

## APPENDIX A

### THE FIRST AMENDMENT SCHOLARS

(For identification purposes)

**FLOYD ABRAMS**, Senior Counsel at Cahill Gordon & Reindel LLP, was described by Senator Daniel Patrick Moynihan as "the most significant First Amendment lawyer of our age." He is a Visiting Lecturer at the Yale Law School and previously taught at the Columbia and New York University Law Schools and for 15 years at the Columbia Graduate School of Journalism as the William J. Brennan, Jr. Visiting Professor of First Amendment Law. His most recent book is *THE SOUL OF THE FIRST AMENDMENT* (2017).

**DAVID ARDIA** teaches at the University of North Carolina School of Law, where he serves as the Reef C. Ivey II Excellence Fund Term Professor of Law and faculty co-director of the Center for Media Law and Policy. He also holds a secondary appointment at the School of Media and Journalism. He is the author of numerous articles on the First Amendment and co-author of the book *MEDIA AND THE LAW*.

**VINCENT BLASI** is the Corliss Lamont Professor of Civil Liberties at Columbia University. Between 1998 and 2010, he was also a member of the University of Virginia Law School faculty. He previously held positions at the University of Texas Law School and the University of Michigan Law School and he has visited at Stanford Law School, the University of California, Berkeley, School of Law, and the William and Mary Law School. He is the author of numerous articles on the First Amendment and his books include *IDEAS OF THE FIRST AMENDMENT* (2006).

**CLAY CALVERT** is Professor of Law and Brechner Eminent Scholar in Mass Communication at the University of Florida in Gainesville, where he also directs the Marion B. Brechner First Amendment Project. He is the author or co-author of more than 150 law journal articles.

**ERWIN CHEMERINSKY** is Dean and Jesse H. Choper Distinguished Professor of Law at the University of California, Berkeley, School of Law. Dean Chemerinsky is the author of more than 200 law review articles and eleven books, including *FREE SPEECH ON CAMPUS* (2018) (with Howard Gillman). He frequently argues appellate cases, including in the United States Supreme Court. In 2016, he was named a fellow of the American Academy of Arts and Sciences and, in 2017, National Jurist

magazine again named Dean Chemerinsky as the most influential person in legal education in the United States.

**DALE COHEN** serves as Director of the Documentary Film Legal Clinic at the UCLA School of Law, where he leads a group of student-clinicians providing pro bono legal services to documentary filmmakers. He also teaches the course News Media Law in the Digital Age. He is the co-author of the leading textbook *MEDIA AND THE LAW*. Professor Cohen also serves as Special Counsel to *FRONTLINE*, the award-winning PBS documentary series. His prior practice included representation of a wide array of media entities, including the Tribune Company.

**LUCY DALGLISH** serves as Dean of the Philip Merrill College of Journalism at the University of Maryland. She previously worked as executive director of the Reporters Committee for Freedom of the Press (2000 to 2012) and practiced media law at the Minneapolis law firm of Dorsey & Whitney. Dean Dalglish has received numerous awards, including the Kiplinger Award by the National Press Foundation for her service to journalism, and the Wells Memorial Key, the highest honor bestowed by the Society of Professional Journalists.

**ERIC M. FREEDMAN** serves as the Siggi B. Wilzig Distinguished Professor of Constitutional Rights at the Maurice A. Deane School of Law at Hofstra University. He is the author or co-author of numerous articles and several books, including *GROUP DEFAMATION AND FREEDOM OF SPEECH* (1995). He is a member of the American Law Institute, a fellow of the American Bar Foundation, and a director of and counsel to the National Coalition Against Censorship.

**SUSAN GILLES** serves as the John E. Sullivan Professor of Law at Capital University Law School. Her areas of expertise include media law, torts, and civil procedure. She is the author of numerous articles in the First Amendment field. Prior to joining Capital, she served as a litigator with the firm of Baker & Hostetler.

**DAVID A. GOLDBERGER** is Professor Emeritus of Law at the Ohio State University Moritz College of Law. Professor Goldberger has argued First Amendment cases before the Supreme Court of the United States, including *McIntyre v. Ohio Elections Commission* (which invalidated an Ohio statute prohibiting distribution of anonymous, non-libelous campaign literature) and *National Socialist Party of America v. Village of Skokie* (which obligated state courts to provide expeditious review of injunctions against public assemblies).

