

IN THE SUPREME COURT OF VIRGINIA

| | | |
|--------------------------------------|---|-------------------|
| Peter Vlaming, |) | |
| |) | |
| <i>Plaintiff-Appellant</i> |) | |
| v. |) | |
| |) | |
| West Point School Board; Laura |) | |
| Abel, in her official capacity as |) | Record No. 211061 |
| Division Superintendent; Jonathan |) | |
| Hochman, in his official capacity as |) | |
| Principal of West Point High School; |) | |
| and Suzanne Aunspach, or her |) | |
| successor in office, in her official |) | |
| capacity as Assistant Principal of |) | |
| West Point High School |) | |
| |) | |
| <i>Defendants-Appellees.</i> |) | |

MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

Come now *Amici*, pursuant to Rule 5:30 of the Rules of the Supreme Court of Virginia, the American Civil Liberties Union Foundation (ACLU) and the American Civil Liberties Union Foundation of Virginia (ACLU of Virginia) who respectfully request that the Court grant leave for them to file a brief in support of the Defendants-Appellees. A copy of the proposed brief is filed herewith. In support of this motion, *amici* state as follows:

1. Movants are statewide and national nonprofit, nonpartisan organizations with members and/or supporters across the Commonwealth of Virginia. The ACLU of Virginia appears frequently before the state and federal courts of this

Commonwealth, both as counsel and as amicus curiae.

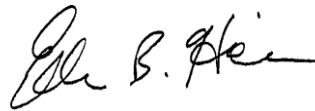
2. The issues presented in this case are of particular importance to the movants, as well as their members and supporters, given their advocacy in favor of First Amendment liberties as well as equal rights for LGBTQ people in Virginia.

3. Pursuant to Rule 5:30(b)(2), *amici* have sought and received consent from all parties to the case to file this amicus brief.

For the foregoing reasons, *amici* respectfully request that the Court grant their motion to file a brief *Amici Curiae*.

Date: July 27, 2022

Respectfully submitted,



Edén Heilman (VSB No. 93554)

**AMERICAN CIVIL LIBERTIES UNION FOUNDATION
OF VIRGINIA**

701 E. Franklin St., Ste. 1412

Richmond, VA 23219

Phone: (804) 523-2152

Fax: (804) 649-2733

eheilman@acluva.org

Joshua A. Block*

AMERICAN CIVIL LIBERTIES UNION FOUNDATION

125 Broad Street, 18th Floor

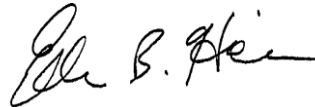
New York, NY 10004
Phone (212) 549-2500
jblock@aclu.org

**Pro Hac Vice* to follow

Counsel for Amici Curiae

CERTIFICATE OF SERVICE

I certify that on July 27, 2022, the foregoing Motion for Leave was filed with the Clerk of the Supreme Court of Virginia using the Court's VACES system, and a copy was served on counsel for the Plaintiff-Appellant and Defendants-Appellees by email pursuant to Rules 1:12 and 5:1B of the Rules of the Supreme Court of Virginia.



Eden Heilman
**AMERICAN CIVIL LIBERTIES UNION FOUNDATION
OF VIRGINIA**
701 E. Franklin St., Ste. 1412
Richmond, VA 23219
Phone: (804) 523-2152
Fax: (804) 649-2733
eheilman@acluva.org