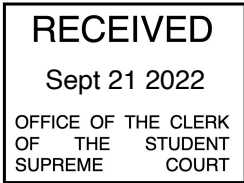


IN THE SUPREME COURT)
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 Action No. 22-006)
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 USG Senate,)
 PLAINTIFF)
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 Versus)
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 USG Treasurer, Logan Grodsky,)
 DEFENDANTS)
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COMPLAINT

JURISDICTION

1. Pursuant to III JCSG §610(A), “The Jurisdiction of the Student Supreme Court shall... 1. Extend to controversies concerning student government actions, 2. Extend to questions of law arising under the Student Body Constitution, the laws enacted under its authority, the actions of the Joint Governance Council, the USG Executive Branch, The GPSF Executive Branch, the USG Legislative Branch, The GPSF Legislative Branch, the Board of Elections, and other independent agencies of Student Government, and the governing documents of all independent agencies of Student Government and all officially recognized student organizations, and 3. Be based on a substantial controversy in law.”

2. The USG Treasurer is a member of the USG Executive Branch per Student Const. ch. 2. art. II §4.

3. Plaintiffs brings this complaint in response to the actions of the USG Treasurer.

STANDING

4. The Undergraduate Senate is a constitutionally established organ of the Student Government which holds the delegated authority to distribute the Student Organizations Fee.

5. Pursuant to III JCSG §630, “Standing to bring an action before the Supreme Court based on the invalidity or illegality of an act of a student body officer, member of the administration executive committee, cabinet or committee of the executive branch shall extend to any member of the student body except members of The GPSG Executive Board and members serving as the Undergraduate Student Government Officers of the USG Executive Branch.”

RELIEF

6. Plaintiff alleges an adverse effect on their powers, rights, and privileges in one count: (1) on or about September 19th at 12:22 p.m. Defendant informed the Speaker Christian Philips and Finance Committee Chair Deniz Erdal that Defendant pursuant V U.S.G.C §101(8) had encumbered funds in the amount of \$46,666.00 for the purpose of the CUSO Fee.

7. Enforcement of V U.S.G.C §101(8) violates the Student Constitution, particularly Student Const. ch. 1 art. VII §1 “The use of USG funds must not violate any larger University policies regarding the use or expenditure of student fees.” Requiring the Undergraduate Senate to appropriate funds to a specific entity for a specific purpose violates “larger University policies” by falling short of all necessary regulations regarding viewpoint neutrality.

8. On July 23 2022 the Board of Trustees of UNC Chapel Hill adopted *Resolution on Viewpoint-Neutral Access to Mandatory Student Fees* which requires that the Undergraduate Student Senate and Undergraduate Student Code be compliant with the law on viewpoint neutrality. Relevant law on viewpoint neutrality includes *Rosenberger v. Rectors and Visitors of the University of Virginia* (1995), which holds that mandatory student fees at public universities must be disbursed in a manner without relation to the viewpoints of the potential recipients, and *Southworth v Board of Regents of University of Wisconsin* (2002), which holds that student which holds that student governments may not have unbridled authority in allocating mandatory fees and must use objective criteria.”¹ Mandatory appropriations of fee money to any one entity for any one specific purpose necessarily abrogates a responsibility to use objective criteria evenly applied among all organizations with the potential to be funded.

¹ Guidance on Viewpoint Neutrality issued by the USG Treasurer June 2022.

DEMAND FOR JUDGEMENT

8. Plaintiff requests an immediate injunction blocking the encumbrance of funds.

9. Plaintiff further requests that V U.S.G.C §101(8) be declared null and void.

10. Plaintiff finally requests that the Court issue precedent finding mandatory appropriations to statutorily mandatory recipients unconstitutional.

I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief.

COUNSEL
Andrew Gary

[REDACTED]

COUNSEL
Callie Stevens

[REDACTED]

Filed this the 21st day of September 2022, at 12:00 a.m.