UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

JAMES TRACY, Plaintiff, v. FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES, a/k/a FLORIDA ATLANTIC UNIVERSITY, et al. Defendants.	Case No. 9:16-cv-80655-RLR-JMH **HEARING REQUESTED**

PLAINTIFF'S ALTERNATIVE MOTION FOR NEW TRIAL

Plaintiff Professor James Tracy ("Plaintiff" or "Tracy"), pursuant to Fed. R. Civ. P. 59(b), moves in the alternative for a new trial. In support, Plaintiff states as follows.

INTRODUCTION

As set forth in Plaintiff's previously filed renewed motion for judgment as a matter of law, *see* DE 450, the jury nullified Plaintiff's First Amendment rights when it ignored the overwhelming evidence admitted at trial and found that Plaintiff's offensive blog speech was not a motivating factor in FAU's decision to terminate Plaintiff from his tenured professorship. That fact is convincingly established by virtue of FAU's termination letter to Tracy; internal FAU emails discussing the real reasons he was fired and showing the celebrations afterward; the fact that FAU does not have any policy on blogging; the language of FAU's Conflict of Interest Policy (the "Policy"), which is "absolutely confusing"; FAU's arbitrary application of the Policy to only Tracy's blogging; and that the Policy was used by FAU officials as a pretext to chill speech which they did not favor. The grounds offered in Plaintiff's motion for judgment as a matter of law equally support the instant motion for new trial.

In addition, the Court should grant a new trial because, respectfully, the Court erroneously excluded two critical pieces of evidence on Plaintiff's First Amendment retaliation claim: (1) the audio recording of the FAU Senate Faculty meeting in September 2015 (the "Senate Faculty Meeting") at which faculty members complained about FAU's arbitrary application of the confusing Policy to chill speech; and (2) the letters of two constitutional rights groups' to Tracy encouraging him to protest FAU's 2013 discipline of him on the basis it

impinged upon his First Amendment rights. This evidence was crucial in establishing Plaintiff's state of mind with respect to how he interpreted the Policy and why he believed FAU's application of the Policy to his blog was wrong, and it was critical in proving that FAU was using its Policy to chill speech. The exclusion of this evidence thus substantially prejudiced Plaintiff and denied him a fair trial. Accordingly, if the Court disagrees with Plaintiff that judgment as a matter of law in his favor is appropriate pursuant to DE 450, then the Court should in the alternative, and at the very least, grant this request for a new trial.

LEGAL STANDARD

The Court may grant a new trial "for any reason for which a new trial has heretofore been granted in an action at law in federal court." Fed. R. Civ. P. 59(a)(1)(A). Thus, in general, a motion for new trial may be predicated:

> on the claim that the verdict is against the weight of the evidence, that the damages are excessive, or that, for other reasons, the trial was not fair to the [movant]; and may raise questions of law arising out of alleged substantial errors in admission or rejection of evidence or instructions to the jury.

Montgomery Ward & Co. v. Duncan, 311 U.S. 243, 251 (1940); *see also* Charles A. Wright & Arthur R. Miller, et al., 11 FED. PRAC. & PROC. CIV. § 2805 (3d ed. 2015) ("The court has the power and duty to order a new trial whenever, in its judgment, this action is required in order to prevent injustice. " (footnote citations omitted; collecting cases)). A motion for new trial is timely when filed within 28 days of the entry of the judgment. Fed. R. Civ. P. 59(b).

"[W]hen considering a motion for new trial, the trial judge may weigh the evidence, but it is proper to grant the motion only if the verdict is against the great, not just the greater, weight of the evidence." *Ard v. Sw. Forest Indus.*, 849 F.2d 517, 520 (11th Cir. 1988). A district court has wider discretion in ruling on a motion for new trial than a motion for judgment as a matter of law. *See, e.g.*, *Allied Chem. Corp. v. Daiflon, Inc.*, 449 U.S. 33, 36 (1980) (the decision to grant a new trial "is a matter confided almost entirely to the exercise of discretion on the part of the trial court"). In reviewing the evidence, the Court "need not view it in the light most favorable to the verdict winner." *DLC Mgmt. Corp. v. Town of Hyde Park*, 163 F.3d 124, 134 (2d Cir. 1998). Moreover, to justify vacating a judgment based on an error in an evidentiary ruling, the Court must find that the "substantial rights of the parties were affected." *E.E.O.C. v. Manville Sales Corp.*, 27 F.3d 1089, 1093 (5th Cir. 1994) (granting a new trial where the excluded remarks that

were "directly relevant" to age discrimination claim and "could directly impact the ability of [the plaintiff] to enforce his rights in this trial").

