

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

Arkansas Times LP

Plaintiff

v.

Case no. 4:18-cv-00914-BSM

**Mark Waldrip, John Goodson,
Morril Harriman, Kelly Eichler,
David Pryor, Stephen Broughton,
C.C. Gibson, Sheffield Nelson,
Tommy Boyer, and Steve Cox, in their
official capacity as Trustees of
the University of Arkansas Board of
Trustees.**

Defendants

PLAINTIFF'S NOTICE OF APPEAL

Plaintiff Arkansas Times LP hereby gives notice of its appeal to the United States Court of Appeals for the Eighth Circuit of this Court's order granting Defendants' motion to dismiss with prejudice and denying Plaintiff's motion for preliminary injunction (DE 23), and its final judgment for Defendants (DE 24), both of which were entered in this action on the 23rd day of January, 2019.

The Eighth Circuit Court of Appeals has jurisdiction pursuant to 28 U.S.C. § 1291 because Plaintiff appeals the Court's final judgment for Defendants. The Eighth Circuit Court of Appeals also has jurisdiction pursuant to 28 U.S.C. § 1292(a)(1) because Plaintiff appeals this Court's order denying a preliminary injunction. *See, e.g., H & R Block Tax Servs. LLC v. Acevedo-Lopez*, 742 F.3d 1074, 1075–76 (8th Cir. 2014).

Respectfully submitted,

Brian Hauss

Brian Hauss*

Vera Eidelman*

ACLU Foundation

Speech, Privacy & Technology Project

125 Broad St., 18th Floor

New York, NY 10004

Tel: (212) 549-2500

Email: bhauss@aclu.org

veidelman@aclu.org

**Admitted pro hac vice*

Bettina Brownstein

Bettina E. Brownstein (85019)

Bettina E. Brownstein Law Firm

904 West Second St., Suite 2

Little Rock, Arkansas 72201

Tel: (501) 920-1764

Email: bettinabrownstein@gmail.com

*On behalf of the Arkansas Civil Liberties Union
Foundation, Inc.*

John L. Burnett

John L. Burnett (77021)

Lavey & Burnett

904 West Second St.

Little Rock, Arkansas 72201

Tel: (501) 376-2269

Email: jburnett@laveyburnett.com

*On behalf of the Arkansas Civil Liberties Union
Foundation, Inc.*

Attorneys for Plaintiff