

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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[www.call.uscourts.gov](http://www.call.uscourts.gov)

November 25, 2025

**MEMORANDUM TO COUNSEL OR PARTIES**

Appeal Number: 25-13298-EE; 25-13698-E  
Case Style: Pen American Center, Inc., et al v. Kevin Adams, et al  
District Court Docket No: 3:23-cv-10385-TKW-ZCB

The enclosed order has been ENTERED.

Cases Consolidated

The cases referenced above are now consolidated.

A litigant who is a party in more than one case being consolidated must file all documents in each separate consolidated case number. A litigant who is a party in only one of the cases being consolidated must file all documents in that case number; if such a litigant wants to receive notice of filings in the other case(s) being consolidated, the litigant should set up notice through the "[Notice for Cases of Interest](#)" utility in CM/ECF.

Appellant's consolidated brief is due 30 days from the date of the enclosed order.  
Appellees' consolidated response brief is due within 21 days from the filing of Appellants' initial brief.  
Appellants' consolidated reply brief, if any, is due within 14 days from the filing of Appellees' response brief.

Electronic Filing

All counsel must file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause. Although not required, non-incarcerated pro se parties are permitted to use the ECF system by registering for an account at [www.pacer.gov](http://www.pacer.gov). Information and training materials related to electronic filing are available on the Court's website.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

MOT-2 Notice of Court Action

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 25-13298

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PEN AMERICAN CENTER, INC.,  
GEORGE M. JOHNSON,  
KYLE LUKOFF,  
ANN NOVAKOWSKI,  
on behalf of herself and her minor child,  
PENGUIN RANDOM HOUSE, LLC, et al.,

*Plaintiffs-Appellees,*

SARAH BRANNEN, et al.,

*Plaintiffs,*

*versus*

ESCAMBIA COUNTY SCHOOL DISTRICT, et al.,

*Defendants,*

KEVIN ADAMS,

*Defendant-Appellant,*

PAUL FETSKO,  
PATRICIA HIGHTOWER,  
WILLIAM SLAYTON,

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DAVID WILLIAMS,

*Interested Parties-Appellants.*

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Appeal from the United States District Court  
for the Northern District of Florida  
D.C. Docket No. 3:23-cv-10385-TKW-ZCB

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No. 25-13698

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PEN AMERICAN CENTER, INC.,  
GEORGE M. JOHNSON,  
KYLE LUKOFF,  
ANN NOVAKOWSKI,  
on behalf of herself and her minor child,  
PENGUIN RANDOM HOUSE, LLC, et al.,

*Plaintiffs-Appellees,*

SARAH BRANNEN, et al.,

*Plaintiffs,*

*versus*

ESCAMBIA COUNTY SCHOOL DISTRICT, et al.,

*Defendants,*

CARISSA BERGOSH,  
TOM HARRELL,

*Interested Parties-Appellants.*

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Appeal from the United States District Court  
for the Northern District of Florida  
D.C. Docket No. 3:23-cv-10385-TKW-ZCB

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ORDER:

Appellees' motion to consolidate Case No. 25-13298 and Case No. 25-13698 is GRANTED. Case Nos. 25-13298 and 25-13698 are CONSOLIDATED for briefing and merits disposition purposes.

Appellants' motion to stay Case No. 25-13298 is DENIED. On its own motion, the Court VACATES the stay previously granted in Case No. 25-13698.

Appellees' motion to expedite is GRANTED as follows. The appeals are EXPEDITED as to briefing, disposition, and oral argument if the Court deems oral argument appropriate. The Court takes no position on the appropriateness of oral argument at this time. The motion is otherwise DENIED. Briefing shall proceed as follows:

Appellants' consolidated initial brief is due within 30 days from the date of this order.

Appellees' consolidated response brief is due within 21 days from the filing of Appellants' initial brief.

Appellants' consolidated reply brief, if any, is due within 14 days from the filing of Appellees' response brief.

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/s/ Britt C. Grant  
UNITED STATES CIRCUIT JUDGE