Finally, because this is a First Amendment retaliation case, where "constitutional facts" will be subject to de novo review, in the first instance the district court has a special responsibility to undertake an exacting review of the entire record with a close focus on facts that are determinative of the constitutional right at issue. *See Holley v. Seminole County Sch. Dist.*, 755 F.2d 1492, 1502 (11th Cir. 1985) ("When presented with a claim that a faculty member was discharged in retaliation for exercising first amendment rights, a federal court does not sit simply to review administrative findings or to measure the procedural regularity of the process." (citation omitted)); *Am. Civil Liberties Union of Fla., Inc. v. Miami-Dade Cnty. Sch. Bd.*, 557 F.3d 1177, 1205 (11th Cir. 2009); *Booth v. Pasco Cnty., Fla.*, 757 F.3d 1198, 1210 (11th Cir. 2014) ("Constitutional facts are 'the ultimate fact[s] upon which the resolution of the constitutional question depends,' as distinguished from preliminary factual issues.").

ARGUMENT

I. THE COURT SHOULD AWARD A NEW TRIAL BECAUSE THE VERDICT IS AGAINST THE GREAT WEIGHT OF THE EVIDENCE.

At trial, Plaintiff convincingly demonstrated each element of his First Amendment claim, including the causal link between his speech and the retaliation. As such, the jury's finding of "No" to the question whether the speech was a motivating factor in the termination decision unquestionably goes against the manifest weight of the evidence. Rather than repeat the evidence presented that supports this argument, Plaintiff hereby incorporates by reference the reasoning and grounds set forth in his previously-filed renewed motion for judgment as a matter of law [DE 450]. As discussed more fully therein, the jury's verdict was undeniably against the manifest weight of the evidence, including:

- FAU's concession in its termination letter that the decision to discipline him was the result of his failure to report his blogging, notwithstanding its admission that it had no blogging policy, and blogging is not even referenced in its Policy, the CBA, or its Regulations governing faculty conduct. *See* DE 450 at 4-5.
- The statement that Dean Heather Coltman circulated following Plaintiff's notice of termination, stating that "with every blog, post, tweet and proclamation of false flags, hoaxes, child actors and millionaire imposter parents, pressures build in the

public to strip all faculty of the protections of tenure," and that his firing holds him "accountable for his despicable behavior and reduces pressure on elected officials to end tenure." *See id* at 6.

- The fact that Tracy's blogging was well-known to FAU, directly accessible to FAU and anybody else, and presented no conflict of interest to FAU.
- The fact that Tracy filed the disclosure form but was terminated anyway.
- The fact that FAU did not follow a progression of discipline, and that there was no rational basis to characterize Tracy's disagreement or confusion over why he had to disclose blogging as "insubordination."
- FAU did not even acknowledge any issue relating to the conflict disclosure form when they previously tried to censor Tracy.
- The deluge of public complaints and negative publicity that FAU's decision makers received leading up to the termination decision, which were all critical of Plaintiff's blog speech on Sandy Hook. *See id*. at 5-6.
- Dean Coltman's handwritten notes from meetings with FAU officials at which they discussed ways in which to "finding winning metaphors" to get around the First Amendment with respect to Plaintiff's blog. *See id.* at 6-7.
- FAU's history of disciplining and monitoring Plaintiff's blog speech in 2013, and again in 2015, each time following public outcry against his speech. *See id.* at 12-13.
- FAU's arbitrary and, more likely, viewpoint discriminatory application of the Policy in light of the overwhelming evidence of other professors who failed to report their blogging or online speech but were never disciplined, and the lack of guidance or rules under the Policy for blogging or online speech. *See id.* at 9-11, 17.
- FAU's refusal to answer Plaintiff's questions or address his concerns about the Policy prior to disciplining him, despite the fact that other faculty members had been complaining that the Policy was confusing and that FAU had been working on revisions to clarify the Policy and alleviate free speech concerns. *See id.*, at 7-9, 16-17.

