

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMERICAN LIBRARY ASSOCIATION,)
et al.,)

Plaintiffs,)

v.)

UNITED STATES OF AMERICA, et al.,)

Defendants.)

Civil Action No. 01-CV-1303

MULTNOMAH COUNTY)
PUBLIC LIBRARY, et al.,)

Plaintiffs,)

v.)

UNITED STATES OF AMERICA, et al.,)

Defendants.)

Civil Action No. 01-CV-1322

NOTICE OF APPEAL TO THE UNITED STATES SUPREME COURT

Notice is hereby given that the United States of America, the Federal Communications Commission, the Institute of Museum and Library Services, Michael K. Powell, in his capacity as Chairman of the Federal Communications Commission, and Robert S. Martin, in his capacity as Director of the Institute of Museum and Library Services (hereinafter "defendants"),¹ hereby appeal to the United States Supreme Court from the Order entered in these consolidated actions on the 31st day of May, 2002. The May 31, 2002, Order: (1) entered judgment in favor of plaintiffs, (2)

¹ Pursuant to Federal Rule of Civil Procedure 25(d)(1), Robert S. Martin is automatically substituted for the originally named defendant Beverly Sheppard as her successor in office. This Notice of Appeal serves to preserve an appeal on behalf of all defendants and their respective successors in office.

declared §§ 1712(a)(2) and 1721(b) of the Children's Internet Protection Act ("CIPA"), as codified at 20 U.S.C. § 9134(f) and 47 U.S.C. § 254(h)(6), facially invalid under the First Amendment of the United States Constitution, and (3) permanently enjoined defendants from withholding federal funds from any public library for failure to comply with §§ 1712(a)(2) and 1721(b) of CIPA, as codified at 20 U.S.C. § 9134(f) and 47 U.S.C. § 254(h)(6). A direct appeal to the United States Supreme Court is authorized by section 1741(b) of the Children's Internet Protection Act ("CIPA"), Title XVII, App. D, Pub. L. No. 106-554, 114 Stat. 2763 et seq.

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Dated: June 19, 2002

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2002, a copy of the foregoing Notice of Appeal to the United States Supreme Court was served upon counsel of record by U.S. first class mail, postage prepaid:

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