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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No: _____

YOUNG AMERICANS FOR FREEDOM, INC.,)
a non-profit corporation, MR. DANIEL)
DIAZ, as an individual and as a member of)
YOUNG AMERICANS FOR FREEDOM, INC.,)
MR. EDWARD SHAFFER, as an individual and)
as a member of YOUNG AMERICANS FOR)
FREEDOM, INC., MS. CHRISTINA BEATTIE,)
as an individual and as a member of YOUNG)
AMERICANS FOR FREEDOM, INC.,)

Plaintiffs,)

vs.)

EARL BRYANT, in his official and)
individual capacities, CHONA CASTILLO, in her)
official and individual capacities, CARRIE)
PASQUALE, in her official and individual)
capacities, JONATHAN M. DAVIS, in his)
official and individual capacities, DOES 1-5 in)
their official and individual capacities,)

Defendants.)

**PLAINTIFFS' VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF,
DECLARATORY JUDGMENT, PRELIMINARY AND DAMAGES**

DEMAND FOR JURY TRIAL

Plaintiffs' Verified Complaint - Page 1

Case No: _____ Young Americans for Freedom, et al. v. Bryant, et al.

INTRODUCTION

1
2
3 1. YOUNG AMERICANS FOR FREEDOM, INC., MR. DANIEL DIAZ, MR.
4 EDWARD SHAFFER, and MS. CHRISTINA BEATTIE, (hereinafter
5
6 “Plaintiffs”) bring this civil rights action seeking to invalidate policies of
7
8 Palm Beach State College and actions by EARL BRYANT, CHONA
9
10 CASTILLO, CARRIE PASQUALE, JONATHAN M. DAVIS, and DOES 1-
11
12 5 (hereinafter “Defendants”) which unlawfully restrict Plaintiffs’ ability to
13
14 distribute literature and engage the public in conversation on property
15
16 owned or regulated by Palm Beach State College (hereinafter “PBSC”).
17
18 Defendants have violated the First, Fifth, and Fourteenth Amendments to
19
20 the U.S. Constitution and Article 1, §§ 2, 4, 5, and 9, of the Florida
21
22 Constitution. Plaintiffs are informed and believe that the challenged
23
24 policies are applied to other advocacy individuals and organizations and, as
25
26 a result, substantially restrict the rights of tens of thousands of students in
27
28 Palm Beach County to be exposed to the open marketplace of ideas
envisioned by the free speech provisions of the federal and state
constitutions.

1 2. Plaintiffs seek injunctive relief against EARL BRYANT, CHONA
2 CASTILLO, CARRIE PASQUALE, JONATHAN M. DAVIS, and DOES 1-
3 5 prohibiting the enforcement of PBSC’s “Distribution/Posting or Sale of
4 Written Materials or Products” policy (*see* attached Exhibit A), PBSC’s
5 Student Handbook, Student Code of Conduct, V.2.ii “Disorderly Conduct”
6 (*see* attached Exhibit B) and V.18.i “Sexual Harassment” (*see* attached
7 Exhibit C), PBSC “Policy on Evening and Weekend Activities Sponsored
8 by Student Groups” (*see* attached Exhibit D), and associated policies,
9 customs and practices (hereinafter “PBSC Speech Policies”) The PBSC
10 Speech Policies, *inter alia*, unconstitutionally restrict Plaintiffs’ civil and
11 constitutional rights through vague and discretionary definitions combined
12 with improper prior restraints, while the improper application of the PBSC
13 Speech Policies has prohibited Plaintiffs from handing out leaflets or
14 engaging the public in conversations on PBSC campuses. The PBSC
15 “Distribution/Posting or Sale of Written Materials or Products” policy has
16 been applied repeatedly by Defendants against Plaintiffs who are informed
17 and believe the “Disorderly Conduct” and “Sexual Harassment” policies are
18 applied in conjunction with PBSC “Distribution/Posting or Sale of Written
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Plaintiffs’ Verified Complaint - Page 3

Case No: _____ Young Americans for Freedom, et al. v. Bryant, et al.

1 Materials or Products” policy through unbridled discretion and
2 unconstitutional prior restraints which may result in MS. CHRISTINA
3 BEATTIE’s expulsion – the stated consequence for violation of these
4 policies. PBSC “Policy on Evening and Weekend Activities Sponsored by
5 Student Groups” even prohibits Plaintiffs from engaging in free speech
6 activities *off campus* on weekends without first complying with the policy’s
7 vague and discretionary prior restraint.
8
9

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11
12 3. Plaintiffs pray for a declaration by the Court and for Declaratory Judgment
13 to be entered holding that the PBSC Speech Policies as written and as
14 applied violate Plaintiffs’ free speech, free association, and equal protection
15 rights as guaranteed by the federal and state constitutions.
16
17

18 4. Plaintiffs claim monetary damages against Defendants EARL BRYANT,
19 CHONA CASTILLO, CARRIE PASQUALE, JONATHAN M. DAVIS, and
20 DOES 1-5 who violated clearly established law, were knowledgeable of the
21 constitutional and civil rights being violated, or reasonably should have
22 known that the PBSC Speech Policies complained of herein violate
23 Plaintiffs’ constitutional and civil rights, but who have acted and threatened
24 to act against Plaintiffs’ rights despite this knowledge.
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JURISDICTION AND VENUE

1
2
3 5. Plaintiffs bring this action pursuant to 42 U.S.C. § 1983 to redress
4 deprivations of their rights secured by the United States Constitution and
5 the Florida Constitution.
6

7 6. This Court is authorized to grant Plaintiffs’ prayer for relief and to award
8 Plaintiffs’ costs in this action, including reasonable attorneys’ fees,
9 expenses, and costs under Title 42 U.S.C. § 1988, and also taxable costs
10 under Title 28 U.S.C. § 1920.
11

12
13 7. Jurisdiction is conferred by 28 U.S.C. §§ 1343(a)(3) and 1343(a)(4), which
14 provide for original jurisdiction in this Court of all suits brought pursuant to
15 42 U.S.C. § 1983. Jurisdiction is also conferred on this Court by 28 U.S.C.
16 § 1331 because the cause of action arises under the Constitution and laws of
17 the United States. This Court has jurisdiction over the pendant state law
18 claims pursuant to Title 28 U.S.C. § 1367(a).
19
20

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22
23 8. There is an actual controversy between the parties relating to the matters set
24 out herein. The Court is authorized to grant Declaratory Judgment under
25 the Declaratory Judgment Act, Title 28 U.S.C. §§ 2201 and 2202 (1988),
26 implemented through Rule 57 of the Federal Rules of Civil Procedure, and
27
28

1 to issue injunctive relief under Rule 65 of the Federal Rules of Civil
2 Procedure.
3