- The difference in severity between Plaintiff's discipline (termination), and other faculty members, such as Stephen Kajiura, who violate the Policy in addition to other serious violations and only receive a slap on the wrist (in Kajiura's case, a 5-day suspension). *See id.* at 11, 16.
- The jubilation that FAU decision makers, particularly Dean Coltman, shared upon firing Plaintiff, coupled with the disdain they expressed towards his speech. *See id*. at 17.
- The lack of evidence and legal insufficiency surrounding FAU's alternative and pretextual reasons for firing Plaintiff (for failing to comply with directives; for failing to report the book, donations, and use of his work computer), in light of the undisputed evidence that: Plaintiff did not refuse to comply with the Policy; his blogging did not create a conflict of interest or time; and there was no requirement to report the book, donations, or use of the work computer pursuant to the Policy and incidental-use exception. *See id.* at 13-15.

Based on this and other evidence presented at trial, no reasonable jury would have found that the decision to fire Plaintiff was not motivated by the speech. The jury's verdict is against the manifest weight of the evidence.

The following case is instructive. In *Johnson v. FFE Transp. Servs., Inc.*, 227 F. App'x 780 (11th Cir. 2007), a tractor trailer struck the back of a bus that was traveling at a reduced speed due to a flat tire. *Id.* at 781. The jury found the tractor trailer 0% negligent because of the bus's speed, the difficulty in approximating distances at night, and a patch of fog on the road right before the point of impact. *Id.* The Eleventh Circuit affirmed the trial judge's order granting a new trial because the jury's finding that the defendants were 0% negligent "was against the great weight of the evidence." *Johnson*, 227 Fed. App'x at 782. The tractor trailer's driver would have observed the bus approximately 48 seconds before the bus entered the fog. *Id.* "For those 48 seconds, the driver could have more than halved the distance between himself and the bus." *Id.* The rapid closing of distance over a relatively long period of time means that the driver was at least somewhat negligent, even if he was unable to see the bus for the five seconds he was in the fog before the collision. *Id.* Both the *Johnson* plaintiffs and Tracy showed more than enough evidence to demonstrate each of the elements of their claims, and a verdict for FAU in this case goes against the manifest weight of the evidence. *See also Johnson v. FFE Transp. Servs. Inc.*,

No. 03-14386-CIV, 2005 WL 6111613 (S.D. Fla. Oct. 18, 2005); *Bazile v. Bisso Marine Co., Inc.*, 606 F.2d 101 (5th Cir. 1979) (trial court did not abuse its discretion in granting a motion for new trial); *United States v. Parks*, 460 F.2d 736 (the implicit finding of sanity was contrary to the manifest weight of the evidence, so the court reversed and remanded for new trial).

Accordingly, the Court should set aside the verdict and grant a new trial.

II. PLAINTIFF IS ENTITLED TO A NEW TRIAL BASED ON THE COURT'S EXCLUSION OF CRITICAL EVIDENCE SUPPORTING HIS FIRST AMENDMENT RETALIATION CLAIM.

A. The Court Erred in Excluding Evidence of the Senate Faculty Meeting.

At the Senate Faculty Meeting, one professor said with regard to FAU's application of Policy in the Fall of 2015:

> [P]lease call off your dogs until you get your act together when it comes to community engagement. And by calling off the dogs I mean the administration has been sending faculty members who are engaged in outside activity, nasty letters, letters of discipline or letters that threaten faculty members who are engaged in outside activity with discipline.

DE 250-47 at pg 4.

With respect to reporting "outside activities" under the Policy, the same professor lamented:

> No one knows what that means. The deans don't know what this means. Faculty supervisors don't know what this means. And until there's some clarity about what outside activity has to be reported I would recommend, as a good piece of advice, that any new faculty member who asks their supervisor or their peer about what kind [of] outside activity they would engage in I would say do nothing because any outside activity exposes you to risk. And that risk includes discipline up to dismissal from the university. This is serious, and no one knows what outside activity the university is targeting.

Id. at pg 5-6. The same professor also expressed concerns about the potential for arbitrary application of the Policy as a form of discipline in the event the University did not agree with the speech:

> And if someone says something in a public address that the media covers and the university reacts strongly against that[,] they're going to be exposed to discipline.

