

**In the United States District Court  
for the Southern District of Georgia  
Brunswick Division**

KAREN L. HAVEN,

Plaintiff,

vs.

CV 213-090

THE BOARD OF TRUSTEES OF THREE  
RIVERS REGIONAL LIBRARY SYSTEM  
and LINDA KEAN,

Defendants.

**ADDENDUM TO THE NOVEMBER 12, 2014 ORDER**

After entering the November 12, 2014 Order, the parties, at the Court's request, provided supplemental briefing on the question of whether the Eleventh Circuit's decision in Lightfoot v. Henry County School District, 771 F.3d 776, (11th Cir. Nov. 10, 2014), should change the Court's Order finding, in part, that Three Rivers is an "arm of the state." Upon consideration of Lightfoot and the supplemental briefs, the Court concludes that Lightfoot did not alter the law in this Circuit regarding the arm of the state analysis found in Manders v. Lee, 338 F.3d 1304 (11th Cir. 2003) (en banc). The principles set forth in Manders still stand after Lightfoot and, more importantly, were

available to Plaintiff since this case's inception. Plaintiff elected not to challenge Three Rivers' status as an arm of the state. In fact, Plaintiff's complaint specifically alleged that the Library is a unit of the University of Georgia system. Dkt. no. 1, ¶ 2. She sought to amend her complaint to allege additional facts that would lend support to her Ex parte Young argument, but which also left standing her concession that the Library was a unit of the University of Georgia system. See Dkt. no. 27-1, ¶ 2. At no time during the pendency of the motion for summary judgment did she argue otherwise. Instead, she sought refuge under the Ex parte Young exception. The Court's request for supplemental briefing based on Lightfoot was not an invitation to amend the pleadings or withdraw concessions.

Additionally, the Court's determination that the Library is an arm of the state for purposes of this case is based solely on the specific posture of the pleadings and arguments made before the Court. It should not be construed as a determination that units of the Georgia Public Library Service generally are arms of the state.

The November 12, 2014 Order, in light of this addendum, stands as the decision of this Court, and Plaintiff's claims against the Library are **DISMISSED**.

SO ORDERED, this 13<sup>TH</sup> day of February, 2015.

A handwritten signature in black ink, appearing to read 'L. Godbey Wood', written over a horizontal line.

LISA GODBEY WOOD, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA