

In The Supreme Court Of The United States

NETCHOICE, LLC D/B/A NETCHOICE; AND
COMPUTER AND COMMUNICATIONS INDUSTRY ASSOCIATION D/B/A
CCIA,

Applicants,

v.

KEN PAXTON, IN HIS OFFICIAL CAPACITY AS ATTORNEY GENERAL OF
TEXAS

Respondent,

EMERGENCY APPLICATION FOR IMMEDIATE ADMINISTRATIVE RELIEF
AND TO VACATE STAY OF PRELIMINARY INJUNCTION ISSUED BY THE
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

TO THE HONORABLE SAMUEL A. ALITO, JR., ASSOCIATE JUSTICE OF
THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE
FOR THE FIFTH CIRCUIT

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Movant Professor Eric Goldman (“Movant”), respectfully seeks leave of Court to file the accompanying brief as amicus curiae in support of Applicants to Emergency Application for immediate administrative relief and to vacate the stay of preliminary injunction issued by the Fifth Circuit Court of Appeals. Movant has an interest in this case as an expert in the field of Internet Law. Movant is Associate Dean for Research, Professor of Law, co-director of the High Tech Law Institute, and supervisor of the Privacy Law Certificate at Santa Clara University School of Law in California. His research and teaching focuses on Internet Law, especially user-generated content, and he has published dozens of papers on this topic in the past quarter-century. He first started practicing Internet Law in 1994 and has taught an Internet Law course since 1996.

Movant submits this brief to explain why, based on his nearly 30 years of research into online speech, HB 20’s transparency requirements pose significant risks to user-generated content and free speech online. Although HB 20’s transparency requirements may superficially appear less obviously unconstitutional compared to other parts of HB 20, Movant’s brief explains why the transparency requirements are equally constitutionally problematic.

Movant also moves to file this brief without ten days’ notice to the parties of their intent to file as ordinarily required by Sup. Ct. R. 37.2(a) and to file this brief in an unbound format on 8½-by-11-inch paper rather than in booklet form. These requests are necessary due to the press of time related to the emergency nature of the applications for stay.

Movant respectfully requests leave to file the enclosed brief. Applicants and Respondent have consented to Movant's filing.

Dated: May 17, 2022

Respectfully Submitted,

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