No. 25-156

In the Supreme Court of the United States

FREEDOM FOUNDATION,

Petitioner,

v.

RITA GAIL TURNER, *et al.*,

Respondents,

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

BRIEF IN OPPOSITION FOR THE STATE RESPONDENTS

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November 14, 2025

QUESTION PRESENTED

Section 3556 of the California Government Code provides that "[t]he date, time, and place of [a new employee orientation] shall not be disclosed to anyone other than" those who attend the orientation: employees, the exclusive bargaining representative, and any vendors that contract to provide services for the orientation. The question presented is:

Whether Section 3556 is an impermissible viewpoint-based restriction on speech.

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STATEMENT

1. Like many employers, California's public agencies often host orientations for new public employees. During orientation, employees generally meet with team members and other organizational leaders; attend presentations regarding health, retirement, and other employee benefits; receive information about workplace policies and union representation; and complete trainings that are mandated by state law. *See, e.g.*, Cal. Dep't of Human Resources, *Onboarding, Hiring, and Orientation*, https://tinyurl.com/3s2ccrxy (last visited Nov. 14, 2025); L.A. Unified Sch. Dist., *New Employee Resources*, https://tinyurl.com/2wktdh4t (last visited Nov. 14, 2025). Although orientations are sometimes conducted virtually, many public agencies hold in-person orientation events.

In 2018, the Legislature grew concerned about employees' privacy and safety at in-person orientations. C.A. Supp. Excerpts of Record (S.E.R.) 11. Those concerns arose from "incidents of workplace violence . . . where employees were known to be gathering in a group setting and therefore were easily targeted." *Id.* For example, in 2015, two shooters targeted an "all-staff meeting and training event" at the San Bernardino County Department of Public Health, killing 14 employees and leaving another 26 wounded. Cal. Governor's Office of Emergency Servs., *2015 Waterman Terrorist Attack: After Action Report* (Feb. 2019), https://tinyurl.com/4ftja7cy. And in 2018, three employees who had gathered for a going-away event were killed by a former patient at a veteran's home in Yountville, California. *Yountville Survivor: 'I thought I was going to Die*,' CBS News (Mar. 11, 2018), https://tinyurl.com/ybcy6nhz; *see also* C.A. S.E.R. 11

(pointing to these incidents and noting that "[a] report by the United States Bureau of Justice Statistics found that the rate of workplace violence is three times higher in the public sector than in the private sector") (internal quotation marks omitted).

In response, the Legislature amended Section 3556 of California's Government Code to restrict disclosure of "[t]he date, time, and place" of orientations for new public employees to those who have a need to attend: "the employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation." *See* 2018 Cal. Stat. ch. 53, § 16. An "exclusive representative" is the labor organization (if any) that employees have chosen for purposes of collective bargaining. *See* Cal. Gov't Code § 3555.5(b)(1).[1] As the Legislature has recognized, the exclusive representative "cannot properly discharge its legal obligations unless it is able to meaningfully communicate" with employees, including by presenting information and answering questions at employee orientations. *Id.* § 3555. Indeed, the exclusive representative has a duty to "fairly represent each and every employee," regardless of whether they join the union. *Id.* § 3544.9.

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[1] California law establishes a collective bargaining system for certain employers, including public schools. *See, e.g.*, Cal. Gov't Code §§ 3540-3549.3. Public school employees may select "one employee organization as the exclusive representative of the employees in an appropriate unit." *Id.* § 3540. Once selected, covered employers may negotiate "with and only with" the exclusive representative regarding "matters relating to wages, hours of employment," "health and welfare benefits," "leave, transfer and reassignment policies," and any other "terms and conditions of employment." *Id.* §§ 3543.2(a)(1), 3543.3.

In enacting Section 3556, the Legislature preserved other means for the public to obtain information that enables the public to communicate with public employees. For example, California law has long required disclosure of "'the name of every public officer and employee, as well as the amount of his salary,'" through public records requests. *Int'l Fed'n of Pro. & Tech. Eng'rs, Loc. 21 AFL-CIO v. Superior Ct.*, 42 Cal. 4th 319, 331 (2007); *see id.* at 329-331. The California Public Records Act also generally requires disclosure of the work telephone number and email address of a public employee. *See*, *e.g.*, *City of San Jose v. Superior Ct.*, 2 Cal. 5th 608, 614-615 (2017). And although California public agencies do not generally disclose home addresses or telephone numbers, *see* Cal. Gov't Code § 7928.300, it is often possible to track down that information through the Internet or third-party commercial databases. *See, e.g.*, *infra* pp. 14-15 (describing efforts to contact public employees through flyers and emails).