Id. at pg 10. Indeed, another professor confirmed that a colleague was taken to the "wood[]shed" by FAU simply because he "wrote an op-ed [letter] to the local paper." *Id.* at 14.

President John Kelly, Vice Provost Diane Alperin, and Dean Heather Coltman attended this meeting, and Alperin spoke at it. In response to these and other complaints, she informed the professors that the University was working on revisions to clarify the Policy and the forms. *Id*. at pg 24. This meeting took place two months *before* FAU asked Plaintiff to comply with the Policy. Although Plaintiff did not get the benefit of those revisions or clarified form, he heard the audio recording of the meeting shortly after it took place and was on notice of what transcribed at that meeting. DE 243-5, at pg 176:5-22, 231:25-232:9, 233:23-234:3.

At the summary judgment stage, Plaintiff relied on the Senate Faculty Meeting transcript to demonstrate his and FAU's state of mind in the Fall 2015; that FAU knew the Policy was confusing faculty and was enforcing it anyway as a form of prior restraint; and that faculty were complaining the Policy was being used against them as a form of prior restraint and to chill speech with which the University did not agree. DE 247 at pg 14-15; DE 248 at ¶21; DE 250-47. Plaintiff attempted to do the same at trial, but on the first day the Court excluded the entirety of the transcript, with prejudice, on relevance, hearsay and 403 grounds. Trial Trans. ("T.") Vol. 1, at 55:2-58:19. Then, during Dean Coltman's direct examination, she testified that one of Plaintiff's options if he had any question as to whether his blog was reportable was to go to the Senate Faculty—the same Senate Faculty that expressed its confusion about the Policy at the excluded meeting. T. Vol. 5, at 39:4-10. Plaintiff argued that FAU opened the door to the Senate Faculty Meeting transcript, and the Court disagreed. *Id*. at 238:8-240:24. Respectfully, the Court erred in the exclusion of this evidence.

1. The Senate Faculty Meeting Was Relevant.

With respect to relevance, although the Senate Faculty meeting began with a discussion about "community engagement," the conversation quickly developed into a heated exchange about the University's vague and confusing Policy. A number of professors expressed confusion about its application and feared that the Policy was being used to require faculty members to ask for permission before speaking to the media or posting on the Internet, or else FAU would send "nasty letters" as a form of discipline. All of this is clearly related to the central issues of Plaintiff's First Amendment claim, and the jury should have heard it. Even the Court noted that it was "clear that the relevant subject matter of that meeting was that, generally, FAU policies were confusing, that FAU was improperly applying that policy to faculty, and that the faculty thought

that FAU should cease and desist from its administration of that policy." T. Vol. 1, at 55:6-11. Thus, the Court should have concluded this evidence was relevant.

2. The Senate Faculty Meeting Was Admissible Non-Hearsay Evidence.

Respectfully, the Court also erred in determining the transcript was inadmissible hearsay. Pursuant to Rule 801(c)(2), "hearsay" means an out-of-court statement that "a party offers in evidence to prove the truth of the matter asserted." Fed. R. Evid. 801(c)(2). Thus, evidence is not "hearsay" if it is offered for another purpose, such as to show its effect on the listener. *See U.S. v. Rivera*, 780 F.3d 1084, 1092 ("Generally, an out-of-court statement admitted to show its effect on the hearer is not hearsay."). Because the evidence is not hearsay and was being offered for its effect on both Tracy and FAU, there is no need for it to fit within an exception to the hearsay rule. *Id*. at 1094.

As for Alperin's statements at the meeting, those were clearly admissible under Rule 801(d)(2), because a statement is not hearsay if it is offered against an opposing party and: "(A) was made by the party in an individual or representative capacity; (B) is one the party manifested that it adopted or believed to be true; (C) was made by a person whom the party is authorized to make a statement on the subject; (D) was made by the party's agent or employee on a matter within the scope of that relationship and while it existed; or (E) was made by the party's coconspirator during and in furtherance of the conspiracy." Fed. R. Evid. 801(d)(2); *see also City of Tuscaloosa v. Harcros Chems., Inc.*, 158 F.3d 548, 557-58 (11th Cir. 1998) ("A statement made by [a] party's agent or servant concerning a matter within the scope of the agency or employment, made during the existence of the relationship,…is deemed an admission by party opponent and is excluded from the definition of hearsay."). "Courts have admitted employee statements under Rule 801(d)(2)(D) "where there is some evidence that the statements reflected some kind of participation in the employment decision or policy of the employer." *Calvert v. Doe*, 648 F. App'x 925, 927 (11th Cir. April 25, 2016).

