

Exhibit B

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

<p>PEN AMERICAN CENTER, INC., et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>ESCAMBIA COUNTY SCHOOL BOARD,</p> <p style="text-align: center;">Defendant.</p>	<p>CASE NO.: 3:23-CV-10385-TKW-ZCB</p>
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**DECLARATION OF ELLINOR HEYWOOD
IN SUPPORT OF MOTION TO COMPEL DISCOVERY**

I, Ellinor Heywood, declare as follows:

1. I am over the age of 18 and have personal knowledge of the facts in this declaration.
2. I am a Paralegal/Impact Associate for Protect Democracy, counsel for Plaintiffs in the above-captioned action.
3. On July 15, 2024, Defendants produced versions of the Reconsiderations Spreadsheets dated September 15, 2022 and July 24, 2023 through June 20, 2024. The production consisted of 54 unique versions of the spreadsheet.
4. In preparation for Plaintiffs' 30(b)(6) deposition of Bradley Vinson on August 22 and 23, 2024, and under the supervision of Plaintiffs' counsel Ori Lev, I reviewed the produced spreadsheets to attempt to determine specific dates when certain challenged books first became restricted and/or unrestricted. This process required cross-checking every title individually on each of the 54 spreadsheets to determine whether it was listed as restricted or not on a certain date.

5. I estimate that the process described in the prior paragraph took about 30 minutes per book. Because I did not have access to spreadsheets from the period between September 15, 2022 and July 24, 2023, I was not able to determine the dates when all books were restricted or unrestricted.
6. On October 25, 2024, I recreated the exercise that I undertook in preparation for the 30(b)(6) deposition. I selected *The Hate U Give* by Angie Thomas and tried to determine when the title had been restricted and unrestricted. The current and public version of the Reconsiderations Spreadsheet indicates that *The Hate U Give* is restricted in Escambia Public School libraries. Consequently, I reviewed all 54 versions of the spreadsheet in Plaintiffs' possession, beginning with the latest one dated June 20, 2024, and working backward to identify changes to the restricted status of the book. The first spreadsheet I reviewed where *The Hate U Give* was listed as unrestricted was the April 1, 2024 spreadsheet at 12:45 PM. In order to verify that the title had not been restricted prior to that date, I continued reviewing the versions of the spreadsheet produced prior to April 1, 2024 to determine whether *The Hate U Give* had been listed as restricted prior to April 1, 2024. This exercise also took me around 30 minutes to complete.
7. Given that I did not have access to all versions of the Reconsiderations spreadsheet from September 15, 2022 through July 24, 2023, my determination of when *The Hate U Give* was restricted and unrestricted is incomplete as I cannot determine whether *The Hate U Give* had been restricted or unrestricted prior to July 24, 2023.
8. On October 28, 2024, Defendant produced an additional 130 unique versions of the Reconsiderations Spreadsheet, covering the time period between September 15, 2022 and July 24, 2023 and from June 20, 2024 to the present. The time it would take me to determine the date of restriction and unrestriction of a single title should increase linearly with the number of additional spreadsheets, given the nature of the exercise described above. That is, assuming the same pace of review, every additional 54 spreadsheets I need to review for each book should add about 30 minutes to the review. Based on that, I estimate that it would take me about 100 minutes - or 1 hour, 40 minutes - to review the restricted status history of a single title using the 184 different versions of the Reconsiderations Spreadsheet that Defendant has produced (the original 54 plus the additional 130). I calculated this estimate by determining that 184 spreadsheets is approximately 3.4 times 54 spreadsheets. I then multiplied 30 minutes by 3.4, yielding an estimate of approximately 100 minutes per book. I therefore

estimate it would take me over 250 hours to conduct the review for all 160 restricted books at issue in this lawsuit.

9. I was present during the 30(b)(6) deposition of Bradley Vinson. At that deposition, Ms. Vinson utilized a version of the Reconsideration Spreadsheet that allowed access to the spreadsheet's edit history to identify the dates that certain challenged books were restricted or unrestricted. I observed that Ms. Vinson could very quickly answer questions as to the date that a particular book's restricted status was changed on the spreadsheet.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: October 28, 2024.

/s/ Ellinor Heywood
Ellinor Heywood