2. Petitioner is a non-profit organization that seeks to "educate[] public employees about their First Amendment rights to refrain from union membership and the payment of union dues." Pet. App. 4a. It uses several methods to communicate its message to public employees, including door-to-door canvassing and outreach by mail and email. *See id.* at 4a, 19a. "[S]ince at least 2014," petitioner's representatives have also been "regularly present outside government office buildings across California," where they distribute leaflets and seek to engage employees in face-to-face conversations. *Id.* at 21a; *see id.* at 23a.

In January 2023, petitioner submitted a public records request to the Los Angeles Unified School District. Pet. App. 23a. The request sought the "'date,

time, and place, of all orientations for new District employees scheduled from February 1, 2023, to August 30, 2023.'" *Id.* The District denied petitioner's request, explaining that it was "precluded from providing the requested information" under the California Government Code. *Id.* at 24a.

Petitioner then filed this lawsuit, naming three District officials as defendants. Pet. App. 5a. As relevant here, the complaint alleged that Section 3556's confidentiality provision violates the First Amendment because it discriminates based on content and viewpoint. Pet. App. 26a-33a. The Attorney General and the California Public Employment Relations Board intervened to defend the constitutionality of Section 3556, as did two unions that serve as the exclusive bargaining representatives for certain District employees. *Id.* at 44a.

The district court dismissed petitioner's complaint. Pet. App. 55a. It held that Section 3556 "does not draw distinctions based on the message [a] speaker conveys." *Id.* at 47a; *see id.* (citing *Reed v. Town of Gilbert*, 576 U.S. 155, 163-164 (2015)). Rather, it "provides carveouts for those who must attend the orientation": "new public employees," "the exclusive bargaining representative, who has a duty to communicate with new public employees," and vendors providing services for the orientation. *Id.* at 48a-49a. The court reasoned that those conditions draw a distinction "based only on . . . legal status and not on the requesters' message." *Id.* at 48a.

The district court also rejected petitioner's argument that Section 3556 was "impermissibly motivated" by any form of bias. Pet. App. 52a. As the court explained, the Legislature adopted the challenged version of Section 3556 in response to

privacy and safety concerns—specifically, concerns arising from "'incidents of workers being targeted at public gatherings.'" The legislation was not "a scheme to discriminate against anti-union advocacy." *Id.* at 52a. The court also emphasized that statutes are rarely struck down "on the basis of an alleged illicit legislative motive." *Id.* at 53a (quoting *United States v. O'Brien*, 391 U.S. 367, 383 (1968)).

The court of appeals affirmed in an unpublished memorandum disposition joined by Judges Tallman, Ikuta, and Christen. Pet. App. 36a-37a. The court held that petitioner had failed to show "that Section 3556 violates the First Amendment as either a content-based or viewpoint-based restriction on speech." *Id.* at 37a. Much like the district court, the court of appeals reasoned that Section 3556 "regulates the dissemination of information based on the receiver's legal status" and "not the content of their speech or the viewpoint they convey." *Id.* at 38a (citing *Boardman v. Inslee*, 978 F.3d 1092, 1112 (9th Cir. 2020), *cert. denied*, 142 S. Ct. 387 (2021) (No. 20-1334)). The court of appeals also agreed with the district court that Section 3556 "does not discriminate in its 'purpose and justification,'" Pet. App. 38a (quoting *Reed*, 576 U.S. at 166), explaining that the legislation was driven by "'privacy and safety concerns'"—concerns that are "content and viewpoint neutral and . . . legitimate." *Id.*

ARGUMENT

Petitioner seeks review of its claim that Section 3556 qualifies as viewpoint-based under the First Amendment. This Court has previously denied petitions raising similar questions, and petitioner provides no persuasive reason for a different result

here.[2] The petition fails to identify any conflict in the lower courts—or any error in the decision below that would warrant the Court's review. As the court of appeals correctly held, Section 3556 does not regulate on the basis of viewpoint; it limits disclosure of scheduling information for new-employee orientations based on the need to attend. And petitioner substantially overstates the consequences of Section 3556. The statute helps to protect public employees' safety, while preserving ample alternative ways to obtain information about public employees and communicate with them about their choice whether to become union members, both in person and in writing.