4 9. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because the
5 Defendants are located in the Southern District of Florida and may be found
6 and served in the Southern District of Florida. Venue is proper for the
7 additional reasons that at all times mentioned herein the events took place
8 within the Southern District of Florida.
9
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12
13 **PARTIES**
14

15 10. Plaintiff YOUNG AMERICANS FOR FREEDOM, INC., is, and was at all
16 times relevant to this cause, a Washington, D.C., 501(c)4 not-for-profit
17 corporation with offices located in Washington, D.C., and Florida.
18

19
20 11. Plaintiff MR. DANIEL DIAZ, is, and was at all times relevant to this cause,
21 a member of YOUNG AMERICANS FOR FREEDOM, INC., and a resident
22 of Pompano Beach, Florida.
23

24 12. Plaintiff MR. EDWARD SHAFFER, is, and was at all times relevant to this
25 cause, a member of YOUNG AMERICANS FOR FREEDOM, INC., and a
26 resident of Port St. Lucie, Florida.
27
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1 13. Plaintiff MS. CHRISTINA BEATTIE , is, and was at all times relevant to
2 this cause, a student at PBSC and a member of YOUNG AMERICANS
3 FOR FREEDOM, INC., and a resident of Boynton Beach, Florida.

4
5 14. Defendant EARL BRYANT is an employee of PBSC in the Student
6 Services Department and, at times, has been assigned to implement PBSC's
7 Speech Policies at PBSC's Belle Glade campus. EARL BRYANT is sued in
8 his official and individual capacities for injunctive and declaratory relief.
9 EARL BRYANT is sued in his individual capacity for damages.

10
11 15. Defendant CHONA CASTILLO is an employee of PBSC in the Student
12 Services Department and, at times, has been assigned to implement PBSC's
13 Speech Policies at PBSC's Lake Worth campus. CHONA CASTILLO is
14 sued in her official and individual capacities for injunctive and declaratory
15 relief. CHONA CASTILLO is sued in her individual capacity for damages.

16
17 16. Defendant CARRIE PASQUALE is an employee of PBSC in the Student
18 Services Department and, at times, has been assigned to implement PBSC's
19 Speech Policies at PBSC's Palm Beach Gardens campus. CARRIE
20 PASQUALE is sued in her official and individual capacities for injunctive

1 and declaratory relief. CARRIE PASQUALE is sued in her individual
2 capacity for damages.
3

4 17. Defendant JONATHAN M. DAVIS is an employee of PBSC in the Student
5 Services Department and, at times, has been assigned to implement PBSC's
6 Speech Policies at PBSC's Boca Raton campus. JONATHAN M. DAVIS is
7 sued in his official and individual capacities for injunctive and declaratory
8 relief. JONATHAN M. DAVIS is sued in his individual capacity for
9 damages.
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13 18. Plaintiffs are ignorant of the true names of the Defendants sued herein under
14 the fictitious names DOES 1-5. DOES 1-5 are sued in their official and
15 individual capacities for injunctive and declaratory relief. DOES 1-5 are
16 sued in their individual capacities for damages.
17
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19 19. Defendants are responsible in some manner for some or all of the acts
20 alleged herein, including the enforcement of the PBSC Speech Policies.
21 The Defendants include officers, directors, agents, servants, or employees of
22 PBSC who acted alone or in concert with each other to enforce the PBSC
23 Speech Policies with the full knowledge, consent, and approval of PBSC.
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1 20. Each of the Defendants acted under the guise and color of their authority
2 granted by State law and the PBSC Speech Policies and had personal
3 knowledge of the events described herein.
4

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6
7 **FACTUAL BACKGROUND AND COMMON ALLEGATIONS**

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9 **Plaintiffs' Advocacy**

10 21. The Sharon Statement reflects Plaintiffs' guiding principles. Plaintiffs
11 believe that the Constitution of the United States is the best arrangement yet
12 devised for empowering government to fulfill its proper role, while
13 restraining it from the concentration and abuse of power; and that the
14 purpose of government is to protect fundamental freedoms through the
15 preservation of internal order, the provision of national defense, and the
16 administration of justice. Plaintiffs desire to share this information to the
17 general public, students, faculty, and staff on the PBSC campuses.
18

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23 22. Audiences of college students are of particular importance to the Plaintiffs
24 because college students are less settled in their ways and may be more
25 likely than other people to listen to other viewpoints on various political and
26 social issues. Plaintiff CHRISTINA BEATTIE is particularly motivated to
27
28

1 share her message with her classmates in the hope they will think about
2 other positions and engage in meaningful dialogue about important
3 contemporary issues.
4

5
6 23. Plaintiffs YOUNG AMERICANS FOR FREEDOM, INC., MR. DANIEL
7 DIAZ, MR. EDWARD SHAFFER, and MS. CHRISTINA BEATTIE spread
8 the word of their beliefs through the distribution of free literature and the
9 expression of their views on public property. The leafleting and advocacy
10 practices of the Plaintiffs on college campuses are that usually one
11 employee or volunteer at a time or, at the most, a few employees or
12 volunteers at any given time, will go to leaflet and speak to those members
13 of the public who are willing to talk to them. The locations on PBSC
14 campuses where Plaintiffs desire to engage in free speech and association
15 activities are fully able to accommodate these activities because the areas
16 are designated as “free speech areas” and are not incompatible with free
17 speech activities carried on by only one or a few people leafleting and
18 engaging in conversation with the public.
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26 24. On repeated occasions, including the Spring of 2010 and the Fall of 2010,
27 Plaintiffs have attempted to distribute literature supporting their beliefs such
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1 as Heritage Foundation reports on the stimulus and other materials critical
2 of the current government. On each occasion, Plaintiffs have been denied
3 the right to distribute their literature.
4

5
6 **The PBSC Speech Policies**
7

8 25. PBSC's "Distribution/Posting or Sale of Written Materials or Products"
9 policy states:
10

11 This policy applies to all four Palm Beach State campuses, although
12 permission for distribution or posting must be obtained from each
13 individual location.

14 No alcoholic beverages, tobacco products, or any other products,
15 services or materials deemed detrimental to human health, safety or
16 welfare will be distributed or advertised at any of the campuses.

17 In addition, any person who, as an individual or group, wishes to
18 distribute or post written materials should obtain and complete an
19 activity form from the campus Student Activities Office and return
20 the completed form at least 24 hours in advance of the intended date
21 of distribution or posting.

22 The activity form will be processed by the Student Activities Office.
23 If no response is received by the requestor within 24 hours, the
24 request is considered approved. Materials may be distributed in
25 designated areas on each campus (specified in the activity form).

