



TIM GRIFFIN

ATTORNEY GENERAL OF ARKANSAS

January 17, 2023

Mr. Kyle E. Burton
625 Marshall Street
Suite 130, Justice Building
Little Rock, Arkansas 72201
Phone: 501-682-6849

Re: STATE OF ARKANSAS V. VERONICA MCCLANE (No. CV-22-254)

Dear Mr. Burton,

I write to inform this Court that Governor Sanders has retained the Office of the Attorney General as counsel in this matter. *See Letter*, Exh. A. The Governor no longer agrees with the arguments presented in the brief previously filed on her behalf and instead adopts the arguments and authorities in the briefs submitted by the Attorney General on behalf of the State.

Best,

Hannah Templin

cc: All counsel



STATE OF ARKANSAS
SARAH HUCKABEE SANDERS
GOVERNOR

January 17, 2023

The Honorable Tim Griffin
323 Center Street, Suite 200
Little Rock, AR 72201

Dear Attorney General Griffin,

Due to my official position as Governor of Arkansas, as of January 10, 2023, I am an appellee in *State of Arkansas v. Veronica McClane*, No. CV-22-254 (Ark. Sup. Ct.). Before the case was appealed to the Arkansas Supreme Court, I was a defendant below in *McClane v. State of Arkansas*, No. 60CV-21-4692 (Pulaski Cnty. Cir. Ct.) and in the consolidated case of *Little Rock School District v. Hutchinson*, No. 60CV-21-4763 (Pulaski Cnty. Cir. Ct.). *State v. McClane* concerns the constitutionality of Act 1002 of 2021.

The Office of the Attorney General initially represented all defendants in the litigation before the Pulaski County Circuit Court. However, my predecessor eventually took legal positions materially adverse to the State's positions, so he retained outside legal counsel to represent him.

Upon taking office, I have reviewed the arguments presented to this Court. I do not agree with the arguments presented in the brief filed on behalf of the Governor. Therefore, I adopt the arguments and authorities in the briefs submitted by the Attorney General on behalf of the State. *See* Appellant's Br. at 39; Reply at 17.

Because my positions are no longer "directly adverse" to those taken by the Attorney General and because I have not asserted a claim against the State of Arkansas, I have asked the Attorney General to resume his representation of me in my official capacity as Governor. *See* Rule 1.9. To the extent that any potential conflict of interest remains from the previous positions of the Office of the Governor, I give my informed consent for the Attorney General to represent me, notwithstanding any such conflict. Rule 1.9(b)(4).

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah Sanders".

Sarah Huckabee Sanders
Governor of Arkansas

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