



**SUPREME COURT**  
OF THE UNITED STATES

No. 13-483

Title: Edward R. Lane, Petitioner

v.

Steve Franks, in His Individual Capacity, and Susan Burrow, in Her Official Capacity as Acting President of Central Alabama Community College

Docketed: October 17, 2013

Lower Ct: United States Court of Appeals for the Eleventh Circuit

Case Nos.: (12-16192)

Decision Date: July 24, 2013

**Questions  
Presented**

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~

Oct 15 2013 Petition for a writ of certiorari filed. (Response due November 18, 2013)

Nov 14 2013 Brief of respondent Steve Franks in opposition filed.

Nov 26 2013 Reply of petitioner Edward R. Lane filed.

Dec 4 2013 DISTRIBUTED for Conference of January 10, 2014.

Jan 13 2014 DISTRIBUTED for Conference of January 17, 2014.

Jan 17 2014 Petition GRANTED.

Feb 4 2014 Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the petitioner.

Feb 11 2014 SET FOR ARGUMENT ON Monday, April 28, 2014

Feb 19 2014 Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the respondent Steve Franks.

Feb 20 2014 Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the respondent Susan Burrows.

Feb 20 2014 Motion to dispense with printing the joint appendix filed by petitioner Edward R. Lane.

Mar 3 2014 Brief of petitioner Edward R. Lane filed.

Mar 3 2014 Brief of respondent Susan Burrow in support of reversal in part and affirmance in part filed.

Mar 5 2014 Brief amicus curiae of Alliance Defending Freedom filed.

Mar 7 2014 Brief amicus curiae of National Whistleblower Center filed. (Distributed)

Mar 10 2014 Motion to dispense with printing the joint appendix filed by petitioner GRANTED.

- Mar 10 2014 Record received from U.S.D.C. Northern District of Alabama is electronic. (Not on PACER).
- Mar 10 2014 CIRCULATED.
- Mar 10 2014 Brief amici curiae of American Civil Liberties Union, et al. filed. (Distributed)
- Mar 10 2014 Brief amici curiae of Law Professors filed. (Distributed)
- Mar 10 2014 Brief amicus curiae of Government Accountability Project filed. (Distributed)
- Mar 10 2014 Brief amicus curiae of United States supporting affirmance in part and reversal in part filed.
- Mar 10 2014 Brief amicus curiae of The National Association of Police Organizations filed. (Distributed)
- Mar 10 2014 Brief amici curiae of National Education Association, et al. filed. (Distributed)
- Mar 10 2014 Brief amicus curiae of First Amendment Coalition filed. (Distributed)
- Mar 10 2014 Brief amicus curiae of American Federation of Labor and Congress of Industrial Organizations filed. (Distributed)
- Apr 2 2014 Brief of respondent Steve Franks filed. (Distributed)
- Apr 8 2014 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae, for divided argument, and for allocation of argument time filed.
- Apr 9 2014 Brief amici curiae of The International Municipal Lawyers Association, et al. filed. (Distributed)
- Apr 11 2014 Reply of petitioner Edward R. Lane filed. (Distributed)
- Apr 17 2014 Reply of respondent Susan Burrow filed. (Distributed)
- Apr 18 2014 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae, for divided argument, and for allocation of argument time GRANTED.
- Apr 22 2014 Letter from counsel for petitioner Edward R. Lane filed. (Distributed)
- Apr 28 2014 Argued. For petitioner: Tejinder Singh, Washington, D. C.; and Ian H. Gershengorn, Deputy Solicitor General, Department of Justice, Washington, D. C. (for United States, as amicus curiae.) For respondent Burrow: Luther J. Strange, III, Attorney General, Montgomery, Ala. For respondent Franks: Mark T. Waggoner, Birmingham, Ala.

| ~~Name~~~~~                         | ~~~~~Address~~~~~                                                                                                      | ~~Phone~~      |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>Attorneys for Petitioner:</b>    |                                                                                                                        |                |
| Tejinder Singh<br>Counsel of Record | Goldstein & Russell, P.C.<br>5225 Wisconsin Ave., NW, Suite 404<br>Washington, DC 20015<br>tsingh@goldsteinrussell.com | (202)-362-0636 |
| Party name: Edward R. Lane          |                                                                                                                        |                |
| Thomas C. Goldstein                 | Goldstein & Russell, P.C.<br>5225 Wisconsin Avenue, N.W., Suite 404<br>Washington, DC 20015<br>tg@goldsteinrussell.com | (202) 362-0636 |