26 *See attached Exhibit A which is a true and correct copy without modification*
27 taken from PBSC's website on September 10, 2010.
28

1 26. The PBSC “Distribution/Posting or Sale of Written Materials or Products”
2 policy stating: “permission for distribution or posting must be obtained from
3 each individual location” is a prior restraint on speech activities. *See*
4 attached Exhibit A. Plaintiffs are informed and believe there is no
5 requirement that in enforcing the prior restraint of speech any of the four
6 PBSC campuses narrowly tailor the restrictions on rights of free speech and
7 association or include any procedural safeguards to protect civil rights.
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12 27. The PBSC “Distribution/Posting or Sale of Written Materials or Products”
13 policy prevents spontaneous free speech, stating: “any person who, as an
14 individual or group, wishes to distribute or post written materials should
15 obtain and complete an activity form from the campus Student Activities
16 Office and return the completed form at least 24 hours in advance of the
17 intended date of distribution or posting.” *See* attached Exhibit A.
18
19

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21 28. The PBSC “Distribution/Posting or Sale of Written Materials or Products”
22 policy states: “The activity form will be processed by the Student Activities
23 Office.” *See* attached Exhibit A. Plaintiffs are informed and believe there is
24 no requirement that in processing of the activity form any of the four PBSC
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1 campuses narrowly tailor the restrictions on rights of free speech and
2 association or include any procedural safeguards to protect civil rights.
3

4 29. The PBSC “Distribution/Posting or Sale of Written Materials or Products”
5 policy states: “Materials may be distributed in designated areas on each
6 campus (specified in the activity form).” *See* attached Exhibit A.
7

8
9 30. Plaintiffs are informed and believe there is no requirement that in the choice
10 of “designated areas on each campus” for free speech any of the four PBSC
11 campuses narrowly tailor the restrictions on rights of free speech and
12 association or include any procedural safeguards to protect civil rights.
13

14
15 31. Plaintiffs are informed and believe that on some of PBSC’s campuses, no
16 “designated areas” for free speech are present.
17

18 32. The PBSC “Distribution/Posting or Sale of Written Materials or Products”
19 policy requires students, including Plaintiff MS. CHRISTINA BEATTIE, to
20 confine literature distribution and speaking to the public to the “designated
21 areas” for free speech.
22

23
24 33. Plaintiffs should be allowed to distribute literature on any of the PBSC’s
25 campuses pursuant to the “Distribution/Posting or Sale of Written Materials
26 or Products” policy.
27
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1 34. Defendants have denied Plaintiffs the right to distribute literature on
2 PBSC's campuses by failing to properly enforce the "Distribution/Posting or
3 Sale of Written Materials or Products" policy.
4

5
6 35. PBSC's "Disorderly Conduct" policy defines a violation as: "Disorderly,
7 lewd, indecent or obscene conduct, language or other forms of expression
8 on campus or at any College-sponsored or College-supervised activity. This
9 includes the sending of offensive, harassing, lewd or defamatory messages."
10
11 *See* attached Exhibit B which is a true and correct copy without
12 modification taken from PBSC's website on September 10, 2010.
13
14

15 36. PBSC's "Sexual Harassment" policy defines a violation as: "Any conduct
16 that has the purpose or effect of unreasonably interfering with the student's
17 educational experience by creating an intimidating, hostile or offensive
18 academic environment." *See* attached Exhibit C which is a true and correct
19 copy without modification taken from PBSC's website on September 10,
20 2010.
21
22

23
24 37. PBSC's "Policy on Evening and Weekend Activities Sponsored by Student
25 Groups" creates a prior restraint on "campus clubs, organizations or other
26 student groups" by prohibiting any activity on or off campus "on weekends
27
28

1 or that extend beyond 9:00 p.m. during weekdays” until after a permit is
2 obtained by compliance with the following:
3

- 4 1. Must be approved by the advisor and the dean of student services.
- 5 2. Must have adequate security and supervision as determined by the
6 dean of student services; however, a minimum of two adult
7 supervisors, who are College personnel, is required.
- 8 3. Must conclude by midnight, unless special exception is granted by the
9 provost.
- 10 4. All alcoholic beverages and illegal drugs shall be strictly prohibited.
11 Persons suspected of using such substances will be immediately
12 reported to the proper authority and expelled from the activity.
- 13 5. The Student Code of Conduct as outlined in this handbook will be
14 strictly enforced.
- 15 6. Written requests should be submitted at least two weeks prior to the
16 event.
- 17 7. A facility request form must be completed in accordance with
18 established procedures.

19 *See attached Exhibit D which is a true and correct copy without modification*
20 taken from PBSC’s website on September 10, 2010.

21 38. The PBSC Speech Policies restrict pure speech, literature distribution and
22 association on the following PBSC campuses: Belle Glade Campus, Lake
23 Worth Campus, Palm Beach Gardens Campus, and Boca Raton Campus. All
24 of the PBSC campuses are within the jurisdiction of this Court.
25
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Plaintiffs’ Attempt to Leaflet and Speak

with the Public at PBSC Campuses

Belle Glade College Campus

39. The campus map for Belle Glade College Campus reveals many open areas with numerous intersecting sidewalks throughout for pedestrian traffic. *See* attached Exhibit E which is a true and correct copy without modification taken from the Belle Glade College website on September 27, 2010.

40. The campus map for Belle Glade College Campus does not reveal any “designated area” for free speech on Belle Glade College.

41. Plaintiffs are banned from either displaying signs or distributing literature or speaking to people outside any “designated area” for free speech on Belle Glade College.

42. On September 29, 2010, MS. CHRISTINA BEATTIE requested an activities form to engage in free speech activities on Belle Glade College, but PBSC employees refused her request and stated that no one is allowed to distribute literature anywhere on campus. MS. CHRISTINA BEATTIE asked Defendant EARL BRYANT, Student Activities Coordinator for Belle Glade College, if she was allowed to distribute literature on Belle Glade

1 College. Defendant EARL BRYANT replied, “No. We don't do that on this
2 campus.”
3
4

5
6 **Lake Worth College Campus**

7 43. The campus map for Lake Worth College Campus reveals many open areas
8 including an area designated as a “Sculpture Garden” and a “MLK Plaza”
9 area for pedestrian traffic with numerous intersecting sidewalks throughout
10 for pedestrian traffic. *See* attached Exhibit F which is a true and correct
11 copy without modification taken from the Lake Worth College website on
12 September 27, 2010.
13
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16 44. The campus map for Lake Worth College Campus does not reveal any
17 “designated area” for free speech on Lake Worth College.
18

19 45. Plaintiffs are banned from either displaying signs or distributing literature or
20 speaking to people outside any “designated area” for free speech on Lake
21 Worth College.
22