**GAUTAM HANS** serves as Assistant Clinical Professor of Law at Vanderbilt University Law School, where he teaches a legal clinic focused on First Amendment issues. Professor Hans previously served as a Clinical Fellow at the University of Michigan Law School. Prior to returning to academia, Professor Hans was policy counsel and director at the Center for Democracy and Technology in San Francisco.

**RONNELL ANDERSEN JONES** serves as the Lee E. Teitelbaum Endowed Chair and Professor of Law at the University of Utah S.J. Quinney College of Law and is an Affiliated Fellow at Yale Law School's Information Society Project. Her scholarly work has appeared in numerous books and leading law journals. Professor Jones graduated first in her law school class and clerked for the Honorable William A. Fletcher on the Ninth Circuit Court of Appeals and for Justice Sandra Day O'Connor on the United States Supreme Court.

**JANE KIRTLEY** is the Silha Professor of Media Ethics and Law at the Hubbard School of Journalism and Mass Communication at the University of Minnesota, and directs The Silha Center for the Study of Media Ethics and Law. Professor Kirtley is also an affiliated faculty member at the University of Minnesota Law School, and has held visiting professorships at Suffolk University and Notre Dame Law schools. She was the Executive Director of the Reporters Committee for Freedom of the Press from 1985-1999. She is the author of numerous publications in the First Amendment field, including the MEDIA LAW handbook published by the U.S. State Department in 2013.

**DANIEL T. KOBIL** serves as Professor of Law at Capital University Law School. Professor Kobil teaches constitutional law and has researched and published in the field of First Amendment Law. His work has been cited by a number of journals and courts, including the United States Supreme Court. He also is a frequent contributor to newspaper, television, and radio reports on constitutional issues.

**RONALD J. KROTOSZYNSKI, JR.** is the John S. Stone Chairholder of Law and Director of Faculty Research at the University of Alabama School of Law. Professor Krotoszynski is the author of numerous articles and several books in the First Amendment field, including THE FIRST AMENDMENT: CASES AND THEORY and THE DISAPPEARING FIRST AMENDMENT. Prior to joining the faculty at Alabama, Professor Krotoszynski served on the law faculty at Washington and Lee University and, prior to that, on the law faculty of the Indiana University School of Law-Indianapolis.

**GREGG P. LESLIE** serves as the executive director of the First Amendment Clinic at Arizona State University's Sandra Day O'Connor College of Law, and is also a

Professor of Practice at the school. Leslie previously served as legal defense director and staff attorney with the Reporters Committee for Freedom of the Press for 23 years. In that capacity, he edited and regularly contributed to the committee's quarterly magazine, *The News Media & The Law*.

**LYRISSA LIDSKY** serves as Dean and Judge C. A. Leedy Professor of Law at the University of Missouri School of Law. Dean Lidsky's scholarship focuses on the intersection of Torts and the First Amendment, with a particular emphasis on defamation and other free speech issues in social media contexts. She is co-author of a leading media law casebook, a First Amendment casebook, and a reference book on press freedom and has published dozens of articles in the field. She has also been named co-reporter on the Restatement of Defamation and Privacy.

**BRIAN MURCHISON** serves as the Charles S. Rowe Professor of Law at the Washington & Lee University School of Law. His teaching and scholarship focus on administrative law, mass media law, jurisprudence, torts, and contemporary problems in law and journalism. He is the author of numerous articles in the First Amendment field and his work has appeared in a variety of legal and scholarly publications.

**LEONARD M. NIEHOFF** serves as Professor from Practice at the University of Michigan Law School, where he teaches courses in First Amendment and Media Law. He is the author of more than 100 articles, many in the First Amendment and media law fields, is co-author of the book *RIGHTS AND LIABILITIES OF PUBLISHERS, BROADCASTERS, AND REPORTERS*, and is currently writing a book on the First Amendment (with Thomas Sullivan) for Cambridge University Press. He is the principal author of the brief and accepts responsibility for any errors.

**MARY-ROSE PAPANDREA** is the Samuel Ashe Distinguished Professor of Constitutional Law and Associate Dean for Academic Affairs at the University of North Carolina School of Law. She is the author of numerous articles on media law and First Amendment topics and is a co-author of the casebook *MEDIA AND THE LAW*. She clerked for Associate Justice David H. Souter of the United States Supreme Court.

**JONATHAN PETERS** serves as Assistant Professor at the Grady College of Journalism and Mass Communication at the University of Georgia and holds an affiliate faculty position in the School of Law. He has published many articles in the First Amendment field and is coauthor of *THE LAW OF PUBLIC COMMUNICATION*, a

textbook used at more than 100 colleges and universities in the United States and abroad.

