No. 26-10735

United States Court of Appeals

for the

Eleventh Circuit

CAIR-FOUNDATION, INC., a Washington DC Nonprofit Corporation,
CAIR-FLORIDA, INC., a Florida Nonprofit Corporation,

Plaintiffs-Appellees,

– v. –

GOVERNOR, STATE OF FLORIDA,

Defendant-Appellant.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA

MOTION FOR LEAVE TO FILE BRIEF OF KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY AS *AMICUS CURIAE* IN SUPPORT OF PLAINTIFFS-APPELLEES

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CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

As required by Eleventh Circuit Rule 26.1, I certify that the following persons and entities have an interest in the outcome of this matter:

1. Abbas, Gadeir, Counsel for Plaintiffs-Appellees.
2. Abdo, Alex, Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University.
3. Ago, Arthur, Counsel for Plaintiffs-Appellees.
4. Akeel, Shereef, Counsel for Plaintiffs-Appellees.
5. Akeel & Valentine, PLC, Law Firm for Plaintiffs-Appellees.
6. America First Legal Foundation, Amicus Curiae.
7. American Civil Liberties Union Foundation, Law Firm for Plaintiffs-Appellees.
8. CAIR Florida, Inc., Plaintiff-Appellee.
9. CAIR Foundation, Plaintiff-Appellee.
10. CAIR Legal Defense Fund, Law Firm for Plaintiffs-Appellees.
11. Carlo-Gonzalez, Celin, Counsel for Plaintiffs-Appellees.
12. DeSantis, Governor Ronald, Defendant-Appellant.
13. DeSousa, Jeffrey, Counsel for Defendant-Appellant.
14. Dewhirst, David, Counsel for Defendant-Appellant.
15. Diakun, Anna, Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University.
16. Fleisher, Aaron, Counsel for Plaintiffs-Appellees.
17. Florida Legal Consulting PA, Law Firm for Plaintiffs-Appellees.

18. Florida Office of the Attorney General, Counsel for Defendant-Appellant.

19. Garcia, Huey, Counsel for Plaintiffs-Appellees.

20. Goldfeder, Mark, Counsel for Amici Curiae The National Jewish Advocacy Center, The Middle East Forum, and The Network Contagion Research Institute.

21. Governor, State of Florida, Defendant-Appellant.

22. Gustafson, Tyler, Counsel for Defendant-Appellant.

23. Hogle, Charles, Counsel for Plaintiffs-Appellees.

24. Holtzman Vogel Baran Torchinsky & Josefiak, PLLC, Law Firm for Amici Curiae The National Jewish Advocacy Center, The Middle East Forum, and The Network Contagion Research Institute.

25. Jaffer, Jameel, Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University.

26. Klepach, Arielle, Counsel for Amici Curiae The National Jewish Advocacy Center, The Middle East Forum, and The Network Contagion Research Institute.

27. Knight First Amendment Institute at Columbia University, Amicus Curiae.

28. Levine, Brant, Counsel for Plaintiffs-Appellees.

29. Marsi, Lena, Counsel for Plaintiffs-Appellees.

30. McCoy, Scott, Counsel for Plaintiffs-Appellees.

31. Middle East Forum, The, Amicus Curiae.

32. Muehlhoff, Jason, Counsel for Defendant-Appellant.

33. Muslim Legal Fund of America, Law Firm for Plaintiffs-Appellees.

34. National Jewish Advocacy Center, The, Amicus Curiae.

35. Network Contagion Research Institute, The, Amicus Curiae.

36. Newman, Ryan, Counsel for Defendant-Appellant.

37. Office of the Attorney General, State of Florida, Law Firm for Defendant-Appellant.

38. Percival, Emily, Counsel for Amicus Curiae America First Legal Foundation.

39. Pinkert, Mark, Counsel for Amici Curiae The National Jewish Advocacy Center, The Middle East Forum, and The Network Contagion Research Institute.

40. Saleh, Omar, Counsel for Plaintiffs-Appellees.

41. Sebbag, Rachel, Counsel for Amici Curiae The National Jewish Advocacy Center, The Middle East Forum, and The Network Contagion Research Institute.

42. Selendy Gay PLLC, Law Firm for Amicus Curiae Knight First Amendment Institute at Columbia University.

43. Shamsi, Hina, Counsel for Plaintiffs-Appellees.

44. Simkins, Samuel, Counsel for Plaintiffs-Appellees.

45. Smith, Natalie, Counsel for Plaintiffs-Appellees.

46. Soussi, Ahmed, Counsel for Plaintiffs-Appellees.

47. Southern Poverty Law Center, Law Firm for Plaintiffs-Appellees.

48. Stoughton, Corey, Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University.

49. Swift, Charles, Counsel for Plaintiffs-Appellees.

50. Torchinsky, Jason, Counsel for Amici Curiae.

51. Uthmeier, Attorney General James, Counsel for Defendant-Appellant.

52. Waczewski, James, Counsel for Defendant-Appellant.

53. Walker, The Honorable Mark, District Court Judge, U.S. District Court for the Northern District of Florida.

54. Wang, Xiangnong (George), Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University.

55. Witte, Casey, Counsel for Defendant-Appellant.

56. Yesner, Eric, Counsel for Amicus Curiae America First Legal Foundation.

Pursuant to Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rule 26.1, I certify that the Knight First Amendment Institute at Columbia University is a non-profit corporation, that it has no parent corporation, and that no publicly held corporation owns 10% or more of its stock.

Dated: July 9, 2026

/s/ *Corey Stoughton*
Corey Stoughton

Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University

MOTION FOR LEAVE TO FILE AMICUS BRIEF

The Knight First Amendment Institute at Columbia University (the "Knight Institute") respectfully moves for leave to file the attached brief as *amicus curiae* supporting affirmance. The Knight Institute sought consent from all parties to the filing of its *amicus curiae* brief before moving for leave to file; Plaintiffs-Appellees consented, but Defendant-Appellant did not take a position. In support of this motion, the Knight Institute states the following.

This Court has authority to appoint *amici curiae* in this matter pursuant to Federal Rule of Appellate Procedure 29 and Eleventh Circuit Local Rule 29. Amicus briefs assist a court "in cases of general public interest by making suggestions to the court, by providing supplementary assistance to existing counsel, and by [e]nsuring a complete and plenary presentation of difficult issues so that the court may reach a proper decision." *Mobile Cnty. Water, Sewer & Fire Prot. Auth., Inc. v. Mobile Area Water & Sewer Sys., Inc.*, 567 F. Supp. 2d 1342, 1344 n.1 (S.D. Ala. 2008) (citation omitted), *aff'd*, 564 F.3d 1290 (11th Cir. 2009). Leave to file a brief as *amicus curiae* should be granted when "the amic[us] ha[s] stated an 'interest in the case,' and it appears that [its] brief is 'relevant' and 'desirable,'" such as when "it alerts the merits panel to possible implications of the appeal." *Neonatology Assocs., P.A. v. C.I.R.*, 293 F.3d 128, 133 (3d Cir. 2002) (Alito, J.) (quoting Fed. R. App. P. 29(a)(3)); *see*

also id. at 132 ("The criterion of desirability set out in Rule 29(b)(2) is open-ended, but a broad reading is prudent.").

The Court should grant this motion because the Knight Institute has an interest in the case and its proposed brief offers relevant and non-duplicative arguments that will aid the Court's determination of difficult First Amendment issues. The Knight Institute is a non-partisan, not-for-profit organization that works to defend the freedoms of speech and the press through strategic litigation, research, and public education. The Knight Institute's aim is to promote a system of free expression that is open and inclusive, that broadens and elevates public discourse, and that fosters creativity, accountability, and effective self-government. Thus, the Knight Institute has an interest in protecting the First Amendment rights to freedom of speech and association implicated by the Executive Order at issue here.

The proposed brief is relevant and non-duplicative because it offers an alternative ground for affirmance: the Executive Order warrants heightened scrutiny—which it cannot survive—because it discriminates against CAIR based on CAIR's viewpoint. While the parties addressed viewpoint discrimination in the District Court, the District Court's decision did not reach that issue and instead granted a preliminary injunction based on CAIR's third-party coercion arguments. Amicus's relevant and additive analysis is supported by the Knight Institute's

extensive First Amendment expertise and readily satisfies Federal Rule of Appellate Procedure 29's requirements for this Court to grant leave to file.

Pursuant to Federal Rule of Appellate Procedure 29(a)(6) and Eleventh Circuit Rule 29(a)(6), amicus curiae briefs are due "no later than 7 days after the principal brief of the party being supported is filed." Plaintiffs-Appellees filed their principal brief on July 2, 2026. Accordingly, the Knight Institute's amicus brief is timely.

CONCLUSION

For the foregoing reasons, the Knight Institute respectfully urges the Court to grant this motion.

Dated: July 9, 2026

Respectfully submitted,

SELENDY GAY PLLC

By: /s/ *Corey Stoughton*

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CERTIFICATE OF COMPLIANCE

1. This motion complies with type-volume limits because, excluding the parts of the document exempted by Fed. R. App. P. 32(f):

   [X] this motion contains [*560*] words.

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Dated: July 9, 2026

/s/ *Corey Stoughton*
Corey Stoughton

Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University

CERTIFICATE OF SERVICE

I certify that on July 9, 2026, I electronically filed the foregoing with the Clerk of Court using the Court's CM/ECF system, which will send an electronic copy to all counsel of record.

Dated: July 9, 2026

/s/ *Corey Stoughton*
Corey Stoughton

Counsel for Amicus Curiae Knight First Amendment Institute at Columbia University