23 46. On September 15, 2010, MS. CHRISTINA BEATTIE requested an
24 activities form to engage in free speech activities on Lake Worth College,
25 but PBSC employees refused her request and stated that no one is allowed
26
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1 to distribute literature anywhere on campus. MS. CHRISTINA BEATTIE
2 asked Defendant CHONA CASTILLO if she was allowed to distribute
3 literature on Lake Worth College. Defendant CHONA CASTILLO replied,
4
5 “No one could distribute literature on campus.”
6

7 47. During 2010, MS. CHRISTINA BEATTIE has witnessed representatives
8
9 from the “Blood Drive” distribute literature on various dates in various
10 locations on Lake Worth College.
11

12 48. Most recently, on October 5, 2010, representatives of the “Blood Drive”
13 distributed literature near the library and Business Administration building.
14
15 *See* attached photographs marked as composite Exhibit G.
16
17

18 **Palm Beach Gardens College Campus**
19

20 49. The campus map for Palm Beach Gardens College Campus reveals many
21 open areas including an area designated as a “Rubenstein Pavilion” area
22 with numerous intersecting sidewalks throughout for pedestrian traffic. *See*
23 attached Exhibit H which is a true and correct copy without modification
24
25
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1 taken from the Palm Beach Gardens College website on September 27,
2
3 2010.

4 50. The campus map for Palm Beach Gardens College Campus does not reveal
5
6 any “designated area” for free speech on Palm Beach Gardens College.

7 51. Plaintiffs are banned from either displaying signs or distributing literature or
8
9 speaking to people outside any “designated area” for free speech on Palm
10
11 Beach Gardens College.

12 52. On September 29, 2010, MS. CHRISTINA BEATTIE requested an
13
14 activities form to engage in free speech activities on Palm Beach Gardens
15
16 College, but PBSC employees refused her request and stated that no one is
17
18 allowed to distribute literature anywhere on campus. On October 4, 2010,
19
20 MS. CHRISTINA BEATTIE asked (via email) Defendant CARRIE
21
22 PASQUALE, Program Manager for Palm Beach Gardens College, if she
23
24 was allowed to distribute literature on Palm Beach Gardens College. *See*
25
26 attached Exhibit I which is a true and correct copy without modification.
27
28 On October 15, 2010, Defendant CARRIE PASQUALE replied (via email),

1 and stated literature distribution is not allowed on campus. *See* attached
2
3 Exhibit J which is a true and correct copy without modification.
4
5

6 **Boca Raton College Campus**

7 53. The campus map for Boca Raton College Campus reveals many open areas
8
9 with numerous intersecting sidewalks throughout for pedestrian traffic. *See*
10 attached Exhibit K which is a true and correct copy without modification
11
12 taken from the Boca Raton College website on September 27, 2010.
13

14 54. The campus map for Boca Raton College Campus does not reveal any
15
16 “designated area” for free speech on Boca Raton College.

17 55. Plaintiffs are banned from either display signs or distributing literature or
18
19 speaking to people outside any “designated area” for free speech on Boca
20 Raton College.

21 56. On September 29, 2010, MS. CHRISTINA BEATTIE requested an
22
23 activities form to engage in free speech activities on Boca Raton College,
24
25 but PBSC employees refused her request and stated that no one is allowed
26
27 to distribute literature anywhere on campus. On October 4, 2010, MS.
28

1 CHRISTINA BEATTIE asked (via email) Defendant JONATHAN M.
2
3 DAVIS, Student Activities Coordinator for Boca Raton College, if she was
4 allowed to distribute literature on Boca Raton College. See attached Exhibit
5
6 L which is a true and correct copy without modification. As of the date of
7 filing Plaintiffs' Verified Complaint, Defendant JONATHAN M. DAVIS
8
9 has not replied.

10
11
12 **Plaintiffs' Desire to Leaflet and**
13
14 **Speak with the Public at PBSC Campuses**

15 57. Classes resumed at PBSC campuses on August 23, 2010, and as of this date,
16 employees and/or volunteers of YOUNG AMERICANS FOR FREEDOM,
17 INC., including MR. DANIEL DIAZ, MR. EDWARD SHAFFER, and MS.
18 CHRISTINA BEATTIE, are still subject to the PBSC's Speech Policies and
19
20 unsure of their ability to distribute literature in a lawful manner on PBSC
21
22 campuses. Plaintiffs' rights to free speech and association have been
23
24 effectively and unlawfully restricted at PBSC campuses.
25
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1 58. MR. DANIEL DIAZ, MR. EDWARD SHAFFER, and MS. CHRISTINA
2
3 BEATTIE desire to engage in free speech and association activities in a
4
5 lawful manner on PBSC campuses including the peaceful distribution of
6
7 free literature, but they are currently in fear of exercising those rights due to
8
9 the statements by PBSC employees that no one is allowed to distribute
10
11 literature on any PBSC campus. On several future dates in 2010, MR.
12
13 DANIEL DIAZ, MR. EDWARD SHAFFER, and MS. CHRISTINA
14
15 BEATTIE have concrete and specific plans to exercise their freedom of
16
17 speech and association in a peaceful and lawful manner on PBSC campuses.
18
19 Specifically, MR. DANIEL DIAZ, MR. EDWARD SHAFFER, and MS.
20
21 CHRISTINA BEATTIE desire to engage in literature distribution related to
22
23 a food drive and club recruiting event in late November 2010.

24 59. In addition to the above dates, MR. DANIEL DIAZ, MR. EDWARD
25
26 SHAFFER, and MS. CHRISTINA BEATTIE desire to engage in free
27
28 speech activities in a lawful manner on PBSC campuses including the
peaceful distribution of free literature and conversing with the public at
other times that their schedules may permit. However, MR. DANIEL

1 DIAZ, MR. EDWARD SHAFFER, and MS. CHRISTINA BEATTIE are
2 currently in fear of exercising their free speech and association rights due to
3 the Defendants' employees' statements and the future enforcement of the
4 PBSC Speech Policies.
5

6
7 60. YOUNG AMERICANS FOR FREEDOM, INC., desires to have MR.
8 DANIEL DIAZ, MR. EDWARD SHAFFER, and MS. CHRISTINA
9 BEATTIE and other volunteers and employees leaflet and engage the public
10 in conversation at PBSC campuses.
11

12
13 61. PBSC's Speech Policies have placed Plaintiffs in fear that MR. DANIEL
14 DIAZ, MR. EDWARD SHAFFER, or MS. CHRISTINA BEATTIE or other
15 employees and volunteers of YOUNG AMERICANS FOR FREEDOM,
16 INC., will be arrested and MS. CHRISTINA BEATTIE would be expelled
17 were they to exercise their right to distribute literature and express their
18 views while on PBSC campuses.
19

