

SUPREME COURT  
OF WISCONSIN  
APPEAL CASE NO. 2017AP1240

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**JOHN McADAMS**  
Plaintiff-Appellant-Petitioner,

v.

**MARQUETTE UNIVERSITY**  
Defendant-Appellee-Respondent.

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On Appeal from the Decision of Circuit Court of Milwaukee County  
Honorable David A. Hansher Presiding  
Circuit Court Case No. 16-CV-003396

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**MOTION OF FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION FOR  
LEAVE TO FILE *AMICUS CURIAE* BRIEF IN SUPPORT OF PLAINTIFF-  
APPELLANT-PETITIONER JOHN McADAMS**

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Pursuant to Wis. Stat. 809.19(7), the Foundation for Individual Rights in Education moves for leave to file the attached *amicus curiae* brief in support of Plaintiff-Appellant-Petitioner John McAdams (“McAdams”) in the above-captioned case. Movant states the following in support of this Motion:

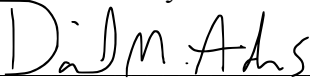
1. The Foundation for Individual Rights in Education (“FIRE”) is a nonpartisan, nonprofit, tax-exempt education and civil liberties organization dedicated to defending student and faculty rights at our nation’s institutions of higher education. Since its founding in 1999, FIRE has effectively and decisively defended freedom of speech, legal equality, due process, religious liberty, and sanctity of conscience on behalf of students and faculty nationwide via legal and public advocacy. FIRE believes that if our nation’s universities are to best prepare students for success in our democracy, the law must remain clearly on the side of

student and faculty rights.

2. Pursuant to these beliefs and its mission to defend student and faculty rights, FIRE wrote Defendant-Appellee-Respondent Marquette University in January 2015 to express concern about Defendant's treatment of McAdams.
3. As detailed in the accompanying brief, *amicus* FIRE has a strong interest in the outcome of this case because it concerns professors' free speech and academic freedom rights at a historically significant moment when those rights are under threat on our nation's college campuses.
4. *Amicus* believes that faculty must be free to speak publicly about matters of public concern, to engage in classroom speech germane to the subjects they are teaching, and — at issue here — to publicly criticize what they believe to be dangerous pedagogical practices.
5. *Amicus* believes that, if allowed to stand, the lower court's decision will further erode the free speech and academic freedom rights of faculty to the serious detriment of both American higher education and our democracy at large.
6. *Amicus* has a demonstrated commitment to preserving rights on our nation's public campuses, and therefore has a deep interest in securing a just result in this case.
7. The attached *amicus curiae* brief would be desirable and beneficial to the Court's understanding of the issues presented because *amicus* has extensive experience defending civil liberties in higher education, and possesses significant expertise regarding the state of faculty rights and academic freedom on America's college campuses. *Amicus* is thus uniquely positioned to assist the Court by providing an

informed perspective and specific information, beyond what the parties can provide, on the potential statewide and national impact of a ruling upholding the lower court's decision.

Respectfully submitted,  
Foundation for Individual Rights in Education,  
By their Attorneys:

  
Daniel M. Adams, SBN 1067564  
ADAMS LAW GROUP llc  
1200 E. Capitol Dr., Suite 360  
Milwaukee, WI 53211  
(T) 414-921-1945  
(F) 414-921-1946  
Dan@DefenseWisconsin.com  
www.DefenseWisconsin.com

Alexandria Morey, SBN 1089462  
FOUNDATION FOR INDIVIDUAL  
RIGHTS IN EDUCATION (FIRE)  
777 North Capitol Street NE, Suite 802  
Washington, D.C. 20002  
T: 215.717.3473  
F:215.717.3440  
Alex@TheFire.org  
www.TheFire.org

#### CERTIFICATION

I hereby certify that a copy of this document was served upon all parties hereto by hand-delivery, to the address of counsel of record as follows:

Attorneys for Plaintiff-Appellant-Petitioner  
Wisconsin Institute for Law and Liberty  
1139 E Knapp St.  
Milwaukee, WI 53202

Attorneys for Defendant-Appellee-Respondent  
Attorney Ralph Weber  
241 North Broadway, Suite 300  
Milwaukee, WI 53202