

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

PEN AMERICAN CENTER, INC.,	:	
SARAH BRANNEN, LINDSAY	:	
DURTSCHI, on behalf of herself and her	:	Case No. 3:23-CV-10385-TKW-
minor children, BENJAMIN GLASS, on	:	ZCB
behalf of himself and his minor child,	:	
GEORGE M. JOHNSON, DAVID	:	JURY TRIAL DEMANDED
LEVITHAN, KYLE LUKOFF, ANN	:	
NOVAKOWSKI, on behalf of herself and	:	
her minor child, PENGUIN RANDOM	:	
HOUSE LLC, SEAN PARKER, on behalf	:	
of himself and his minor child, ASHLEY	:	
HOPE PÉREZ, ERICA ROY, on behalf of	:	
herself and her minor children,	:	
CHRISTOPHER SCOTT	:	
SATTERWHITE, on behalf of himself and	:	
his minor child, and CARIN SMITH, on	:	
behalf of herself and her minor children,	:	

Plaintiffs,

v.

ESCAMBIA COUNTY SCHOOL
BOARD,

Defendant.

PLAINTIFFS' INITIAL RULE 26(a)(1) DISCLOSURES

Pursuant to the Court's May 20, 2023 Initial Scheduling Order [DE 11], its July 7, 2023 Order Extending Deadlines [DE 24], and Rule 26(a)(1) of the Federal Rules of Civil Procedure, Plaintiffs PEN American Center, Inc. ("PEN America"), Sarah Brannen, Lindsay Durtschi, Benjamin Glass, George M. Johnson, David

Levithan, Kyle Lukoff, Ann Novakowski, Penguin Random House LLC (“PRH”), Sean Parker, Ashely Hope Pérez, Erica Roy, Christopher Scott Satterwhite, and Carin Smith (“Plaintiffs”), through their undersigned counsel, provide the following initial disclosures in this action, while reserving all of their rights.

A. Persons Likely to Have Discoverable Information that Plaintiffs May Use to Support their Claims

In addition to each of the Plaintiffs, each whom can be reached via the undersigned counsel, the following persons are likely to have discoverable information that Plaintiffs may use to support their claims against the Escambia County School Board (the “School Board”):

Identity and Address of Individual	Knowledge or Information
Kevin Adams, School Board Member for District 1 (c/o counsel for School Board)	The library book removals and restrictions at issue, including their bases
Paul H. Fetsko, School Board Member for District 2 and School Board Chair (c/o counsel for School Board)	The library book removals and restrictions at issue, including their bases
David Williams, School Board Member for District 3 (c/o counsel for School Board)	The library book removals and restrictions at issue, including their bases
Laura Dortch Edler, former Board Member for District 3	The library book removals and restrictions at issue, including their bases

Identity and Address of Individual	Knowledge or Information
(c/o counsel for School Board)	
Patty Hightower, Board Member for District 4 (c/o counsel for School Board)	The library book removals and restrictions at issue, including their bases
William (“Bill”) Slayton Jr., Board Member for District 5 (c/o counsel for School Board)	The library book removals and restrictions at issue, including their bases
Ellen Demmy Odom, Esquire, General Counsel Escambia County Schools Escambia County School Board 75 N Pace Blvd, Pensacola, FL 32505-7965 (c/o counsel for School Board)	The library book removals and restrictions at issue, including their bases
Timothy Smith, former Superintendent for Escambia County School District 2020-2023 (Plaintiffs do not have an address for Mr. Smith at this time)	The library book removals and restrictions at issue, including their bases
Keith Leonard, current Superintendent for Escambia County School District 75 North Pace Blvd., Pensacola, FL 32505	The library book removals and restrictions at issue, including their bases
Vicki Baggett	The library book removals and restrictions at issue, including their bases

Identity and Address of Individual	Knowledge or Information
(Plaintiffs do not have an address for Ms. Baggett at this time)	
Michelle White, former Coordinator of Media Services for Escambia County School District (Plaintiffs do not have an address for Ms. White at this time)	The library book removals and restrictions at issue, including their bases
Bradley Vinson, Coordinator of Media Services for Escambia County School District 2005 North 6 th Avenue, Pensacola, FL 32503	The library book removals and restrictions at issue, including their bases

Plaintiffs' investigation to determine the names of additional people who have discoverable information that Plaintiffs may use to support their claims is ongoing, and they reserve the right to supplement this list.

B. Categories of Documents that Plaintiffs May Use to Support Their Claims

Plaintiffs are not, at this time, aware of any documents in their possession, custody, or control that they may use to support their claims that are not equally available to Defendant. With that caveat aside, the following categories pertain to documents in the possession, custody, or control of certain of the Plaintiffs that they may use to support their claims:

- Documents relating to challenges to the library books, and the adjudication of such challenges, that are available through this

spreadsheet:

<https://docs.google.com/spreadsheets/d/1hv6Wtu55zY3t5bmbksY2ie7Q-L3zAQdjrtFh4duLC4/edit#gid=0>;

- Copies of publicly available videos of School Board meetings at which library book removals or restrictions were discussed;
- Copies of certain of the removed or restricted books currently in the possession of either the Author Plaintiffs (as that term is defined in the Amended Complaint), PEN America, or PRH; and
- Public statements by members of the School Board about the library book removals and restrictions.

Plaintiffs' investigation of the categories of additional documents, if any, Plaintiffs may use to support their claims is ongoing.

C. Calculation of Damages

Not applicable.

D. Availability of Insurance Coverage

Not applicable.

E. Reservation of Rights

Plaintiffs reserve the right to supplement these disclosures to the fullest extent permitted under the Federal Rules of Civil Procedure.

Respectfully submitted,

Dated: August 23, 2023

/s/ Shalini Goel Agarwal

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**Admitted pro hac vice*

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CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2023, I caused a true and correct copy of the foregoing Initial Rule 26(a)(1) Disclosures to be served on counsel of record for all parties via email.

Dated: August 23, 2023

/s/ Paul Safier
Paul Safier