

Plaintiff-Appellant,

Defendant-Appellee.

**BRIEF OF AMICI CURIAE
NATIONAL SCHOOL BOARDS ASSOCIATION,
VIRGINIA SCHOOL BOARDS ASSOCIATION,
MARYLAND ASSOCIATION OF BOARDS OF EDUCATION,
NORTH CAROLINA SCHOOL BOARDS ASSOCIATION, and
SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION**

UNI E S A ES COUR

- In civil, agency, bankruptcy proceedings, with the following exceptions:
 - state agent (2) an individual or local government is not subject to the action in the district

yla School Board's Ass' ,

North Carolina School Boards Association, a South Carolina School Boards Association

amicus

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4. Is there any
financial in
If yes, identify any

5. Is party a t
If yes, identify any party not
substantially by the outcome of the proceeding of those that is the

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*Evaluating and Admitting Expert
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B. Actual Knowledge Depends on the Information School Officials Receive, and Demands Appropriate Deference to Their Professional Judgment.

Jennings

E.g. Regents of the Univ. of Michigan v. Ewing

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see also

, *Lovell v. Poway Unified School District*

Admitting Expert Opinion Testimony in Child Sexual Abuse Prosecutions

C. The Jury Correctly Found that Hogan did not have Actual Knowledge that Doe Experienced Harassment.

see

II. This Court Should Reject the Invitation to Depart from Clear Precedent Regarding Actual Knowledge

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infer

might

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Davis

Id.

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Davis

Davis

S.B.

Davis

S.B.

Davis

Id.

Davis

See,

e.g., Kollaritsch v. Mich. State Univ. Bd. of Trs.

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IV. The Record Does Not Support a Spoliation Instruction

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Id.

Hodge

See also Callahan v. Pac. Cycle, Inc.

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intentional

Id.

Id. See also Turner

Vodusek

Vodusek

Turner

Vodusek

Vodusek

Id.

CONCLUSION

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CERTIFICATE OF COMPLIANCE

/s/ Robert W. Loftin

CERTIFICATE OF SERVICE

/s/ Robert W. Loftin