1. Petitioner devotes only two pages to its attempt to allege a circuit conflict. Pet. 27-28. And its alleged conflict is plainly illusory. In one of several lower-court decisions cited by petitioner, the challenged policy was "not viewpoint-discriminatory." *Turning Point USA at Arkansas State Univ. v. Rhodes*, 973 F.3d 868, 876 (8th Cir. 2020). It was instead "status-based": it barred university students from "tabling" in a certain location unless they were representing "registered student organizations." *Id.* As the Eighth Circuit recognized, "such favoritism [qualifies] as status-based discrimination, rather than viewpoint-based discrimination" under this Court's precedent. *Id.* (citing *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, 48-49 (1983)). The Eighth Circuit also noted that "viewpoint-discrimination may be at issue" if a status-based law is motivated by viewpoint

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[2] *See Freedom Found. v. Wash. Dep't of Ecology*, 142 S. Ct. 715 (2021) (No. 21-575); *Bennett v. Am. Fed'n of State, Cnty. & Mun. Emps.*, 142 S. Ct. 424 (2021) (No. 20-1603); *Boardman v. Inslee*, 142 S. Ct. 387 (2021) (No. 20-1334).

discrimination. *Id.* at 876 n.5. But that was "not the case" in the controversy before the court. *Id.*

The court of appeals' analysis here was similar. Section 3556 "regulates the dissemination of information based on the receiver's legal status," "not the content of their speech or the viewpoint they convey." Pet. App. 38a. Specifically, it restricts disclosure of the date, time, and location of new-employee orientations to all except those who have a need to attend: the employees, the exclusive bargaining representative, and any vendors that have contractually agreed to provide services for the orientation. *See* Cal. Gov't Code § 3556(a). As discussed above, *supra* p. 2, the exclusive bargaining representative cannot properly discharge its legal obligations unless it is able to meaningfully communicate with employees, "regardless of whether they eventually join the union," Pet. App. 49a. That is because the exclusive representative has a duty to "fairly represent each and every employee in the appropriate unit," including those who choose not to become union members. Cal. Gov't Code § 3544.9.

And like the policy considered by the Eighth Circuit, *see Turning Point USA*, 973 F.3d at 876 n.5, Section 3556 "does not discriminate in its 'purpose [or] justification,'" Pet. App. 38a. "[T]he confidentiality provision arose out of 'incidents of workers being targeted at public gatherings' that caused 'privacy and safety concerns' for public employees." *Id.*; *see supra* pp. 1-2. "This is content and viewpoint neutral and concerns legitimate state interests." Pet. App. 38a. "So, too, is ensuring that an exclusive bargaining representative has access to carry out the duty of communicating with public employees." *Id.*

The other two lower-court decisions cited by petitioner addressed circumstances nothing like those at issue here. In *Southworth v. Board of Regents of the University of Wisconsin System*, 307 F.3d 566, 593-594 (7th Cir. 2002), the Seventh Circuit invalidated a university policy that allocated funding to student organizations based in part on "the amount of funding [the organization] received in prior years." That criterion was viewpoint-based because the University had "until recently . . . prohibited funding of 'activities which were politically partisan or religious in nature'"—a restriction that was itself viewpoint-based. *Id.* at 594. The prior funding condition thus "institutionalized" "viewpoint discrimination from past years . . . into the current system." *Id.* The Fourth Circuit considered a similar policy in *Child Evangelism Fellowship of South Carolina v. Anderson School District Five*, 470 F.3d 1062, 1073-1074 (4th Cir. 2006). Nothing in the court of appeals' analysis here suggests that those cases would turn out differently in the Ninth Circuit.

2. The decision below also comports with this Court's decisions. It is well-settled that "[t]he Constitution itself is [not] a Freedom of Information Act." *Houchins v. KQED, Inc.*, 438 U.S. 1, 15 (1978) (plurality); *see McBurney v. Young*, 569 U.S. 221, 232 (2013). A law "regulating access to information in the hands of the [government]" is not, without more, "an abridgment of anyone's right to engage in speech." *Los Angeles Police Dep't v. United Reporting Pub. Corp.*, 528 U.S. 32, 40 (1999). Such laws are impermissible only if they condition access based on "an illegitimate criterion such as viewpoint." *Id.* at 43 (Ginsburg, J.,

concurring).[3] And as discussed above, *supra* p. 7, Section 3556 draws distinctions that are based on legal status, not viewpoint. *See* Pet. App. 37a-38a.

If petitioner were right in viewing Section 3556 as viewpoint-based, the consequences would be untenable. The First Amendment generally bars viewpoint discrimination in both public and nonpublic forums, *see, e.g.*, *Cornelius v. NAACP Legal Def. & Educ. Fund, Inc.*, 473 U.S. 788, 806 (1985), including employee orientations, *see Freedom Found. v. Sacks*, 2024 WL 4234484, at *1 (9th Cir. Sept. 19, 2024). So, petitioner's theory of viewpoint discrimination would extend, not only to scheduling information about an orientation, but also access to *the orientation itself*. Although petitioner once sought such access, courts rightly refused to grant it, *id.* at *1-2, and petitioner abandoned efforts to obtain it. Were the Court "to hold to the contrary," it would threaten to transform employee orientations into "Hyde Parks open to every would-be pamphleteer and politician." *Perry*, 460 U.S. at 49 n.9 (internal quotation marks omitted). "This the Constitution does not require." *Id.*[4]

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[3] A similar rule applies when evaluating laws that subsidize speech. *See, e.g.*, *Davenport v. Wash. Educ. Ass'n*, 551 U.S. 177, 187-189 (2007).

[4] Of course, there are safety, privacy, and administrability concerns that apply in the context of orientations that do not exist where, as here, petitioner's members seek to interact with employees outside of government buildings. *See, e.g.*, *Cornelius*, 473 U.S. at 803-806. But petitioner's theory of viewpoint discrimination would have the effect of subjecting a policy limiting attendance at orientations to strict scrutiny—a difficult standard to satisfy. *See Free Speech Coalition, Inc. v. Paxton*, 606 U.S. 461, 483-485 (2025).

In *Perry*, 460 U.S. at 48-50, the Court refused to treat a law quite similar to Section 3556 as viewpoint discriminatory. That case concerned a school district policy that granted an exclusive bargaining representative access to an internal employee mail system, but denied access to other organizations, including a rival union. *Id.* at 39-41. The Court explained that the policy was "based on the *status* of the respective unions rather than their views." *Id.* at 49. The exclusive representative received access to the mail system as a result of its "official position in the operational structure of the District's schools"—"a status that carried with it rights and obligations [under state law] that no other labor organization could share." *Id.* at 49 n.9.

According to petitioner, *Perry* is "readily distinguishable," because it "hinged specifically on the fact that" the school's internal mail system was a "nonpublic forum." Pet. 21. Here, by contrast, petitioner seeks to approach public employees "on public sidewalks" outside of the locations where new-employee orientations are held. *Id* at 26. But the nature of the forum in *Perry* had no bearing on its determination that the challenged policy was viewpoint-neutral. *See* 460 U.S. at 49-50 & n.9. The Court saw the policy as viewpoint-neutral because it turned on *status* rather than the views of any affected organizations. *See id.* The same is true of Section 3556. *Supra* p. 7. "Thus, it does not matter that the Court in *Perry* was dealing with a 'nonpublic forum.'" *Boardman v. Inslee*, 978 F.3d 1092, 1111 n.8 (9th Cir. 2020), *cert. denied*, 142 S. Ct. 387 (2021) (No. 20-1334).

Petitioner also asks the Court to overrule *Perry* or limit the decision to its facts on the ground that it "is in considerable tension with a string of recent cases"

striking down speaker-based restrictions. Pet. 22; *see id.* at 22-24. But in each of the cases that petitioner invokes—unlike in *Perry*, 460 U.S. at 49, and unlike here, *see* Pet. App. 37a-38a—the challenged measure was content-based. *See Citizens United v. Fed. Elec. Comm'n*, 558 U.S. 310, 321 (2010) (law prohibiting expenditures to support "express advocacy or electioneering communications"); *Nat'l Inst. of Fam. & Life Advocs. v. Becerra*, 585 U.S. 755, 777 (2018) (law requiring certain facilities to post "government-scripted" notices about abortion and pregnancy-related services); *Sorrell v. IMS Health, Inc.*, 564 U.S. 552, 564 (2011) (law restricting disclosure and use of "prescriber-identifying" information for marketing, but permitting it for educational communications). Consistent with the content-based nature of the laws in those cases, the Court has explained that "'laws favoring some speakers over others demand strict scrutiny *when the legislature's speaker preference reflects a content preference.*'" *Reed v. Town of Gilbert*, 576 U.S. 155, 170 (2015) (emphasis added).

