendment's Free Speech Clause, incorporated and made applicable to the states by the Fourteenth Amendment to the United States Constitution, prohibits public universities from compelling students to express messages not of their choosing.

258. Defendants used the unbridled discretion given them by the Open Spaces Policy § XI to require that Plaintiff place warning signs around its displays and other expressive activities.

259. Defendants required that Plaintiff place these warning signs around their displays and other expressive activities due to the content and viewpoint of Plaintiff's expression.

260. By requiring Plaintiff to place these warning signs around its displays and other expressive activities, Defendants compelled Plaintiff to convey a message to the University community that Plaintiff did not voluntarily choose to convey, and this compelled warning message undermined Plaintiff's ability to convey its desired message to passersby.

261. Defendants' infringements of Plaintiff's First Amendment rights do not satisfy strict scrutiny because they support no compelling governmental interest and they are not narrowly tailored to meet any such concerns.

262. Defendants' Open Spaces Policy § XI and practices, facially and as applied, violate Plaintiff's right to free speech as guaranteed by the First Amendment to the United States Constitution.

263. Because of Defendants' actions, Plaintiff has suffered, and continues to suffer, economic injury and irreparable harm. It is entitled to an award of monetary damages and equitable relief.

264. Pursuant to 42 U.S.C. §§ 1983 and 1988, Plaintiff is entitled to a declaration that Defendants violated its First Amendment right to freedom of speech and an injunction against Defendants' policy and actions. Additionally, Plaintiff is entitled to damages in an amount to be determined by the evidence and this Court and the reasonable costs of this lawsuit, including its reasonable attorneys' fees.

THIRD CAUSE OF ACTION
Violation of Plaintiff's First Amendment Right to Freedom of Speech
Unconstitutional Conditions

265. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1–213 of this Complaint.

266. The First Amendment, incorporated and made applicable to the states by the Fourteenth Amendment to the United States Constitution, prohibits the government from conditioning a benefit on the relinquishment of a constitutional right.

267. Students and student organizations at public universities retain the right to speak freely in public fora on campus (including the open, outdoor areas of campus) without having to comply with prior restraints or other arbitrary, *ad hoc* limitations on that right.

268. By mandating that Plaintiff place warning signs around its displays and by prohibiting Plaintiff from distributing literature outside of its reserved zones, Defendants have unconstitutionally conditioned the receipt of state benefits—specifically, access to the public fora of the University's campus—on Plaintiff surrendering, suspending, or limiting its constitutional right to free speech.

269. Defendants' Open Spaces Policy §§ II, V, and XI and practices, facially and as applied, violate Plaintiff's right to free speech as guaranteed by the First Amendment to the United States Constitution.

270. Because of Defendants' actions, Plaintiff has suffered, and continues to suffer, economic injury and irreparable harm. It is entitled to an award of monetary damages and equitable relief.

271. Pursuant to 42 U.S.C. §§ 1983 and 1988, Plaintiff is entitled to a declaration that Defendants violated its First Amendment right to freedom of speech and an injunction against Defendants' policy and actions. Additionally, Plaintiff is entitled to damages in an amount to be determined by the evidence and this Court and the reasonable costs of this lawsuit, including its reasonable attorneys' fees.

FOURTH CAUSE OF ACTION

Violation of Plaintiff's Fourteenth Amendment Right to Due Process of Law

272. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1–213 of this Complaint.

273. The Fourteenth Amendment to the United States Constitution guarantees Plaintiff the right to due process of law and prohibits Defendants from promulgating and employing vague standards that allow for content or viewpoint discrimination in Defendants' handling of Plaintiff's speech.

274. The government may not regulate speech based on policies that permit arbitrary, discriminatory, and overzealous enforcement.

275. The government may not regulate speech based on policies that cause persons of common intelligence to guess at their meaning and differ as to their application.

276. Defendants' Open Spaces Policy § XI and associated practices contain no criteria to guide administrators when deciding whether speech is controversial, unsuitable, or offensive, and whether to require warning signs around such speech.

277. Defendants Harris, Wuthrich, Varland, and Baty reviewed, without any guidelines or standards, Plaintiff's Survivors and Roe signs and decided they needed warning signs around these events.

278. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices are impermissibly vague and ambiguous and are thus incapable of providing meaningful guidance to Defendants.

279. Defendants' unwritten practice of prohibiting students and student organizations from speaking outside of reserved speech zones is unconstitutionally vague.

280. The lack of criteria, factors, or standards in Defendants' Open Spaces Policy §§ II, V, and XI and practices renders the policy and practice unconstitutionally vague, facially and as applied, in violation of Plaintiff's right to due process of law under the Fourteenth Amendment.

281. Because of Defendants' actions, Plaintiff has suffered, and continues to suffer irreparable harm. It is entitled to an award of monetary damages and equitable relief.

282. Pursuant to 42 U.S.C. §§ 1983 and 1988, Plaintiff is entitled to a declaration that Defendants violated its Fourteenth Amendment right to due process of law and an injunction against Defendants' policy and actions. Additionally, Plaintiff is entitled to damages in an amount to be determined by the evidence and this Court and the reasonable costs of this lawsuit, including its reasonable attorneys' fees.

FIFTH CAUSE OF ACTION

Violation of Plaintiff's Fourteenth Amendment Right to Equal Protection of the Law

283. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1–213 of this Complaint.