20
21 62. As a direct and proximate result of Defendants' actions and omissions
22 complained of herein, MR. DANIEL DIAZ, MR. EDWARD SHAFFER,
23 and MS. CHRISTINA BEATTIE suffered a loss of their constitutional
24
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1 rights, humiliation, embarrassment, discomfort, mental anguish, fear, and
2 anxiety while YOUNG AMERICANS FOR FREEDOM, INC., suffered a
3 loss of constitutional rights, increased administrative costs, and the
4 diversion of personnel from their normal duties of advocacy to taking action
5 to protect and vindicate the constitutional rights of YOUNG AMERICANS
6 FOR FREEDOM, INC., and its employees and volunteers.
7
8

9
10 63. Plaintiffs do not have the necessary financial means to post bond before
11 obtaining a Preliminary Injunction. If this Court requires Plaintiffs to post a
12 bond to obtain a Preliminary Injunction, it would cause Plaintiffs to forfeit
13 their free speech activities.
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17

18 **Lack of Training and Supervision**
19

20 64. Plaintiffs understand and believe Defendants have failed to properly
21 implement and apply the PBSC Speech Policies and other PBSC policies
22 and procedures and have failed to adequately supervise and adequately train
23 their agents and officials so as to prevent the constitutional violations
24 alleged herein.
25
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1 65. Plaintiffs understand and believe Defendants' actions and omissions
2
3 regarding their failure to adequately train their agents and officials so as to
4 prevent the constitutional violations alleged herein exhibit deliberate
5 indifference to the constitutional and civil rights of persons seeking to
6 peacefully distribute literature.
7

8
9 66. Plaintiffs understand and believe Defendants failed to properly and/or
10 adequately train and/or supervise Defendants' agents and employees which
11 was a direct and proximate cause of the violation of Plaintiffs' rights.
12
13

14
15 **GENERAL ALLEGATIONS**
16

17 67. No narrowly tailored public interest is served by the PBSC Speech Policies.
18 The PBSC Speech Policies and Defendants' enforcement actions and
19 omissions prohibit more speech than is necessary to accomplish any
20 substantial interest sought to be served.
21
22

23 68. The PBSC Speech Policies are not narrowly tailored to serve a significant
24 public interest and do not leave open ample alternative channels of
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1 communication because literature distribution is banned on PBSC
2 campuses.
3

4 69. The PBSC's Speech Policies, customs, and practices ban a substantial
5 amount of speech and association rights that are protected by the United
6 States and Florida Constitutions and serve to substantially inhibit the
7 information on public issues that can be presented to PBSC students and on
8 PBSC campuses.
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12 70. It is well settled law that non-disruptive literature distribution and speaking
13 with the public is a form of peaceful free speech and association protected
14 by the United States and Florida Constitutions. PBSC, a large public
15 agency advised by counsel, the Defendants, and any reasonable person
16 would know, or should have known, that the Plaintiffs' literature
17 distribution and free speech activities were within the Plaintiffs'
18 constitutional rights.
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23 71. Because it is well settled law that non-disruptive literature distribution and
24 speaking with the public is a form of peaceful free speech protected by the
25 United States and Florida Constitutions, Defendants have demonstrated a
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1 policy, practice, and custom of deliberate indifference and/or callous
2 disregard for Plaintiffs’ rights by refusing to change or amend and by
3 enforcing the PBSC Speech Policies to ban Plaintiffs’ rights.
4

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6 72. It is well-settled law that Defendants’ cannot grant greater free speech rights
7 to others while concurrently banning Plaintiffs’ rights in the same campus
8 areas whether open to the public or not. Defendants, and any reasonable
9 person would know, or should have known, that the Plaintiffs’ literature
10 distribution and speech activities should not be subject to more restriction
11 than similar activities of others on the PBSC campuses. Plaintiffs are
12 informed and believe other individuals and groups, including the “Blood
13 Drive,” have been allowed to distribute literature on PBSC campuses in
14 areas Plaintiffs’ literature distribution is banned.
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20 73. Defendants have refused to comply with the law and have failed to allow
21 Plaintiffs to distribute literature pursuant to the PBSC “Distribution/Posting
22 or Sale of Written Materials or Products” policy. The responses from
23 Defendants (and the failure to respond to requests to distribute literature)
24 exhibit deliberate and callous indifference to Plaintiffs’ speech rights.
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1 Defendants actions in refusing to allow Plaintiffs’ literature distribution
2 even pursuant to the PBSC “Distribution/Posting or Sale of Written
3 Materials or Products” policy directly caused the constitutional violations
4 alleged herein.
5

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7 74. Defendants’ actions and omissions pursuant to the PBSC
8 “Distribution/Posting or Sale of Written Materials or Products” policy, and
9 the very existence of the PBSC Speech Policies, exhibit deliberate
10 indifference to the constitutional and civil rights of Plaintiffs and other
11 persons seeking to peacefully distribute literature and engage the public in
12 conversation at PBSC campuses.
13

14
15 75. Defendants’ actions and omissions and the PBSC Speech Policies have
16 caused Plaintiffs’ to forfeit their free speech and free association rights on
17 PBSC campuses by creating obstacles that prevented Plaintiffs’ from
18 forming their club, and also by burdening those same rights off the PBSC
19 campuses through unconstitutional restrictions found in the PBSC “Policy
20 on Evening and Weekend Activities Sponsored by Student Groups.”
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1 76. Defendants acted with the purpose and intent of willfully, knowingly, and
2
3 with callous and/or deliberate indifference, to deprive Plaintiffs of rights
4
5 protected by the United States and Florida Constitutions.

6 77. The future denial of Plaintiffs' rights to free speech and association is an
7
8 absolute certainty until this Court grants the injunctive and declaratory relief
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10 requested herein.

11 78. Defendants' actions and omissions were performed with oppression, and/or
12
13 callous and/or deliberate indifference, and/or a conscious disregard of
14
15 Plaintiffs' rights, so as to justify an award of compensatory and/or nominal
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17 damages.

18 79. Defendants' violations of Plaintiffs' constitutional and civil rights alleged
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20 herein have caused, and will continue to cause, Plaintiffs to suffer extreme
21
22 hardship, actual and irreparable injury and damage.

23 80. Plaintiffs have complied with all conditions precedent before filing this
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Complaint.

COUNT I

**VIOLATION OF THE RIGHT TO FREEDOM OF SPEECH AND
ASSOCIATION, DUE PROCESS, AND EQUAL PROTECTION UNDER
THE FIRST, FIFTH, AND FOURTEENTH AMENDMENTS
TO THE UNITED STATES CONSTITUTION**

81. Plaintiffs hereby incorporate paragraphs 1 through 80 as if set forth fully herein, and reallege each paragraph by this reference.

