

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MOM FOR LIBERTY –
WILSON COUNTY, TN, *et al.*,

Plaintiffs,

v.

WILSON COUNTY BOARD OF
EDUCATION, *et al.*

Defendants.

Case No: 3:23-cv-211

Judge Eli Richardson

Magistrate Judge Luke A. Evans

PLAINTIFFS' STATEMENT OF UNDISPUTED MATERIAL FACTS

Pursuant to L.R. 56.01(b) and in support of their motion for summary judgment, Plaintiffs submit the following statement of material facts, which are not subject to genuine dispute.

1. The Wilson County Board of Education (the Board) allows people to give comments at its board meetings during a public-comment period. Plaintiffs' MSJ Exhibit 1, Policy 1.404 (April 16, 2026); Doc. 17-2, PageID#120 (¶6); Doc. 17-4, PageID#131.

Response:

2. From at least June 7, 2021, through June 5, 2023, the Board's written policy required speakers giving public comments to publicly state his or her address. Doc. 17-4, PageID#131; Doc. 26-4, PageID#236.

Response:

3. From at least January 1, 2022, through April 3, 2023, the Board chair read a statement to speakers giving public comments that said: "Please state your name, address and the subject of

your presentation. Your topic must be specific in nature, dealing only with policies and procedures. We reserve the right to terminate remarks at any time that you fail to adhere to the guidelines or that your comments become abusive to an individual Board Member, the Board as a whole, the Director of Schools or any employee of the School System.” Doc. 21-1, PageID#193; Doc. 17-2, PageID#120–21, 123 (¶¶6, 20); Plaintiffs’ MSJ Exhibit 11, April 3, 2023 Board Meeting Video at 50:19–50:48.

Response:

4. The Board does not define “abusive,” and the chair subjectively decides what qualifies as abusive. Plaintiffs’ MSJ Exhibit 2, WCS Depo., pp. 55:18–56:14; 61:8–62:2, 63:6–64:10; Plaintiffs’ MSJ Exhibit 10, March 2022 Emails to Farough.

Response:

5. The Board does not have the authority to permanently change a policy or prevent policy changes at future Board meetings. WCS Depo., Plaintiffs’ Exhibit 2, WCS Depo., pp. 42:5–43:25; 44:22–25.

Response:

6. Changing the script the chair reads during public comments does not require a Board vote. The chair has discretion to modify what rules he or she announces at any time. Plaintiffs’ MSJ Exhibit 3, Farough Depo. 105:8–106:08.

Response:

7. Amanda Dunagan-Price and Robin Lemons are members of the advocacy group Moms for Liberty – Wilson County. Doc. 17-2, PageID#118–19 (¶2); Doc. 17-1, PageID#110 (¶2); Plaintiffs’ MSJ Exhibit 4, Price Interrog. Resp., pp. 10–11; Plaintiffs’ MSJ Exhibit 5, Lemons Interrog. Resp., pp. 10–11.

Response:

8. On October 3, 2022, Board Chair Jamie Farough stopped Lemons from speaking during the public-comment period. Doc. 17-13 at 38:52-40:45. When Farough stopped Lemons from speaking, she identified Lemons's refusal to state her address as at least one reason that Farough was terminating her remarks. Doc. 17-13 at 40:28-45; Doc. 17-1, PageID#116 (¶25).

Response:

9. Prior to October 3, 2022, the Board had never enforced the address rule against any other speaker. Plaintiffs' MSJ Exhibit 2, WCS Depo., pp. 27:21-28:3; Doc. 17-2, PageID#126 (¶28).

Response:

10. Farough did not stop Lemons from speaking until Lemons began criticizing the Director of Schools, Jeff Luttrell, by name. Doc. 17-13 at 38:52-40:45.

Response:

11. Farough stopped Lemons from speaking to prevent Lemons from criticizing the Director of Schools, Jeff Luttrell, and other school administrators about how they handled an allegation of sexual misconduct involving her daughter. SUMF 9; SUMF 10; Doc. 17-13 at 38:52-40:45.

Response:

12. Before October 3, 2022, Price self-censored by modifying her speech when giving public comments at Board meetings because she worried that the Board would enforce the ban on abusive speech to prevent her from speaking. Plaintiffs' MSJ Exhibit 4, Price Interrog. Resp., pp. 13-15; Doc. 17-2, PageID#123-24 (¶¶21-22); Plaintiffs MSJ Exhibit 13, Price Depo., pp. 56:15-57:16, 58:12-15, 59:24-60:3.

