

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
Jacksonville Division

Hope McMath,

Plaintiff,

v.

School Board of Duval County, et al.,

Defendants.

Case No.: 3:25-cv-01498-HES-LLL

**DEFENDANTS MOMS FOR LIBERTY, INC.’S AND MOMS FOR LIBERTY–
DUVAL’S MOTION TO DISMISS PLAINTIFF’S SECOND AMENDED COMPLAINT
AND DEMAND FOR ATTORNEY’S FEES UNDER FLA. STAT. § 768.295**

Defendants Moms for Liberty, Inc. (“MFL, Inc.”) and Moms for Liberty-Duval (“MFL-Duval”) move under Federal Rule of Civil Procedure 12(b)(6) to dismiss with prejudice the claims asserted against them in Plaintiff Hope McMath’s Second Amended Complaint: Count VI for tortious interference and Count IX for First Amendment “joint action” retaliation under 42 U.S.C. § 1983. (Dkt. 57 [“SAC”].) MFL-Duval also moves to dismiss under Rule 12(b)(6) for lack of legal capacity pursuant to Rule 17(b)(3), and under Rule 12(b)(5) for failure to effect proper service.

Despite this Court granting McMath “one final opportunity to amend” (Dkt. 49 at 4), the Second Amended Complaint suffers from the same fatal flaws as her prior pleadings. Rather than curing these defects, McMath relies on factual fictions, including a phantom “complaint” allegedly sent on September 11 at 2:56 p.m. (SAC ¶ 25) that simply does not exist, and the misidentification of Defendants’ counsel, Mathew Staver, as MFL, Inc.’s corporate “Founder and Chairman” (SAC ¶ 41).

Setting aside those errors, dismissal with prejudice is required on three independent grounds.

First, MFL-Duval is an unincorporated association that lacks legal capacity to be sued under Florida law. Because Rule 17(b)(3)(A)'s federal-right exception cannot supply capacity for state-law torts, Count VI fails as a matter of law. Furthermore, serving a single member in her individual capacity does not confer jurisdiction over an unincorporated association, leaving MFL-Duval unserved long past Rule 4(m)'s 90-day deadline.

Second, the First Amendment and the *Noerr-Pennington* doctrine directly protect the email at issue. Forwarding a public teacher's unedited social-media posts to school administrators and requesting an administrative review is textbook petitioning activity.¹ McMath's Second Amended Complaint establishes that she cannot invoke *Noerr-Pennington*'s "sham" exception because the state officials' prior, independent inquiry and subsequent probable-cause determination show, as a matter of law, that the email was not objectively baseless.

Third, both counts fail under Rule 12(b)(6). As with her proposed pleading, which this Court found deficient (Dkt. 49 at 8–10), Count IX lacks the particularized allegations of a conspiratorial agreement required to establish Section 1983 "joint

¹ A true and correct copy of MFL-Duval's email was filed as Dkt. 32-1, and is attached as **Exhibit 1**. A court may consider a document attached to a motion to dismiss without converting the motion into one for summary judgment if the attached document is: "(1) central to the plaintiff's claim; and (2) undisputed." *Horsley v. Feldt*, 304 F.3d 1125, 1134 (11th Cir. 2002). In this context, "undisputed" means "the authenticity of the document is not challenged." *Id.*

action.” Count VI fails against MFL, Inc. because the Second Amended Complaint alleges no actionable corporate conduct, and fails against MFL-Duval because truthful disclosures to public-school officials about a teacher’s fitness are privileged under Florida common law and the First Amendment. Finally, McMath’s attempt to “reserve” a dismissed malicious-prosecution claim in a footnote (SAC at 17 n.2) is a legal nullity that cannot bypass Rule 15.

At bottom, this action is an improper attempt to weaponize tort and civil-rights law against private citizens for exercising core First Amendment rights. McMath seeks to impose liability on the Moms for Liberty Defendants for a single, truthful email forwarding unedited public social-media screenshots to school authorities entrusted with supervising public-school teachers. Because McMath’s meritless claims target protected petitioning activity, Florida’s anti-SLAPP statute, Fla. Stat. § 768.295, mandates an award of reasonable attorney’s fees and costs. The Court should dismiss Counts VI and IX with prejudice as to both Moms for Liberty Defendants² and award attorney’s fees and costs under Section 768.295.

²Defendant Ellye Smith Aull, who the Second Amended Complaint identifies as the “principal” of MFL-Duval, is separately represented and executed a waiver of service of summons on September 22, 2026. (Dkt. 58.) This Motion is filed on behalf of Moms for Liberty, Inc. and Moms for Liberty-Duval only and addresses no claim against Aull.