For good reason, the Court has never adopted a per se rule that would subject all speaker or status-based restrictions to strict scrutiny. For example, in *Regan v. Taxation With Representation of Washington*, 461 U.S. 540, 548 (1983), the Court unanimously applied rational-basis review in upholding a content-neutral law that distinguished between veterans and other types of speakers in determining eligibility for tax-exempt status. A regime applying strict scrutiny to all such speaker or status-based restrictions would unnecessarily call into question numerous state and federal laws. *See, e.g.*, 7 C.F.R. § 272.1(c)(1)(i) (authorizing disclosure of information from food-stamp participants to "persons directly connected with the administration or enforcement of provisions of the

Food and Nutrition Act"); Cal. Gov't Code § 7928.300(a)(4) (authorizing disclosure of public employees' home addresses to employees of health benefit plans); Ky. Rev. Stat. § 189.635 (authorizing disclosure of vehicle accident reports to "the parties," other designated individuals, and "news-gathering organizations"); *Courthouse News Serv. v. Smith*, 126 F.4th 899, 909 (4th Cir. 2025) (statute allowing attorneys, but not the general public, to access judicial records online, to prevent "mass data harvesting").

Petitioner argues that Section 3556 has the effect of "favoring a positive view of incumbent unions while imposing a significant burden on everyone who wishes to promote an opposing perspective." Pet. 14. It is well-settled, however, that "a facially neutral law" does not become content or viewpoint-based "simply because it may disproportionately affect speech on certain topics." *McCullen v. Coakley*, 573 U.S. 464, 480 (2014); *see Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989). Although a facially neutral law can theoretically be challenged on the ground that it serves a viewpoint-discriminatory purpose, *see Ward*, 491 U.S. at 791, "[i]nquiries into [legislative] motives or purposes are a hazardous matter," *e.g.*, *United States v. O'Brien*, 391 U.S. 367, 383 (1968). And here, "none of [petitioner's] alleged evidence establishes a plausible connection between legislators' perceived pro-union bias and Section 3556." Pet. App. 39a.[5]

[5] Petitioner points to several statements made by legislators and interest groups around the time that the Legislature enacted Senate Bill 866 in 2018. *See, e.g.*, Pet. 2-3, 5-7. But SB 866 was an omnibus "budget trailer" bill with 51 separate sections, including about half a dozen related to unions and labor relations. *See* 2018 Cal. Stat. ch. 53; *see generally Harbor v. Deukmejian*, 43 Cal. 3d 1078, 1097 (1987) (describing budget (continued…)

Section 3556 is also consistent with *Janus v. American Federation of State, County, and Municipal Employees, Council 31*, 585 U.S. 878 (2018). *Contra* Pet. 18-19. In *Janus*, the Court addressed whether employees who chose not to join a union could be required to pay union dues. *See* 585 U.S. at 884-886. As the Court explained, compelling an individual to engage in speech—or to "subsidize the speech of other private speakers"—"seriously impinges on First Amendment rights." *Id.* at 893-894. Section 3556 does not require anyone to say or subsidize anything. As relevant here, it merely provides the exclusive representative with orientation scheduling information that enables outreach essential to the representative's role. As *Janus* recognized, "designation as the exclusive representative confers many benefits," including "a privileged place in negotiations over wages, benefits, and working conditions," and the ability to "hav[e] dues and fees deducted directly from employee wages." *Id.* at 898-899. The exclusive representative's ability to perform those functions requires a meaningful opportunity to speak to employees. *Supra* p. 2.

3. Petitioner's final argument is that the decision below will "eviscerate[]" protections "prohibit[ing] employees' compelled financial support of union speech," including by "provid[ing] employees with pro-

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"trailer" legislation). Although Section 3556 was one of the many provisions revised or enacted by that legislation, there is no indication that any of the legislators quoted by petitioner had Section 3556 in mind. And as this Court has recognized, it is inappropriate to attribute the views of interest groups to members of a legislative body. *See, e.g.*, *Brnovich v. Democratic Nat'l Comm.*, 594 U.S. 647, 689-690 (2021).

union positions and shielding them from all others." Pet. 18-19. Petitioner cannot substantiate that claim.