82. As more specifically set out herein, the Defendants, acting under color of state law, deprived the Plaintiffs of their rights under the First, Fifth, and Fourteenth Amendments to the United States Constitution.

Violation of Rights to Freedom of Speech and Association

83. Plaintiffs’ rights to freedom of speech and association are protected under the First Amendment to the United States Constitution as applied to the states by the Fourteenth Amendment.

84. The PBSC Speech Policies as written and applied are an unconstitutional “time” restriction on free speech and association rights.

1 85. The PBSC Speech Policies as written and applied are an unconstitutional
2 “place” restriction on free speech rights.
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4 86. The PBSC Speech Policies as written and applied are an unconstitutional
5 “manner” restriction on free speech and association rights.
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7 87. The PBSC Speech Policies as written and applied burden more speech than
8 necessary to serve any legitimate state interest.
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10 88. The PBSC Speech Policies as written and applied do not leave open ample
11 alternative channels of communication.
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13 89. The PBSC Speech Policies as written and applied constitute an arbitrary and
14 capricious action by the Defendants to abridge the Plaintiffs’ freedom of
15 speech and association.
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18 90. The PBSC Speech Policies are unconstitutionally overbroad restrictions on
19 expressive activity.
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21 91. The PBSC Speech Policies and Defendants’ other policies, customs, and
22 practices operate to limit, ban, and censor Plaintiffs’ free speech rights and
23 restrict Plaintiffs’ rights to free association while simultaneously allowing
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1 others – the “Blood Drive” – to express a message without similar
2 restrictions in violation of the Fourteenth Amendment.
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4 92. The PBSC Speech Policies unconstitutionally chill and abridge the right of
5 Plaintiffs to express their speech which rights are guaranteed under the
6 First, Fifth, and Fourteenth Amendments to the United States Constitution.
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10 **Violation of the Right to the Equal Protection of the Laws**
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12 93. There is no justification or reason whatsoever, in terms of the exercise of
13 Plaintiffs’ rights to freedom of speech and association, for allowing others
14 to engage in free speech on PBSC campuses while banning Plaintiffs’ free
15 speech and association.
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18 94. The PBSC Speech Policies are enforced and applied with unbridled
19 discretion and without adequate guidelines to safeguard against
20 constitutional violations of the Fifth and Fourteenth Amendments.
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23 95. Defendants intentionally, willfully, and knowingly discriminated against
24 Plaintiffs and deprived Plaintiffs of the equal protection of the law.
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Injury, Damages, Equitable and Declaratory Relief

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3 96. As a direct and proximate result of Defendants’ actions and omissions
4 complained of herein, Plaintiffs suffered compensable damages. As to
5 individual Plaintiffs, these include humiliation, embarrassment, discomfort,
6 mental anguish, fear, and anxiety. As to Plaintiff YOUNG AMERICANS
7 FOR FREEDOM, INC., these include increased administrative costs and the
8 diversion of personnel from their normal duties of advocacy.
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12 97. In addition to the compensable damages, the violations of Plaintiffs’
13 constitutional rights have caused, and will continue to cause, Plaintiffs to
14 suffer actual and impending loss of their constitutional rights, an irreparable
15 injury for which Plaintiffs have no adequate remedy at law.
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18 98. Plaintiffs wish to distribute literature and exercise their free speech rights on
19 PBSC campuses, and have a specific and concrete intent to do so through
20 the distribution of free literature and the expression of their views to
21 members of the public who will speak to them, but they are fearful of
22 Defendants’ future adverse actions against Plaintiffs for exercising their
23 protected constitutional and civil rights.
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1 99. There is a substantial likelihood that Plaintiffs will prevail on the merits in
2 this case.
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4 100. The threat of prior restraint under and through the implementation of the
5 PBSC Speech Policies is both great and immediate with Plaintiffs being
6 denied their constitutional freedoms each day that passes without injunctive
7 relief.
8

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10 101. The harm to Plaintiffs in the loss of their rights to freedom of speech and
11 association and to the equal protection of the laws substantially outweighs
12 any harm that the Defendants might suffer if this Court issues a preliminary
13 injunction.
14

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16 102. The public interest benefits when constitutional and civil rights are
17 protected by the Courts and, specifically, the students, faculty, and staff on
18 PBSC campuses will benefit from being exposed to the open marketplace of
19 ideas envisioned by the First Amendment.
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22 103. The threat of Defendants' future adverse actions against Plaintiffs, as
23 evidenced by the prior application and interpretation against Plaintiffs, is
24 both great and immediate.
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104. Plaintiffs are justifiably fearful that Defendants will attempt to interfere with Plaintiffs’ exercise and enjoyment of their rights in the future.

105. Unless restrained and enjoined by this Court, Defendants will continue to enforce the PBSC Speech Policies, customs, and practices and prevent Plaintiffs from exercising their constitutional rights.

106. An actual controversy has arisen between Plaintiffs and Defendants in that Plaintiffs contend that, as a direct and proximate result of the PBSC Speech Policies as written and applied the Plaintiffs have been harmed in that the PBSC Speech Policies and the Defendants’ actions, are hostile to a reasonable interpretation of the law as it pertains to the right to free speech and literature distribution and that the PBSC’s Speech Policies, customs, practices, conduct, and actions violate the United States and Florida Constitutions.

COUNT II

**VIOLATION OF THE RIGHT TO FREEDOM OF SPEECH AND
ASSOCIATION, DUE PROCESS, AND EQUAL PROTECTION UNDER
THE FLORIDA CONSTITUTION**

107. Plaintiffs hereby incorporate paragraphs 1 through 80 as if set forth fully herein, and reallege each paragraph by this reference.

108. As more specifically set out herein, the Defendants, acting under color of state law, have deprived the Plaintiffs of their rights under Article 1, §§ 2, 4, 5, and 9, of the Florida Constitution.

Violation of Rights to Freedom of Speech and Association

109. Plaintiffs’ rights to freedom of speech and association (along with due process and equal protection of those rights) are protected under Article 1, §§ 2, 4, 5, and 9, of the Florida Constitution.

110. The PBSC Speech Policies as written and applied are an unconstitutional “time” restriction on free speech and association rights protected by the Florida Constitution.

