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September 29, 2021

VIA ELECTRONIC FILING

The Honorable Scott S. Harris, Clerk
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

Re: Julie Ellen Wartluft, fka Julie Ellen Bartels, et al., v. The Milton Hershey School, et al., No. 21-231

Dear Mr. Harris:

I write on behalf of Amicus Curiae Protect The Hersheys' Children, Inc. ("PHC") in the above-referenced matter. PHC respectfully requests the correction of a potential error in its brief in support of Petitioners in this case, filed on September 16, 2021 (the "Amicus Brief").

After filing the Amicus Brief, PHC revisited its disclosure in fn. 1 under Supreme Court Rule 37.6. Amicus PHC initially read Rule 37.6 to contemplate only counsel of record for a party — and such counsel has, as stated in fn. 1, not authored the Amicus Brief in whole or in part nor made any monetary contribution to fund its preparation or submission.

However, PHC is concerned that its disclosure was inadvertently deficient and seeks to correct such in an abundance of caution. This is because PHC's President, Mr. F. Frederic Fouad, is an attorney who has provided legal services — on a strictly *pro bono* basis — to the Petitioners in this matter. This includes having referred Petitioners to their Pennsylvania counsel (their attorneys of record here and in all proceedings below) and assisting Petitioners' counsel of record when requested, also on a strictly *pro bono* basis.

Mr. Fouad has never been an attorney of record for Petitioners in any of the proceedings below and is not an attorney of record here. Nor does Mr. Fouad have

any economic interest of any kind in the outcome of the case: his assistance has been strictly as a public service.

PHC also has no economic interest of any kind in this matter: its interests are not aligned with any party and its Amicus Brief is consistent entirely with PHC's corporate mission.

Nonetheless, to the extent that Mr. Fouad's legal services to Petitioners render him counsel for Petitioners within the meaning of Rule 37.6, and to the extent that Mr. Fouad's donations to PHC will help PHC pay its filing costs here, PHC wishes to be certain to disclose such.

Accordingly, PHC requests that the first footnote in the Amicus Brief be corrected to read as follows:

This brief was prepared by counsel for the *amicus curiae* and not by counsel of record for any party. No outside contributions were made to the preparation or submission of this brief. However, PHC's President, Mr. F. Frederic Fouad, is an attorney who has provided *pro bono* legal assistance to Petitioners — including assisting Petitioners' attorneys of record on the same *pro bono* basis — and as such is "counsel for a party" within the meaning of Rule 37.6. Mr. Fouad has contributed to the preparation of this brief, assisting PHC's counsel of record, on a *pro bono* basis. Mr. Fouad is also one of the donors to PHC and his donations will help PHC pay for its filing expenses in this matter.

Thank you for your attention to this matter.

RESPECTFULLY SUBMITTED,
WILLIAMSON, FRIEDBERG & JONES, LLC
/s/ JOSEPH H. JONES, JR.
JOSEPH H. JONES, JR.
*ATTORNEYS FOR AMICUS CURIAE PROTECT THE
HERSHEYS' CHILDREN, INC.*

CC: ALL COUNSEL OF RECORD