

Law Offices of Michael Carter
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MEMORANDUM

To: Examinee
From: Michael Carter
Date: February 27, 2024
Re: Randall v. Bristol County

Our client, Olivia Randall, has worked for the Bristol County Library for 10 years. Last October, Randall's employer, the county, suspended her without pay for two weeks for "insubordination." The suspension followed Randall's making two posts on her Facebook page criticizing the county executive's decision not to seek a renewal of grant funding for a workforce-development program Randall directed.

I filed a lawsuit against Bristol County in US District Court, pursuant to 42 U.S.C. § 1983, alleging that the county had violated Randall's First Amendment rights. Although Randall has already served the suspension, the complaint seeks relief in the form of restoration of her pay and expungement of the suspension from her employment record. A successful suit would help repair Randall's reputation and deter the county from future retaliatory actions.

Both Randall and Marie Cook, the county executive, have been deposed for this case. The facts are undisputed, and the county has conceded that Randall was suspended because of her Facebook posts. I am now drafting a Motion for Summary Judgment.

I need you to prepare the section of the supporting brief that argues that the county violated Randall's First Amendment rights by suspending her. In making the argument that Randall engaged in protected speech, be sure to address all elements of her claim. In addition, you should anticipate and respond to the arguments that the county may make. In drafting your argument, follow the attached guidelines. Do not draft a separate statement of facts but be sure to integrate the facts into your argument.

Randall v. Bristol County

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