**STEVEN H. SHIFFRIN** is the Charles Frank Reavis Sr., Professor of Law Emeritus at Cornell Law School. Professor Shiffrin is the author of numerous articles and many books about the First Amendment, including *WHAT'S WRONG WITH THE FIRST AMENDMENT?* and *THE FIRST AMENDMENT, DEMOCRACY, AND ROMANCE*, winner of the Thomas J. Wilson Award. He is also a coauthor of two leading casebooks, *CONSTITUTIONAL LAW*, 12th ed., 2015, and *THE FIRST AMENDMENT*, 6th ed., 2015.

**PAUL M. SMITH** serves as Professor from Practice at the Georgetown University Law Center. Until 2017, Professor Smith practiced at Jenner & Block LLP. His active appellate practice included oral arguments in 21 Supreme Court cases. Chambers USA has repeatedly named Professor Smith one of the country's leading lawyers in appellate litigation, media law, and First Amendment litigation, and, in 2010, the National Law Journal named him one of the "Decade's Most Influential Lawyers." He clerked for Supreme Court Justice Lewis F. Powell, Jr.

**GEOFFREY STONE** is the Edward H. Levi Distinguished Service Professor at the University of Chicago. Professor Stone is the author of numerous articles and many books on the First Amendment, including *THE FREE SPEECH CENTURY* (2018), *PERILOUS TIMES: FREE SPEECH IN WARTIME* (2004), and *ETERNALLY VIGILANT: FREE SPEECH IN THE MODERN ERA* (2002). He is also an editor of two leading casebooks, *CONSTITUTIONAL LAW* (8th ed. 2017) and *THE FIRST AMENDMENT* (6th ed. 2020). He clerked for Justice William J. Brennan, Jr.

**NADINE STROSSEN** is the John Marshall Harlan II Professor of Law, Emerita at New York Law School. From 1991 through 2008, she served as President of the American Civil Liberties Union. She is the author of numerous articles and many books in the First Amendment field, including *HATE: WHY WE SHOULD RESIST IT WITH FREE SPEECH, NOT CENSORSHIP* and *SPEAKING OF RACE, SPEAKING OF SEX: HATE SPEECH, CIVIL RIGHTS, AND CIVIL LIBERTIES*. *The National Law Journal* has named Professor Strossen one of "The 100 Most Influential Lawyers in America."

**E. THOMAS SULLIVAN** is President Emeritus and Professor of Political Science at the University of Vermont. Prior to becoming President, he served as Provost and Senior Vice President for Academic Affairs at the University of Minnesota. He also served as dean of the law schools at the University of Minnesota and the University of Arizona. He is the author of eleven books and more than 50 articles, and is

currently working on a book on the First Amendment (with Leonard Niehoff) to be published next year by Cambridge University Press. He has received numerous awards, including two from the American Bar Association for his leadership in legal education.

**STEPHEN WERMIEL** serves as Professor of Practice of Law at the American University Washington College of Law. He teaches courses in constitutional law, First Amendment, and the Supreme Court. He writes a monthly column on SCOTUSblog and is co-author of multiple books, including *THE PROGENY: JUSTICE WILLIAM J. BRENNAN'S FIGHT TO PRESERVE THE LEGACY OF NEW YORK TIMES V. SULLIVAN* (2014). Wermiel covered the U.S. Supreme Court as a reporter for the *Wall Street Journal* from 1979 until 1991.

**SONJA WEST** is the holder of the Otis Brumby Distinguished Professorship in First Amendment Law at the University of Georgia School of Law, a post shared by the law school and Grady College of Journalism and Mass Communication. Her work has been published in numerous law reviews and has garnered many awards, including the Harry W. Stonecipher Award for Distinguished Research on Media Law and Policy and the Franklyn S. Haiman Award for Distinguished Scholarship in Freedom of Expression. She clerked for Supreme Justice John Paul Stevens.

**KYU HO YOUM** is the Jonathan Marshall First Amendment Chair at the University of Oregon School of Journalism and Communication. Professor Youm's many law review articles have been cited by American and foreign courts, including the House of Lords in Great Britain and the High Court of Australia, on freedom of expression issues. His books include *MEDIA LAW AND ETHICS*, 5<sup>th</sup> ed. (2018) (with Roy Moore, et al.)