284. The Fourteenth Amendment to the United States Constitution guarantees Plaintiff the equal protection of the laws, which prohibits Defendants from treating Plaintiff differently than similarly situated students and student organizations.

285. The government may not treat someone disparately as compared to similarly situated persons when such disparate treatment burdens a fundamental right, targets a suspect class, or has no rational basis.

286. Plaintiff is similarly situated to other students and student organizations at the University.

287. Defendants allow other students and student organizations to speak without warning signs, but prohibited Plaintiff from speaking unless it had warning signs.

288. Defendants allow other students and student organizations to distribute literature and items outside their reserved speech zones, but prohibited Plaintiff from doing the same.

289. Defendants treated Plaintiff disparately when compared to similarly situated student organizations by compelling Plaintiff to post warning signs and by denying Plaintiff the ability to speak in areas where other student organizations speak.

290. Defendants' Open Spaces Policy §§ II, V, and XI and practices violate various fundamental rights of Plaintiff, such as its freedom of speech and due process of law.

291. When government regulations, like Defendants' Open Spaces Policy §§ II, V, and XI and associated practices challenged herein, infringe on fundamental rights, discriminatory intent is presumed.

292. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices have also been applied to discriminate intentionally against Plaintiff's rights to freedom of speech and due process of law.

293. Defendants lack a rational or compelling state interest for such disparate treatment of Plaintiff.

294. Defendants' Open Spaces Policy §§ II, V, and XI and associated practices are not narrowly tailored as applied to Plaintiff because Plaintiff's speech does not implicate any of the interests Defendants' might have.

295. Defendants have applied the Open Spaces Policy §§ II, V, and XI and practices to Plaintiff in a discriminatory and unequal manner, allowing other student organizations to speak freely, display signs, and distribute literature when Defendants say Plaintiff cannot do the same, in violation of Plaintiff's right to equal protection of the laws under the Fourteenth Amendment.

296. Defendants permitted Planned Parenthood to reserve a speech zone for a table and then distribute free condoms outside that area.

297. Defendants permitted the Secular Student Alliance student organization to distribute flyers in the open spaces of the campus for a debate discussing "Does God Exist?"

298. Defendants also regularly permit fraternities, sororities, and off-campus organizations to distribute flyers in the open spaces of the campus discussing events, activities, and job opportunities.

299. Defendants did not require the foregoing groups to place warning signs around their expressive activities.

300. The disparate treatment of Plaintiff compared to similarly situated student organizations based on Defendants' Open Spaces Policy §§ II, V, and XI and practices renders the policy and practice unconstitutional, facially and as applied, in violation of Plaintiff's right to equal protection of law under the Fourteenth Amendment.

301. Because of Defendants' actions, Plaintiff has suffered, and continues to suffer, economic injury and irreparable harm. It is entitled to an award of monetary damages and equitable relief.

302. Pursuant to 42 U.S.C. §§ 1983 and 1988, Plaintiff is entitled to a declaration that Defendants violated their Fourteenth Amendment right to equal protection of law and an injunction against Defendants' policy and actions. Additionally, Plaintiff is entitled to damages in an amount to be determined by the evidence and this Court and the reasonable costs of this lawsuit, including its reasonable attorneys' fees.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment against Defendants and provide Plaintiff with the following relief:

- (A) A declaratory judgment that Defendants' Open Spaces Policy §§ II, V, and XI and associated practices, facially and as-applied, violate Plaintiff's rights under the First Amendment;
- (B) A declaratory judgment that Defendants' Open Spaces Policy §§ II, V, and XI and associated practices, facially and as-applied, violate Plaintiff's rights under the Fourteenth Amendment;
- (C) A declaratory judgment that Defendants' restriction of Plaintiff's pro-life speech, including the warning signs requirement and prohibition on distributing flyers, violated Plaintiff's rights under the First and Fourteenth Amendments;
- (D) A preliminary and permanent injunction prohibiting Defendants, their agents, officials, servants, employees, and any other persons acting in their behalf from

enforcing the Open Spaces Policy §§ II, V, and XI and associated practices challenged in this Complaint;

- (E) Compensatory and nominal damages in the amount of \$100.00 for the violation of Plaintiff's First and Fourteenth Amendment rights;
- (F) Plaintiff's reasonable attorneys' fees, costs, and other costs and disbursements in this action pursuant to 42 U.S.C. § 1988; and
- (G) All other further relief to which Plaintiff may be entitled.

Respectfully submitted this 27th day of June, 2014,

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*Application for admission *pro hac vice* forthcoming.

ATTORNEYS FOR PLAINTIFF

DECLARATION UNDER PENALTY OF PERJURY

I, DANIELLE LEON GUERRERO, a citizen of the United States and a resident of the State of Washington, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed this 20 day of June, 2014, at Puyallup, Washington.

Danielle Leon Guerrero

DANIELLE LEON GUERRERO
ABOLITIONISTS4LIFE

DECLARATION UNDER PENALTY OF PERJURY

I, LISA ATKINS, a citizen of the United States and a resident of the State of ~~Oregon~~ ^{Idaho} ^(P), hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed this 22 day of June, 2014, at Boise, ~~Oregon~~ ^{Idaho} ^(P)



LISA ATKINS
ABOLITIONISTS4LIFE