In support of its ruling that the transcript was inadmissible hearsay, the Court relied on the inapposite case of *Staheli v. University of Mississippi*, 854 F.2d 121 (5th Cir. 1988). There, the appellate court held that a professor's statement to Dr. Staheli was not an admission of a party opponent because the professor "had nothing to do with Dr. Staheli's tenure decision—or with any personnel matter concerning Dr. Staheli." *Id*. at 127. Here, in contrast, Alperin spoke at the meeting on the Policy in her capacity as Vice Provost and was unquestionably speaking on a

matter within her authority as Vice Provost, just as she did at trial. *See* T. Vol. 4, at pg 69:10-23, 86:18-24, 160:1-161:10, 180:3-6, 182:2-10.

This case is more like *Woodman v. Haemonetics Corp.*, where the court found that the employee's supervisor made statements in the scope of her employment when she attended a management meeting, assessed the department employees, and recommended that the employee be relieved from his duties. 51 F.3d 1087, 1094 (1st Cir. 1995) (holding trial court misapplied Rule 801(d)(2) when it excluded statements made within scope of employment); *see also Simple v. Walgreen Co.*, 511 F.3d 668, 672 (7th Cir. 2007) (holding that statement by non-decisionmaker was admissible under Rule 801(d)(2)(D) because "she was involved in the process that led up to [the adverse employment] action"); *Marra v. Philadelphia Housing Auth.*, 497 F.3d 286, 298-99 (3d Cir. 2007) (holding that employee's statement of "his opinion regarding company policy" was not hearsay because it was made within the scope of his employment, even though he did not participate in decision-making).

3. The Senate Faculty Meeting Should Not Have Been Excluded Under Rule 403.

With respect to the Court's 403 ruling, excluding otherwise probative evidence under Rule 403 is "an extraordinary remedy which should be used sparingly." *Aycock v. R.J. Reynolds Tobacco Co.*, 769 F.3d 1063, 1069 (11th Cir. 2014). It may be used "only when *unfair* prejudice *substantially* outweighs probate value." *Id*. "In applying Rule 403, courts must 'look at the evidence in a light most favorable to admission, maximizing its probative value and minimizing its undue prejudicial impact.'" *Id*. (internal citation omitted); *see also Higgs v. Costa Crociere S.p.A.*, 2017 WL 6336894, *2 (11th Cir. Dec. 12, 2017) (explaining that when making a decision on Rule 403, "the balance should be struck in favor of admissibility"). Here, the Court's wholesale exclusion of the Senate Faculty Meeting violated these precepts because its highly probative value was not substantially outweighed by the danger of unfair prejudice.

4. FAU Opened the Door to the Senate Faculty Meeting Transcript at Trial.

Moreover, even if inadmissible, the Court should have allowed the Senate Faculty Meeting Transcript in after FAU opened the door to its admissibility. The Eleventh Circuit has held "that inadmissible extrinsic evidence becomes admissible on redirect examination where defense counsel opens the door to the evidence during cross-examination." *United States v. Oliver*, 653 Fed. App'x. 735, 739 (11th Cir. 2016). "The doctrine of opening the door allows a

party to explore otherwise inadmissible evidence on cross-examination when the opposing party has made unfair prejudicial use of related evidence on direct examination." *Valdez v. Watkins Motor Lines, Inc.*, 758 F.3d 975, 981 (8th Cir. 2014). Once the door has been opened through the unfair use of evidence, "inadmissible evidence is admissible on redirect as rebuttal evidence." *United States v. West*, 898 F.2d 1493, 1500 (11th Cir. 1990); *Oliver*, 653 Fed. App'x. at 739 ("The government may elicit testimony on redirect that clarifies issues to which the defense has opened the door on cross-examination.").

