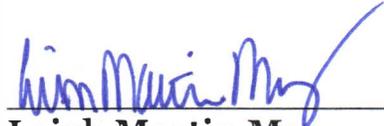


After reviewing this issue, the Court finds that because *Defendant* has always contended that it fired Plaintiff *because of noncompliance with its policies*, causation is plainly established. See, e.g., Defs.' Resp. to Pl.'s Stm't of Facts, Dkt. No. [141] ¶ 131. The Court views Defendant's question as one of damages. That is, because Cochran legally could have been fired for writing the book due to the disruption it caused under Pickering, *how much* was he damaged because Defendant instead contended it fired him for not complying with unconstitutional Pre-Clearance Rules? Meaning, did Plaintiff suffer merely nominal damages or something more substantial?

At bottom, the Court finds that causation is established. To the extent Plaintiff suffered damages because of those Rules, Defendant has admitted it was the cause. Thus, the parties' Motion [157] is **GRANTED**. This case is **STAYED** for 30 days while the parties evaluate whether they intend to file a notice of appeal or attempt to settle damages. The Clerk is **DIRECTED** to **ADMINISTRATIVELY CLOSE** this case pending appeal. The parties are **DIRECTED** to file a status report within 30 days of this Order, outlining how the parties wish to proceed.

IT IS SO ORDERED this ^{22nd} 21st day of January, 2018.



Leigh Martin May

United States District Judge