

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 21-7108**

**September Term, 2022**

FILED ON: AUGUST 15, 2023

FREDERICK DOUGLASS FOUNDATION, INC., ET AL.,  
APPELLANTS

v.

DISTRICT OF COLUMBIA,  
APPELLEE

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Appeal from the United States District Court  
for the District of Columbia  
(No. 1:20-cv-03346)

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Before: WILKINS, RAO and CHILDS, *Circuit Judges*

**J U D G M E N T**

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the dismissal of the First Amendment free speech claim be reversed; the dismissal of the equal protection claim be affirmed; and the case be remanded for further proceedings, in accordance with the opinion of the court filed herein this date.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy  
Deputy Clerk

Date: August 15, 2023

Opinion for the court filed by Circuit Judge Rao.  
Opinion concurring in the judgment filed by Circuit Judge Wilkins.