STATEMENT OF FACTS

For purposes of this motion, Defendants accept as true the Second Amended Complaint’s well-pleaded, non-conclusory factual allegations. They do not, however, accept McMath’s seemingly hallucinated facts. (*See* SAC ¶¶ 25, 41.)

McMath was a part-time teacher at Duval County Public Schools (the “School District”). On September 10, 2025—the day Charlie Kirk was killed—McMath posted on her Facebook page: “Karma’s a bitch - and she heard all your speeches when you proudly proclaimed that you didn’t give a shit about other people’s lives.” (Dkt. 49 at 2; *see* SAC ¶¶ 19–20; Ex. 1 at 5.)

The next morning at 9:26 a.m., the Florida Department of Education received an email from an “unidentified sender ... bearing an avatar matching Board Vice Chair [April] Carney’s profile” (SAC ¶ 72), which included a screen capture of McMath’s “karma’s a bitch” post (SAC ¶¶ 20–22). At 2:34 p.m., the Department notified the School District that the Commissioner wanted McMath’s posts investigated—an inquiry that “preceded every public complaint later placed in the record.” (SAC ¶ 23.) Within minutes, the School District confirmed her employment, the Department scheduled a school visit, and by 4:30 p.m., the Department mailed a letter opening its investigation. (SAC ¶ 24.)

The Second Amended Complaint alleges that at 2:56 p.m. on September 11, 2025, MFL-Duval, a local chapter of MFL, Inc., “submitted a complaint” with the

School District. (SAC ¶¶ 25, 72.) That allegation appears to be a factual hallucination.³ Neither the Second Amended Complaint nor any of the exhibits attached to McMath's previous filings identify a document bearing that date and time. McMath's First Amended Complaint alleged the opposite, pleading that when the School District "produced its investigative file, DCPS revealed the initial complaint was generated by a September 12, 2025, email from momsforlibertyduval@gmail.com," signed "Moms for Liberty Duval." (Dkt. 28 ¶ 83.)

The only MFL-Duval communication to the School District that appears in this record is a single email sent the following morning (September 12), in which MFL-Duval stated that this was "the FIRST time Moms for Liberty Duval has brought concerns about a specific teacher to the district in this manner." (Ex. 1 at 2, 4; Dkt. 32-1.) Specifically, on September 12, 2025, at 11:03 a.m., MFL-Duval emailed the School District's Superintendent, copying the Department's Commissioner and District Board Members. (Ex. 1 at 2.) The purpose of MFL-Duval's email was "to raise some serious concerns about a teacher's ongoing professional behavior." (*Id.*) The email included a PDF containing screenshots of McMath's post on Charlie Kirk as well as other politically charged posts. (*Id.*)

MFL-Duval stated its members were "deeply concerned about [McMath] bringing her personal (and radical) views into the classroom." (Ex. 1; Dkt. 32-1.) MFL-

³ McMath's fabrication, which raises Rule 11 concerns, undermines the credibility of her entire operational timeline and casts serious doubt on the veracity of her remaining allegations.

Duval “request[ed] that [the Superintendent] tour her classroom immediately and also review student notebooks to determine what is being taught in a supplemental way that goes well outside the lines of state curriculum (or AP standards).” (*Id.*) It also stated that it “believe[s] you have cause to suspend McMath while the investigation is underway.” (*Id.*) And it requested that the Superintendent “[p]lease treat this with high urgency, full fidelity and complete transparency.” (*Id.* at 3.) The Second Amended Complaint alleges no false statement in MFL-Duval’s email. (SAC ¶¶ 61–63.)

The District reassigned McMath on September 15, 2025, and later closed its employment investigation with a verbal warning and coaching. (SAC ¶ 43.) On October 8, 2025, the Commissioner made a probable-cause determination as to her teaching certificate. (SAC ¶ 29.) McMath concedes that “[t]he only interruption of her service was the government’s own precautionary action.” (SAC ¶ 44.) Following a hearing, an Administrative Law Judge issued a Recommended Order on September 18, 2026, recommending dismissal of all certificate charges. (SAC ¶ 45.) The Education Practices Commission has entered no Final Order. (SAC ¶¶ 45, 54.)

