

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

STEVEN ALAN CARR, <i>et al.</i> ,	)	
<i>Plaintiffs</i> ,	)	
v.	)	
TRUSTEES OF PURDUE UNIVERSITY, <i>et al.</i> ,	)	Case No. 1:24-cv-00772-SEB-MJD
<i>Defendants</i> .	)	

**SUPPLEMENTAL NOTICE REAFFIRMING THE LIMITED ARTICLE III SCOPE OF UNIVERSITY DEFENDANTS’ JOINDER IN STATE’S BRIEF ON DISMISSAL AND OPPOSITION TO PRELIMINARY INJUNCTION**

For avoidance of doubt, University Defendants respectfully submit this Notice to reaffirm the specific scope of their July 22, 2024 joinder [ECF59] in State’s combined brief for dismissal and opposition to preliminary injunction. To recap, University Defendants moved to dismiss for lack of Article III standing and ripeness [ECF58]. The State moved to dismiss on those same grounds [ECF56], and filed a brief [ECF57] raising them and others in support of dismissal and in opposition to preliminary injunction. To conserve Universities’ fiscal resources and for judicial economy, rather than file a separate brief, University Defendants filed a joinder [ECF59] concurring that “dispositive jurisdictional issues of ripeness and standing referenced in” the State’s Rule 12(b)(1) motion and brief warrant dismissal of the lawsuit and denial of the requested preliminary injunction.

To reaffirm, University Defendants join *only* in the Article III and Rule 12(b)(1) bases of the State’s brief from the Indiana Solicitor General seeking dismissal and opposing the requested preliminary injunction. That is, the State’s brief [ECF57], and its reply [ECF64] that University Defendants joined for similar efficiencies [ECF65], asserts that no Article III controversy exists in this challenge to parts of Indiana Code article 21-39.5, which states, *e.g.*, that “[n]othing in this article may be construed to . . . [l]imit or restrict the academic freedom of faculty members” (I.C. § 21-39.5-6-1 [cited by ECF64])—a principle the Universities continue to uphold [*see, e.g.,* <http://bit.ly/3zP4bJM> (Indiana University reaffirming “the University provides academic freedom”)]

(cited by ECF57 at 6-7, n.1), and <https://www.purdue.edu/newsroom/releases/2024/Q2/purdue-trustees-approve-faculty-promotions-and-transfers-reaffirm-commitment-to-academic-freedom-and-tenure1.html> (Purdue University reaffirming “commitment to academic freedom”) (linked within first source cited by ECF57 at 6-7, n.1)].

Respectfully submitted,

*s/John R. Maley*  
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