

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

CASEY D. COPELAND

PLAINTIFF

v.

CASE NO. 4:21-CV-477-DPM

**MARTY SULLIVAN, IN HIS OFFICIAL
CAPACITY AS DIRECTOR, ARKANSAS
ADMINISTRATIVE OFFICE OF THE
COURTS, *et al***

DEFENDANTS

**JOINT MOTION FOR PERMANENT INJUNCTION AND DECLARATORY
JUDGMENT**

Having met and fully reached a compromise in the above-captioned matter, the parties move the court for a permanent injunction and declaratory judgment for the following reasons:

1. Plaintiff Casey Copeland is a former contractor of the Administrative Office of the Courts (“AOC.”)

2. On April 1, 2021, Defendants, in their official capacities as employees of the AOC, terminated Plaintiff’s contract effective April 30, 2021, in response to an email Plaintiff sent on March 30, 2021.

3. Plaintiff filed his Complaint (Doc. 1) in the above-caption action on June 2, 2021, alleging the termination of his contract violated his First Amendment rights, and sought a preliminary injunction and declaratory judgment that his contract termination contravened his First Amendment rights. Plaintiff sought an order requiring the AOC to reinstate him for the two months remaining on his contract, an

additional one-year renewal of the contract, and other relief. *See Pl.'s Prelim. Inj. Motion* (Doc. 2).

4. Defendants objected on the grounds of sovereign immunity and that Plaintiff was unlikely to succeed on the merits of his claim. *See Def.'s Resp. in Opp. to Pl's Motion for Prelim. Inj.* (Doc. 13).

5. The Court held a hearing on Plaintiff's Motion for Preliminary Injunction on August 6, 2021. At the conclusion of the hearing, the Court orally granted Plaintiff's Motion for Preliminary Injunction, and entered its Order consistent with the Court's oral ruling (Doc. 23) on August 9, 2021.

6. The parties have conferred and agree that a final Order in this matter may be entered on the record before it, making the terms of the Preliminary Injunction permanent.

7. Defendants are not seeking an interlocutory appeal of this Court's order, nor does either side intend to introduce additional evidence at a final hearing.

8. To that effect, Plaintiff is set to resume work with the AOC on September 1, 2021, for a period of 14 months, split between two contracts for the two separate fiscal years.

9. The parties also agree that the only remaining issue is a possible award of costs and fees pursuant to 42 U.S.C. § 1988(b).

10. A proposed order granting the requested relief and approved by the parties has been submitted for the Court's consideration.

WHEREFORE, the parties jointly request this Court enter a final judgment granting Plaintiff a permanent injunction and a declaratory judgment in this matter consistent with its August 6, 2021, Order, and to any and all just and proper relief to which they may be entitled.

Respectfully submitted,
Johnathan D. Horton (2002055)
200 West Capitol Avenue, Suite 2300
Little Rock, AR 72201-3699
(501) 371-0808
FAX (501) 376-9442
jhorton@wlj.com

—and—

Bettina E. Brownstein (85019)
BETTINA E. BROWNSTEIN LAW FIRM
904 W. 2nd Street, Suite 2
Little Rock, AR 72201
(501) 920-1764
bettinabrownstein@gmail.com

*Attorneys for Plaintiff, Casey D. Copeland
On behalf of the Arkansas Civil Liberties
Union Foundation, Inc.*

—and—

LESLIE RUTLEDGE
Attorney General

By: Brittany Edwards
Ark. Bar No. 2016235
Assistant Attorney General
Arkansas Attorney General's Office
323 Center Street, Suite 200
Little Rock, AR 72201
Phone: (501) 682-3997
Fax: (501) 682-2591
Email: brittany.edwards@arkansasag.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Brittany Edwards, hereby certify that on August 31, 2021, the foregoing was filed with the Clerk of the Court using the CM/ECF system, which shall send notice to all parties.

/s/ Brittany Edwards
Brittany Edwards