Response:

13. After October 3, 2022, Price self-censored by modifying her speech when giving public comments and refraining from speaking at Board meetings because she worried that the Board would enforce the ban on abusive speech and the address rule to prevent her from speaking. Plaintiffs' MSJ Exhibit 4, Price Interrog. Resp., pp. 13–15; Doc. 17-2, PageID#124–25 (¶¶23, 26).

Response:

14. On October 3, 2022, Lemons self-censored by modifying her speech and intended speech during the Board's public-comment period because she worried that the Board would enforce the ban on abusive speech to prevent her from speaking. Plaintiffs' MSJ Exhibit 5, Lemons Interrog. Resp., pp. 13–14; Doc. 17-1, PageID#114 (¶16); Plaintiffs' MSJ Exhibit 12, Lemons Depo., pp. 47:2–11.

Response:

15. After October 3, 2022, Lemons self-censored by refraining from speaking because she worried that the Board would enforce the ban on abusive speech and the address rule to prevent her from speaking. Plaintiffs' MSJ Exhibit 5, Lemons Interrog. Resp., pp. 14–15; Doc. 17-1, PageID#116–17 (¶¶28–29); Plaintiffs' MSJ Exhibit 12, Lemons Depo., pp. 79:22–80:13.

Response:

16. No later than December of 2022, Farough knew that the rule against abusive speech likely violated the First Amendment. Plaintiffs' MSJ Exhibit 9, Farough Board Emails; Plaintiffs' MSJ Exhibit 3, Farough Depo., pp. 47:2–5, 47:17–19, 108:17–109:8.

Response:

17. Board Chair Farough continued enforcing the rule against abusive speech and the address rule until April 2023. Plaintiffs' MSJ Exhibit 4, Price Interrog. Resp., pp. 16–17; Plaintiffs' MSJ Exhibit 5, Lemons Interrog., Resp., pp. 15–16; Plaintiffs MSJ Exhibit 6, January 18, 2023 Board Meeting Video at 2:14–44, 14:08–14:32; 30:27–31:00; Plaintiffs' MSJ Exhibit 7, February 6, 2023 Board Meeting Video at 43:08–43; 1:04:46–50; 108:49–1:09:08; Plaintiffs' MSJ Exhibit 8, March 13, 2023 Board Meeting Video at 19:00–35; 24:50–55; 30:18–24.¹

Response:

18. Farough revised the statement she read to speakers during the public-comment period after this lawsuit was filed. The revised statement did not tell speakers to state their address, and it did not state that the Board may terminate comments for being abusive. *Compare* Plaintiffs' MSJ Exhibit 8, March 13, 2023 Board Meeting Video at 19:00–25, *with* Plaintiffs' MSJ Exhibit 11, April 3, 2023 Board Meeting Video at 50:19–50:48; *compare* Doc. 21-1, PageID#193, *with* Doc. 21-2, PageID#194; Plaintiffs' MSJ Exhibit 2, WCS Depo., pp. 66:21–25; Plaintiffs' MSJ Exhibit 3, Farough Depo., pp. 106:4–25.

Response:

19. The Board revised Policy 1.404 to remove the requirement that speakers state their address on June 5, 2023. Doc. 26-4, PageID#236; Exhibit 2, WCS Depo. pp. 79:6–10.

20. Both Price and Lemons continue to worry that the Board will censor them if the chair or other board members dislike their comments. Doc. 17-1, PageID#116–17 (¶¶28–29); Doc. 17-2, PageID#125 (¶25–26); Plaintiffs' MSJ Exhibit 12, Lemons Depo., pp. 81:19–25; Plaintiffs' MSJ Exhibit 13, Price Depo., pp. 67:25–68:5.

¹ The videos filed as Exhibits 6, 7, 8, and 11 are also accessible online: <https://bit.ly/4bWgNPh> (Exhibit 6); <https://bit.ly/4hHazX7> (Exhibit 7); <https://bit.ly/45w1KIt> (Exhibit 8); and <https://bit.ly/4wwj9wD> (Exhibit 11).

Response:

21. The Board did not have a reason for the previous requirement that individuals publicly state their address before speaking. Plaintiffs' MSJ Exhibit 2, WCS Depo., pp. 21:10–22:17, 24:8–17, 27:1–4.

Response:

Dated: July 30, 2026.

Respectfully submitted,

/s/ Brett R. Nolan

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CERTIFICATE OF SERVICE

I certify that the above document was served electronically through the Court's CM/ECF system upon counsel for the defendants identified below on July 30, 2026.

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