Here, this Court previously ruled that evidence regarding whether Tracy could have gone, and refused to go, to the FAU Senate Faculty was inadmissible, but, nonetheless, opposing counsel introduced evidence concerning the Senate Faculty being an option to him in response to the discipline at trial. The introduction of this evidence was unfair and prejudicial, because Tracy was not allowed to introduce previously inadmissible evidence to rebut, clarify, or complete FAU's unfair use of previously inadmissible evidence. *See United States v. Elliot*, 849 F.2d 554, 558-59 (11th Cir. 1988) ("Since it was during defense counsel's cross-examination of Chester that testimony was first elicited surrounding a cocaine shipment, trial court was correct in allowing the Government to go into the cocaine transaction on redirect to clarify what was elicited on cross-examination."); *United States v. Eagle*, 515 F.3d 794 (8th Cir. 2008) (the use of hearsay statements opens the door for other previously inadmissible hearsay statements to clarify, rebut, or complete an issue opened by defense counsel on cross-examination). Thus, at the very least, Plaintiff should have been able to introduce the Senate Faculty transcript in order to rebut, clarify, or complete the issue opened up by defense counsel.

B. <u>The Court Erred In Excluding The Letters From the Constitutional Rights Groups.</u>

Finally, the Court should have permitted Plaintiff to show the jury the letters he received in 2013 from reputable civil rights groups, the American Association of University Professors and the Foundation for Individual Rights in Education, imploring FAU to cease its discipline of Tracy for his blogging. DE 250-29 (Plf's Exh. 10-A and 10-B). As argued at trial, these letters were not being offered for their truth, but Plaintiff's state of mind. T. Vol. 1, at pg 37-38, 78; Vol. 2 at pg 117. As a result of the Court's ruling, the jury was only permitted to hear that Plaintiff received letters from anonymous sources and upon reading them was "galvanized" in his beliefs that he was right that FAU was impinging upon his free speech rights. T. Vol. 2, at pg 118.

That was woefully insufficient. Plaintiff's testimony would have been far more credible had the jury knew that credible civil rights groups came to his aid. However, without knowing the source of these letters, let alone their content, the jury was robbed of critical information as to why Plaintiff was so convicted in his beliefs that what FAU was doing was wrong. As such, the Court's ruling had the effect of prohibiting him from having a fair trial on his claim.

REQUEST FOR HEARING

Pursuant to Local Rule 7.1, Plaintiff requests a hearing on this motion to assist this Court with resolution of the issues raised above in light of the gravity of the claims and the fundamental rights at stake.

CONCLUSION

Plaintiff James Tracy respectfully requests that the Court grant a new trial on his First Amendment Retaliation claim.

Dated: January 12, 2018

/s/ Richard J. Ovelmen
Richard J. Ovelmen
Florida Bar No. 284904
E-mail: rovelmen@carltonfields.com
Steven M. Blickensderfer
Florida Bar No. 092701
E-mail: sblickensderfer@carltonfields.com
CARLTON FIELDS JORDEN BURT, P.A.
100 SE Second Street, Suite 4200
Miami, Florida 33131
Tel: (305) 530-0050
Fax: (305) 530-0055
Co-Counsel for Plaintiff James Tracy

And

Louis Leo IV
Florida Bar No. 83837
E-mail: louis@floridacivilrights.org
Joel Medgebow
Florida Bar No. 84483
E-mail: joel@medgebowlaw.com
Matthew Benzion
Florida Bar No. 84024
E-mail: mab@benzionlaw.com
FLORIDA CIVIL RIGHTS COALITION, P.L.L.C.
Medgebow Law, P.A. & Matthew Benzion, P.A.
4171 W. Hillsboro Blvd., Suite 9
Coconut Creek, Florida 33073

Tel. (954) 478-4223
Fax (954) 239-7771
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 12, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF to be served this day per the attached Service List.

/s/ *Richard J. Ovelmen*

SERVICE LIST

Gerard J. Curely, Jr., Esq. (jcurley@gunster.com)
Holly Griffin, Esq. (hgriffin@gunster.com)
Roger W. Feicht, Esq. (rfeicht@gunster.com)
Gunster, Yoakley & Stewart, P.A.
777 South Flagler Dr. Suite 500 East
West Palm Beach, FL 33401

Counsel for FAU Defendants

Robert F. McKee, Esq. (yborlaw@gmail.com),
Robert F. McKee, P.A. & Melissa C. Mihok, P.A.
1718 E. Seventh Ave. Ste. 301
Tampa, FL 33605

Counsel for Union Defendants