

50. Upon information and belief, Plaintiffs Stephen Beaver, Leah Cooper, Amy Elliott, John Elliott, Jeff Harmon, Tara High, Katherine Jan Jarrett, Jesse Sayre, and Jane Vivier were present at the public meeting of the Board of Directors of the West Shore School District on April 11, 2024 (or watched a video of said meeting prior to the filing of the Amended Complaint).

51. Upon information and belief, Plaintiffs Stephen Beaver, Leah Cooper, Amy Elliott, John Elliot, Jeff Harmon, Tara High, Katherine Jan Jarrett, Jesse Sayre, and Jane Vivier know that the Board of the West Shore School District publicly deliberated and publicly voted to replace the solicitor at its public meeting on April 11, 2024.

52. Upon information and belief, Plaintiffs Stephen Beaver, Leah Cooper, Amy Elliott, John Elliot, Jeff Harmon, Tara High, Katherine Jan Jarrett, Jesse Sayre, and Jane Vivier know the above-captioned lawsuit is frivolous, and otherwise brought with no legal justification.

53. This lawsuit is moot because at its public meeting on May 23, 2024, the Board of Directors of the West Shore School District publicly deliberated and publicly voted to reappoint Kevin Hall as solicitor. No legal challenge to such reappointment was made and the statute of limitations for bringing such action has expired. Thus, even if the court invalidates the public vote made on April 11, 2024, Mr. Hall will remain as solicitor per the May 23, 2024 public vote.

54. Upon information and belief, Plaintiffs Stephen Beaver, Leah Cooper, Amy Elliott, John Elliot, Jeff Harmon, Tara High, Katherine Jan Jarrett, Jesse Sayre, and Jane Vivier have brought this lawsuit for the illegitimate means of imposing their political agenda on the West Shore School District, regardless of how the majority of the duly elected Board members voted.

