

## **PRECEDENTIAL CASE: FIGHTING WORDS AND BAN FROM ATTENDANCE AT MEETINGS**

*John Barna v. Bd. of Sch. Dist. Panthers; No. 15-3904, USDC Middle District Court*

John Barna, a resident of the Panther Valley School Board in Schuylkill and Carbon Counties, had attended the board meetings many times. Beginning in 2010, Barna raised questions about a contract and allegedly answered that he had friends who were interested in attending and “you wouldn’t like that. Some of my friends have guns.”

After other contentious meetings the president urged the solicitor to send Barna a letter that he was banned from attending future meetings, but he could submit questions in writing. Barna sued and the lower court found the school board members immune from suit. On appeal the District Court ruled that the school board had violated Barna’s First Amendment rights however granted the school board immunity.

The Honorable Judge Michael A. Chagares, concurred with the Constitutional violation however, remanded the case on the immunity of the board.