To begin with, Section 3556 does not "lock[]" employees into union membership agreements. Pet. 19. As the State has explained in a number of cases arising since this Court's decision in *Janus*, 585 U.S. at 878, California law affords public employees a right to revoke their authorizations to join a union, *see* Cal. Gov't Code § 1153(h), and provides employees with multiple remedies in the event that unions fail to honor their requests.[6] For example, employees can file an "unfair practice" claim with the Public Employment Relations Board, *see, e.g.*, *Edelen v. Cal. Statewide Law Enf't Ass'n*, 2009 WL 8154980 (Cal. Pub. Emp. Rel. Bd. Dec. 31, 2009), or pursue state-law remedies for unjust enrichment, breach of contract, conversion, or violations of the Unfair Competition Law, *cf. Wright v. Serv. Emps. Int'l Union Loc. 503*, 48 F.4th 1112, 1118 n.3 (9th Cir. 2022).

Section 3556 also leaves many avenues open for organizations like petitioner to communicate their message to public employees. "[S]ince at least 2014," for example, petitioner's representatives have been "regularly present outside government office buildings across California," where they distribute leaflets and seek to engage employees in face-to-face conversations. Pet. App. 21a. Petitioner also

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[6] *See, e.g.*, Br. Opp. of Cal. Attorney Gen. 1-2, *Bourque v. Eng'rs & Architects Ass'n*, No. 24-2 (Oct. 21, 2024), *cert. denied*, 145 S. Ct. 592 (2024); Br. Opp. of Cal. Attorney Gen. 10, *Laird v. United Tchrs. L.A.*, No. 23-1111 (Jul. 22, 2024), *cert. denied*, 145 S. Ct. 141 (2024); Br. Opp. of Cal. Attorney Gen. 10, *Cram v. Serv. Emps. Int'l Union Loc. 503*, No. 23-1112 (Jul. 22, 2024), *cert. denied*, 145 S. Ct. 142 (2024).

"locate[s] the names of new employees" through public records requests and then conducts outreach through door-to-door canvassing, mail, and email, among other methods. *Id.* at 39a; *see Int'l Fed'n of Pro. & Tech. Eng'rs, Loc. 21 AFL-CIO v. Superior Ct.*, 42 Cal. 4th 319, 329-331 (2007) (recognizing right to obtain information about public employees under the California Public Records Act).

Petitioner has touted the effectiveness of these outreach activities. In July of this year, for example, petitioner explained that its outreach team "broke another record for opt-outs [from union membership], with over 2,700 opt-outs [in one month], making it three consecutive months of incredible growth." Ibarra, *California: Three Straight Record-Shattering Months and Counting*, Freedom Found. (July 11, 2025), https://tinyurl.com/3yc32m5s. "Now more than ever," petitioner stated, "public employees are ditching their unions in order to save their money." *Id.* According to petitioner, effective outreach methods have included "high-yielding Facebook ads," as well as "mailers and . . . emails." *Id.*; *see also* Ibarra, *California: The Records Just Keep Falling*, Freedom Found. (June 11, 2025), https://tinyurl.com/5e354n72 (describing "streak of record-breaking months" in encouraging opt-outs through a "new and refined email service system").

In light of these channels for effective outreach, petitioner is wrong in viewing this case as "an even better vehicle" (Pet. 25) than *Boardman*, 978 F.3d at 1098, which this Court declined to review in 2021, *supra* pp. 5-6 & n.2. *Boardman* involved a state law that gave the exclusive bargaining representative access to in-home care providers' "names," "addresses," "telephone numbers," "email addresses,"

and other information, but denied that information to everyone else. *Id.* at 1128 (Bress, J., dissenting). The dissent in *Boardman* contended that the challenged law made it "essentially impossible" to communicate with the care providers, because the providers were "geographically dispersed throughout the State," and worked in private homes, rather than centralized workplaces. *Id.* at 1122. Whether or not the dissent was right to view the law as a type of "extreme favoritism as to who may receive critical and otherwise unavailable . . . information," *id.* at 1129, Section 3556 does not pose similar concerns. It does not restrict anyone from obtaining information about public employees' names, salaries, work email addresses, or any other information subject to disclosure under the California Public Records Act. *Supra* p. 3. It is far narrower than the law considered in *Boardman*, viewpoint neutral, and does not otherwise cross any First Amendment line.

CONCLUSION

The petition for a writ of certiorari should be denied.

Respectfully submitted,

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