

Kyle J. Bristow, Esq.

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- Michigan (P77200)
- Ohio (#0089543)
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- E.D. Mich.
- W.D. Mich.
- N.D. Ohio
- S.D. Ohio
- 4th Cir.
- 5th Cir.
- 6th Cir.

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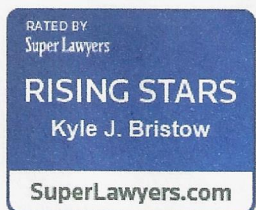
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THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Bristow Law, PLLC

January 26, 2018

Kent State University
Attn: General Counsel
P.O. Box 5190
Kent, OH 44242

Sent via First Class United States Mail and Electronic Mail (legal@kent.edu)

**RE: CAMERON PADGETT v. BEVERLY J. WARREN
PRE-SUIT DEMAND FOR COMPLIANCE WITH FIRST
AMENDMENT TO THE UNITED STATES CONSTITUTION**

To whom this concerns:

Take note that my law firm represents Cameron Padgett for purposes of the controversy described herein.

On January 17, 2018, Mr. Padgett contacted Kent State University (“KSU”) to request the opportunity to rent the Student Multicultural Center for a speaking event Mr. Padgett is trying to organize which would feature Mr. Padgett, Richard Spencer of the National Policy Institute, and other invited guest speakers who would share with the attendees of the function their Alt-Right and identitarian political views. According to the KSU website, said room is advertised as being available for the public to rent.¹

When KSU officials became aware that Mr. Padgett was attempting to rent the room—and political opponents of Mr. Padgett became aware of the same and made a fuss about it—, KSU quickly informed Mr. Padgett that the room could not be rented by him unless his event was sponsored by a student group registered with KSU. KSU cited § 4 - 03.1 of the University Policy Register² to support its contention that Mr. Padgett needs the sponsorship of such a student group in order to host his event in a room which is advertised as otherwise being publicly available for rent.

Noteworthy about § 4 - 03.1(B)(1) is that sponsorship by a student group for an event to occur is not required for “social, or athletic exhibitions or events.” Thus, KSU’s policy is facially unconstitutional—much less as-applied to the facts of the instant controversy—insofar as KSU openly discriminates against the content of speech through the imposition of the prerequisite of having a registered student organization sponsor events for some forms of speech, but not others.

According to KSU’s policy, a student group would need to sponsor a speech by a politician, but not a speech by a wedding speaker at a wedding reception or the remarks of an emcee at a fundraiser for a charity or the jokes that a comedian might tell at a social function. This is brazenly unconstitutional content-based discrimination because KSU is imposing and enforcing different

rules based upon the content of different types of speech, and such cannot occur in a limited public forum which KSU has created by permitting its Student Multicultural Center to be rented by the public.

This is clearly established law, and KSU should know better than to trample upon the First Amendment in this manner with a policy which is clearly designed to suppress controversial political speech. *Widmar v. Vincent*, 454 U.S. 263 (1981) (holding that when a public university opens its facilities to the public for use, the university creates a forum subject to the First Amendment); *Lamb's Chapel v. Center Moriches Union Free School District*, 508 U.S. 384 (1993) (holding that when a public school which opens its facilities to the public creates a limited public forum, it cannot engage in the discrimination of speech); *Good News Club v. Milford Central School*, 533 U.S. 98 (2001) (holding that when a public school which opens its facilities to the public creates a limited public forum, it cannot engage in content discrimination); *Reed v. Town of Gilbert*, 135 S. Ct. 2218, 2226 (2015) (Content-based restrictions—those that target speech based on its content—“are presumptively unconstitutional and may be justified only if the government proves they are narrowly tailored to serve compelling state interest.”).

You have until Friday, February 9, 2018, at 5:00 p.m. to agree to let Mr. Padgett rent the Student Multicultural Center for an acceptable date and time to be agreed upon or else suit will be filed in federal court.

If KSU will not permit my client to rent a room on its campus, I imagine a federal judge—who is educated in the law and who has sworn to defend the Constitution of the United States—will.

I await your response.

Very sincerely,

BRISTOW LAW, PLLC



Kyle J. Bristow, Esq.

¹ <https://www.kent.edu/university-events/public-spaces>

² <https://www.kent.edu/policyreg>