

4. I have reviewed the Reply to State Defendant's Response to Plaintiff's Motion for Preliminary Injunction ("Reply") being filed with the Court in this case and based on my personal knowledge, information, and belief, it is true and accurate. This supplemental declaration is submitted in support of the Reply.

5. Some meetings of the Advisory Commission on the Rules of Practice and Procedure have been open to the public and press.² For example, members of the public were invited to attend the meeting held on May 20, 2016, at the Tennessee Administrative Office of the Courts ("TAOC") in Nashville.

6. The TOAC published a notice of the meeting on its website beforehand; a copy is attached to the Reply as ECF No. 26-2.³

7. For additional information on attending the meeting, the notice directed members of the public to contact Jeana Hendrix, TAOC Assistant General Counsel, and provided her State telephone number and email address.⁴

8. A list of current members of the Advisory Commission on the Rules of Practice and Procedure is attached to the Reply as ECF No. 26-3.

² The parties have used different names to refer to the "Advisory Commission on the Rules of Practice and Procedure." I have referred to it as the "Tennessee bench-bar advisory commission established to recommend rules," and Director Long has referred to it as the "Rules Advisory Commission." All the various names used by the parties refer to the same body created by the enabling statute, Tenn. Code Ann. § 16-3-601.

³ It is also available at <https://www.tncourts.gov/calendar/public-meeting-notices/2016/05/20/advisory-commission-rules-practice-and-procedure> (last visited July 21, 2022).

⁴ TAOC named Hendrix the Assistant General Counsel in 2014, *available at* <https://www.tncourts.gov/news/2014/10/24/aoc-names-assistant-general-counsel> (last visited July 21, 2022).

9. As indicated on its website, the TAOC provides administrative support to approximately 15 Boards and Commissions, including the Advisory Commission on the Rules of Practice and Procedure.⁵

10. TAOC also provides administrative support to the ADR Commission, and it is having its quarterly meeting on October 18, 2022, via virtual livestreamed for public viewing on the Tennessee court's YouTube channel.⁶

11. Because the TAOC provides administrative support to the ADR Commission, it has posted notice to the public of the ADR Commission's upcoming quarterly meeting in October, at least 89 days (from July 21, 2022) in advance of this virtual public meeting.

12. According to TAOC Deputy Director Harmon (ECF No. 23-1), there is a scheduled quarterly meeting of the Advisory Commission on the Rules of Practice and Procedure (Tenn. Code Ann. § 16-3-601) on September 9, 2022. This is 50 days from today, July 21, 2022. I have reviewed the TAOC website's September calendar for public meeting notices, and there is no public notice posted for September 9, 2022. *See* September calendar from TAOC website on the following page.

13. Therefore, the meeting of the Advisory Commission on the Rules of Practice and Procedure on September 9, 2022, is closed to the public and press.

⁵ <https://tncourts.gov/boards-commissions/boards-commissions> (last visited July 21, 2022).

⁶ <https://tncourts.gov/calendar/adr-commission/2022/10/18/adr-commission-quarterly-meeting> (last visited July 21, 2022).

EVENT TYPE

Public Meeting Notices

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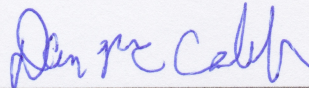
September 2022

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SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT.

Executed on July 21, 2022
Crystal Lake, Illinois



DAN McCALEB,
Executive Editor of The Center Square