Party name: Edward R. Lane

**Attorneys for Respondents:**

|                                        |                                                                                                                              |                |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------|
| Andrew L. Brasher<br>Counsel of Record | Solicitor General<br>Office of Attorney General<br>501 Washington Avenue<br>Montgomery, AL 36104<br>abrasher@ago.state.al.us | (334) 242-7300 |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------|

Party name: Susan Burrow

|                                       |                                                                                                                           |                |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------|----------------|
| Mark T. Waggoner<br>Counsel of Record | Hand Arendall LLC<br>1200 Park Place Tower<br>2001 Park Place North<br>Birmingham, AL 35203<br>mwaggoner@handarendall.com | (205) 324-4400 |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------|----------------|

Party name: Steve Franks

|                        |                                                                  |                |
|------------------------|------------------------------------------------------------------|----------------|
| Luther J. Strange III. | Attorney General<br>P.O. Box 300152<br>Montgomery, AL 36130-0152 | (334) 242-7300 |
|------------------------|------------------------------------------------------------------|----------------|

Party name: Susan Burrow

**Other:**

|              |                                                                                           |                |
|--------------|-------------------------------------------------------------------------------------------|----------------|
| Floyd Abrams | Cahill Gordon & Reindel LLP<br>80 Pine Street<br>New York, NY 10005<br>fabrams@cahill.com | (212) 701-3000 |
|--------------|-------------------------------------------------------------------------------------------|----------------|

Party name: First Amendment Coalition

|               |                                                                                                |                |
|---------------|------------------------------------------------------------------------------------------------|----------------|
| Lisa S. Blatt | Arnold & Porter LLP<br>555 12th Street, N.W.<br>Washington, DC 20004<br>Lisa.Blatt@aporter.com | (202) 942-5000 |
|---------------|------------------------------------------------------------------------------------------------|----------------|

Party name: American Civil Liberties Union, et al.

|                  |                                                                                                                                                     |                |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| David A. Cortman | Alliance Defending Freedom<br>1000 Hurricane Shoals Road, N.E., Suite<br>D-1100<br>Lawrenceville, GA 30043<br>dcortman@alliancedefendingfreedom.org | (770) 339-0774 |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------|

Party name: Alliance Defending Freedom

|                   |                                                                   |                |
|-------------------|-------------------------------------------------------------------|----------------|
| Matthew J. Delude | Primmer Piper Eggleston & Cramer PC<br>900 Elm Street, 19th Floor | (603) 626-3324 |
|-------------------|-------------------------------------------------------------------|----------------|

Manchester, NH 03105  
mdelude@primmer.com

Party name: The International Municipal Lawyers Association, et al.

Ian Heath Gershengorn                      Principal Deputy Solicitor General                      (202) 514-2217  
Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530-0001  
SupremeCtBriefs@usdoj.gov

Party name: United States

Matthew J. Ginsburg                      815 Sixteenth Street, NW                      (202)-637-5397  
Washington, DC 20006

Party name: American Federation of Labor and Congress of Industrial Organizations

Stephen M. Kohn                      Kohm Kohn and Colapinto LLP                      (202) 342-6980  
3233 P Street, NW  
Washington, DC 20007  
sk@kkc.com

Party name: National Whistleblower Center

J. Michael McGuinness                      The McGuinness Law Firm                      (910) 862-7087  
P.O. Box 952  
Elizabethtown, NC 28337  
jmichael@mcguinnesslaw.com

Party name: The National Association of Police Organizations

Alice M. O'Brien                      National Education Association                      (202) 822-7035  
1201 16th Street, N.W.  
Washington, DC 20036  
aobrien@nea.org

Party name: National Education Association, et al.

Andrew J. Pincus                      Mayer Brown LLP                      (202) 263-3000  
1999 K Street, NW  
Washington, DC 20006-1101  
apincus@mayerbrown.com

Party name: Government AccountabilityProject

Paul M. Secunda                      9062 N. Lake Drive                      (414) 352-9554  
Bayside, WI 53217  
paul.secunda@marquette.edu

Party name: Law Professors

Donald B. Verrilli Jr.

Solicitor General

(202) 514-2217

United States Department of Justice

950 Pennsylvania Avenue, N.W.

Washington, DC 20530-0001

SupremeCtBriefs@USDOJ.gov

Party name: United States supporting affirmance in part and reversal in part