

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

**CHELSEY NELSON PHOTOGRAPHY
LLC and CHELSEY NELSON,**

Plaintiffs,

v.

**LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT, et al.,**

Defendants.

Case No. 3:19-cv-851-BJB-CHL

NOTICE OF APPEAL

Defendants Louisville/Jefferson County Metro Government, Louisville Metro Human Relations Commission-Enforcement, Louisville Metro Human Relations Commission-Advocacy, Verná Goatley, in her official capacity as Executive Director of the Louisville Metro Human Relations Commission-Enforcement¹, and Glenda Berry, Kevin Delahanty, Leslie Faust, Andrea Houston, Charles Rogers, William Sutter, and Leonard Thomas, in their official capacities as members of the Louisville Metro Human Relations Commission-Enforcement², hereby give notice of their appeal to the United States Court of Appeals for the Sixth Circuit of the Court's August

¹ Plaintiffs' Complaint named Kendall Boyd as a defendant in his official capacity as Executive Director of the Louisville Metro Humana Relations Commission. During the pendency of the litigation, Verná Goatley succeeded Kendall Boyd as Executive Director and was substituted as a party pursuant to Fed. R. Civ. P. 25(d).

² Four of the Enforcement Board members named as official-capacity defendants in Plaintiffs' Complaint (Marie Dever, Charles Lanier, Sr., Laila Ramey, Ibrahim Syed) are no longer serving on the Enforcement Board. Current Enforcement Board members Glenda Berry, Leslie Faust, Andrea Houston, and Charles Rogers are substituted as appellants pursuant to Fed. R. Civ. P. 25(d).

30, 2022 Opinion & Order (DN 130) and September 2, 2022 Judgement (DN 132).³

/s/ Casey L. Hinkle

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³ During summary judgment briefing, Plaintiffs abandoned their claims against Defendant Louisville Metro Human Relations Commission-Advocacy and the individual Defendants named in their official capacity as members of the Louisville Metro Human Relations Commission Enforcement Board. *See* DN 104 at Page ID # 4576 n.16. The Court's August 30, 2022 Opinion & Order (DN 130 at Page ID #5359 n.3) granted summary judgment with respect to the abandoned claims in favor of the individual defendants and Advocacy Board, but the Court's subsequent Judgment did not reflect that dismissal and instead simply entered Judgement in favor of Nelson. *See* DN 132 at Page ID #5397. Moreover, the Court's injunction applies to Louisville Metro "and those acting on its behalf." DN 130 at Page ID #5396. As such, the Advocacy Board and the individual official capacity Defendants are named as appellants to avoid any doubt that all parties necessary to grant Defendants the relief sought by this appeal are named as parties to the appeal.

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2022, the foregoing was filed via the Court's electronic filing system, which will automatically send notice of such filing to all counsel of record.

/s/ Casey L. Hinkle
Counsel for Defendants