1 111. The PBSC Speech Policies as written and applied are an unconstitutional
2 “place” restriction on free speech and association rights protected by the
3 Florida Constitution.
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6 112. The PBSC Speech Policies as written and applied are an unconstitutional
7 “manner” restriction on free speech rights protected by the Florida
8 Constitution.
9

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11 113. The PBSC Speech Policies as written and applied burden more speech than
12 necessary to serve any legitimate state interest.
13

14 114. The PBSC Speech Policies as written and applied do not leave open ample
15 alternative channels of communication.
16

17 115. The PBSC Speech Policies as written and applied constitute an arbitrary and
18 capricious action by the Defendants to abridge the Plaintiffs’ freedom of
19 speech and association.
20

21 116. The PBSC Speech Policies are unconstitutionally overbroad restrictions on
22 expressive activity.
23

24 117. The PBSC Speech Policies and Defendants’ other policies, customs, and
25 practices operate to limit, ban, and censor Plaintiffs’ free speech rights and
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1 restrict Plaintiffs’ rights to free association while simultaneously allowing
2 others – the “Blood Drive” – to express a message without similar
3 restrictions in violation of Article 1, §§ 2 and 9, of the Florida Constitution.
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6 118. The PBSC Speech Policies unconstitutionally chill and abridge the right of
7 Plaintiffs to express their speech and to associate guaranteed by Article 1,
8 §§ 2 and 9, of the Florida Constitution.
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12 **Violation of the Right to the Equal Protection of the Laws**
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14 119. There is no justification or reason whatsoever, in terms of the exercise of
15 Plaintiffs’ rights to freedom of speech and association, for allowing others
16 to engage in free speech on PBSC campuses while banning Plaintiffs’ free
17 speech and association.
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20 120. The PBSC Speech Policies are enforced and applied with unbridled
21 discretion and without adequate guidelines to safeguard against
22 constitutional violations of Article 1, §§ 2 and 9, of the Florida Constitution.
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24 121. Defendants intentionally, willfully, and knowingly discriminated against
25 Plaintiffs and deprived Plaintiffs of the equal protection of the law.
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Injury, Damages, Equitable and Declaratory Relief

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3 122. As a direct and proximate result of Defendants’ actions and omissions
4 complained of herein, Plaintiffs suffered compensable damages. As to
5 individual Plaintiffs, these include humiliation, embarrassment, discomfort,
6 mental anguish, fear, and anxiety. As to Plaintiff YOUNG AMERICANS
7 FOR FREEDOM, INC., these include increased administrative costs and the
8 diversion of personnel from their normal duties of advocacy.
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12 123. In addition to the compensable damages, the violations of Plaintiffs’
13 constitutional rights have caused, and will continue to cause Plaintiffs to
14 suffer actual and impending loss of their constitutional rights, an irreparable
15 injury for which Plaintiffs have no adequate remedy at law.
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18 124. Plaintiffs wish to distribute literature and exercise their free speech rights on
19 PBSC campuses, and have a specific and concrete intent to do so through
20 the distribution of free literature and the expression of their views to
21 members of the public who will speak to them, but they are fearful of
22 Defendants’ future adverse actions against Plaintiffs for exercising their
23 protected constitutional and civil rights.
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1 125. There is a substantial likelihood that Plaintiffs will prevail on the merits in
2 this case.
3

4 126. The threat of prior restraint under and through the implementation of the
5 PBSC Speech Policies is both great and immediate with Plaintiffs being
6 denied their constitutional freedoms each day that passes without injunctive
7 relief.
8

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10 127. The harm to Plaintiffs in the loss of their rights to freedom of speech and
11 association and to due process and the equal protection of the laws
12 substantially outweighs any harm that the Defendants might suffer if this
13 Court issues a preliminary injunction.
14

15
16 128. The public interest benefits when constitutional and civil rights are
17 protected by the Courts and, specifically, the students, faculty, and staff at
18 PBSC campuses will benefit from being exposed to the open marketplace of
19 ideas envisioned by the Florida Constitution.
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22 129. The threat of Defendants' future adverse actions against Plaintiffs, as
23 evidenced by the prior application and interpretation against Plaintiffs, is
24 both great and immediate.
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Plaintiffs' Verified Complaint - Page 40

Case No: _____ Young Americans for Freedom, et al. v. Bryant, et al.

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130. Plaintiffs are justifiably fearful that Defendants will attempt to interfere with Plaintiffs’ exercise and enjoyment of their rights in the future.

131. Unless restrained and enjoined by this Court, Defendants will continue to enforce the PBSC Speech Policies, customs, and practices and prevent Plaintiffs from exercising their constitutional rights.

132. An actual controversy has arisen between Plaintiffs and Defendants in that Plaintiffs contend that, as a direct and proximate result of the PBSC Speech Policies as written and applied the Plaintiffs have been harmed in that the PBSC Speech Policies and the Defendants’ actions, are hostile to a reasonable interpretation of the law as it pertains to the right to free speech and literature distribution and that the PBSC Speech Policies, customs, practices, conduct, and actions violate the United States and Florida Constitutions.

COUNT III

DECLARATORY RELIEF

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4 133. Plaintiffs hereby incorporate paragraphs 1 through 132 as if set forth fully
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6 herein, and reallege each paragraph by this reference.

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8 134. An actual controversy has arisen between Plaintiffs and Defendants in that
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10 Plaintiffs contend that, as a direct and proximate result of the PBSC Speech
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12 Policies as written and applied the Plaintiffs have been harmed in that the
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14 PBSC Speech Policies and the Defendants' actions, are hostile to a
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16 reasonable interpretation of the law as it pertains to the right to free speech
17
18 and literature distribution and that the PBSC's Speech Policies, customs,
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20 practices, conduct, and actions violate the United States and Florida
21
22 Constitutions.

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24 135. Defendants adopted the PBSC Speech Policies and refused to redact or
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26 withdraw from enforcement of the PBSC Speech Policies and have engaged
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28 in practices, customs, acts, and omissions under color of State law that are
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30 hostile to Plaintiffs' rights protected under the United States Constitution
31
32 and the Florida Constitution.

1 136. Plaintiffs wish to continue distributing literature and expressing their free
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3 speech rights on PBSC campuses, and have a specific and concrete intent to
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5 continue engaging in this activity as they have in the past, but they are
6
7 fearful of Defendants' future adverse actions against Plaintiffs for
8
9 exercising their protected constitutional and civil rights.

10 137. Plaintiffs desire a judicial determination of the rights and duties of the
11
12 respective parties under the United States and Florida Constitutions, and a
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14 judicial declaration that Plaintiffs' distribution of literature and expression
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16 of speech on PBSC college campuses is protected by the United States and
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18 Florida Constitutions, and the PBSC's Speech Policies, customs, practices,
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20 conduct, and actions are unconstitutional.

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PRAYER

WHEREFORE, Plaintiffs pray for Judgment against Defendants as follows:

1. That this Court issue preliminary and permanent injunctions
restraining and enjoining Defendants, their agents, employees,

1 representatives, and all persons acting in concert, or participating
2
3 with them who have knowledge of the order, from enforcing:

- 4 a) The restrictions in PBSC’s “Distribution/Posting or Sale of
5
6 Written Materials or Products” policy which create an
7
8 unconstitutional prior restraint and unconstitutionally restrict
9
10 Plaintiffs’ free speech and free association rights while
11
12 unequally allowing others to engage in free speech and
13
14 association on PBSC campuses; and,
- 15 b) The restrictions in PBSC’s “Distribution/Posting or Sale of
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17 Written Materials or Products” policy requiring Plaintiffs to
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19 obtain a permit for speech and association activities without
20
21 adequate procedural safeguards; and,
- 22 c) The restrictions in PBSC’s “Distribution/Posting or Sale of
23
24 Written Materials or Products” policy restricting Plaintiffs’
25
26 speech to “designated areas” on each campus while allowing
27
28 others to engage in free speech and association activities
without similar restrictions; and,

1 d) The restrictions in PBSC’s Student Handbook, Student Code of
2 Conduct, V.2.ii “Disorderly Conduct” policy that are so vague
3 that no reasonable person can understand what is permitted and
4 what is prohibited and could foster unequal application and
5 enforcement thereby leading to discrimination of freedom of
6 speech; and,
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10 e) The restrictions in PBSC’s Student Handbook, Student Code of
11 Conduct, V.2.ii “Disorderly Conduct” policy allowing
12 Defendants to limit Plaintiffs’ speech activities without
13 adequate procedural safeguards; and,
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17 f) The restrictions in PBSC’s Student Handbook, Student Code of
18 Conduct, V.18.i “Sexual Harassment” policy that are so vague
19 that no reasonable person can understand what is permitted and
20 what is prohibited and could foster unequal application and
21 enforcement thereby leading to discrimination of freedom of
22 speech; and,
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- 1 g) The restrictions in PBSC’s Student Handbook, Student Code of
2 Conduct, V.18.i “Sexual Harassment” policy allowing
3 Defendants to limit Plaintiffs’ speech activities without
4 adequate procedural safeguards; and,
5
- 6 h) The restrictions PBSC “Policy on Evening and Weekend
7 Activities Sponsored by Student Groups” limiting Plaintiffs’
8 free speech and free association activities while not on PBSC
9 campuses; and,
10
- 11 i) The restrictions in PBSC “Policy on Evening and Weekend
12 Activities Sponsored by Student Groups” that are so vague that
13 no reasonable person can understand what is permitted and
14 what is prohibited and could foster unequal application and
15 enforcement thereby leading to discrimination of freedom of
16 speech; and,
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- 18 j) The restrictions in PBSC “Policy on Evening and Weekend
19 Activities Sponsored by Student Groups” allowing Defendants
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1 to limit Plaintiffs' speech activities without adequate
2 procedural safeguards; and,
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4 2. For Declaratory Judgment holding that the challenged sections and
5 applications of PBSC's "Distribution/Posting or Sale of Written
6 Materials or Products" policy, "Disorderly Conduct" policy, "Sexual
7 Harassment" policy, and PBSC "Policy on Evening and Weekend
8 Activities Sponsored by Student Groups" are in violation of the
9 United States and Florida Constitutions; and,
10

11 3. For Declaratory Judgement that Plaintiffs' and/or Plaintiffs'
12 employees', agents' and volunteers' activity of peacefully distributing
13 literature and expressing their free speech rights in the areas others
14 have been allowed to engage in similar rights on the PBSC's
15 campuses are protected by the United States and Florida Constitutions
16 and Defendants' have willfully violated Plaintiffs' rights; and,
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18 4. For reasonable attorneys' fees, costs and expenses pursuant to Title
19 42 U.S.C. § 1988, and taxable costs pursuant to Title 28 U.S.C. §
20 1920; and,
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- 5. For general damages, in an amount to be proven, and/or for nominal damages; and,
- 6. For such other and further relief as the Court may deem just and proper.

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DEMAND FOR JURY TRIAL

Plaintiffs request a trial by jury of all issues so triable.

Respectfully submitted this 4th day of November 2010.

Casey Mattox
Virginia Bar # 47148
(Co-Counsel for Plaintiffs)
ALLIANCE DEFENSE FUND
801 G St. NW, Suite 508
Washington, DC 20001
Telephone: (202) 393-8690
Facsimile: (202) 347-3622
Email: cmattox@telladf.org
(Pending admission *pro hac vice*)

/s/ Frederick H. Nelson, Esq.
Frederick H. Nelson, Esq.
Florida Bar No. 0990523
(Lead Trial Counsel)
AMERICAN LIBERTIES INSTITUTE
P.O. Box 547503
Orlando, FL 32854-7503
Telephone: (407) 786-7007
Facsimile: (877) 786-3573
Email: Rick@ali-usa.org

VERIFICATION AND DECLARATION UNDER PENALTY OF PERJURY

Pursuant to 28 U.S.C. § 1746, I hereby declare, under penalty of perjury under the laws of the United States of America, that the foregoing factual statements are true and correct. Executed this 30th day of ~~October~~ ^{November}, 2010.

Young Americans for Freedom
YOUNG AMERICANS FOR FREEDOM, INC.

By: [Signature]
National Chairman

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Plaintiffs' Verified Complaint - Page 50

Case No: _____ Young Americans for Freedom, et al. v. Bryant, et al.

1 **VERIFICATION AND DECLARATION UNDER PENALTY OF PERJURY**

2
3 Pursuant to 28 U.S.C. § 1746, I hereby declare, under penalty of perjury
4 under the laws of the United States of America, that the foregoing factual
5 statements are true and correct. Executed this 28 day of October, 2010.

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7 MS. CHRISTINA BEATTIE

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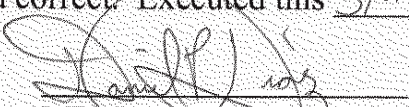
Plaintiffs' Verified Complaint - Page 51

Case No: _____ Young Americans for Freedom, et al. v. Bryant, et al.

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VERIFICATION AND DECLARATION UNDER PENALTY OF PERJURY

Pursuant to 28 U.S.C. § 1746, I hereby declare, under penalty of perjury under the laws of the United States of America, that the foregoing factual statements are true and correct. Executed this 31st day of October, 2010.



MR. DANIEL DIAZ

Plaintiffs' Verified Complaint - Page 52

Case No: _____ Young Americans for Freedom, et al. v. Bryant, et al.

VERIFICATION AND DECLARATION UNDER PENALTY OF PERJURY

Pursuant to 28 U.S.C. § 1746, I hereby declare, under penalty of perjury under the laws of the United States of America, that the foregoing factual statements are true and correct. Executed this 30th day of October, 2010.



MR. EDWARD SHAFFER

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Plaintiffs' Verified Complaint - Page 53

Case No: _____ Young Americans for Freedom, et al. v. Bryant, et al.