McMath filed this action on December 8, 2025. (Dkt. 1.) She filed an amended complaint on February 25, 2026, naming ten defendants and asserting two counts against MFL, Inc. and MFL-Duval: malicious prosecution and tortious interference. (Dkt. 28 ¶¶ 321–45.) Defendants moved to dismiss and requested anti-SLAPP fees (Dkt. 32), while MFL-Duval separately moved to quash service for improper delivery and lack of capacity (Dkt. 31). McMath then sought leave to file a second amended

complaint adding a Section 1983 “joint action” claim. (Dkt. 42; Dkt. 42-1 ¶¶ 18–28, 174–82; *see* Dkt. 49 at 4.) The Moms for Liberty Defendants opposed leave. (Dkt. 43.)

On August 26, 2026, the Court granted MFL-Duval’s motion to quash—holding that service on an unaffiliated seventeen-year-old failed Rule 4(h)(1) and a summons directed to April Carney, rather than to MFL-Duval, failed Rule 4(a)(1)(B)—and denied the pending motions to dismiss as moot. (Dkt. 49 at 5–6, 14.) The Court denied McMath leave to file the proposed Second Amended Complaint as written, holding that it “fails to state a claim against the MFL Defendants and is a shotgun pleading.” (Dkt. 49 at 4, 14.) Specifically, the Court held that: (1) the malicious-prosecution claim failed for lack of favorable termination; (2) the tortious-interference claim failed against MFL, Inc. because the pleading “does not identify specific conduct by MFL, Inc.”; and (3) the “joint action” cause of action is not an independent claim and lacked particularized allegations of an agreement. (Dkt. 49 at 8–10.) The Court granted McMath “one final opportunity to amend.” (Dkt. 49 at 4, 14.)

McMath’s operative Second Amended Complaint names MFL, Inc. and MFL-Duval in only two of its nine counts: Count VI (tortious interference) and Count IX (First Amendment retaliation via joint action). (SAC ¶¶ 59–64, 70–73.) McMath dropped her malicious-prosecution claim, attempting only to “reserve” it in a footnote. (SAC at 17 n.2.)

LEGAL STANDARD

The Court may dismiss a complaint for failure to state a claim upon which relief can be granted. Fed. R. Civ. P. 12(b)(6). “In considering a motion to dismiss under Rule 12(b)(6), a court must accept the factual allegations of the complaint as true and evaluate all inferences derived from those facts in the light most favorable to the plaintiff.” *Marmol v. St. Jude Med. Ctr.*, 132 F. Supp. 3d 1359, 1362 (M.D. Fla. 2015). “Conclusory allegations, unwarranted factual deductions, or legal conclusions masquerading as facts, however, are not entitled to the assumption of truth.” *Id.* (citing *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009)).

Dismissal is also required if a party lacks the legal capacity to be sued, *see Dumond v. Miami Dade Dep’t of Corr. & Rehab.*, 2021 WL 4241287, at *1 (S.D. Fla. Aug. 19, 2021), or for insufficient service of process under Rule 12(b)(5), *see Patterson v. Meredith Corp.*, 2018 WL 3860164, at *1 (M.D. Fla. June 29, 2018).

ARGUMENT

A. Counts VI and IX fail against MFL-Duval for defective service and lack of capacity.

1. Counts VI and IX must be dismissed as to MFL-Duval under Rule 12(b)(5) because McMath has still failed to effect proper service and the Rule 4(m) deadline has expired.

This Court has already quashed McMath’s sole attempt to serve MFL-Duval, holding that delivery to an unaffiliated seventeen-year-old was improper under Rule 4(h), that a summons directed to Board Member Carney individually did not constitute a summons to MFL-Duval, and that MFL-Duval’s notices of appearance and

consented extension requests worked no waiver of its service defense. (Dkt. 49 at 5–6, 14.) The Second Amended Complaint repairs none of these defects. McMath pleads no new summons, no subsequent delivery, and no alternative method of service on MFL-Duval or on any of its individual members.

Although McMath added Ellye Smith Aull as an individual defendant and obtained her waiver of service (SAC ¶ 15; Dkt. 58), that waiver perfects service as to Aull alone *in her individual capacity*. Serving or obtaining a waiver from a single officer or member of an unincorporated association does not confer jurisdiction over the entity or its remaining members. *See Johnston v. Meredith*, 840 So. 2d 315, 316 (Fla. 3d DCA 2003). A party suing an unincorporated association must serve each and every individual member of the association, *see id.*, which McMath has not done. Because service remains defective long past the 90-day deadline set forth under Rule 4(m), Counts VI and IX should be dismissed as to MFL-Duval under Rule 12(b)(5).

2. McMath’s claim against Moms for Liberty-Duval for tortious interference (Count VI) should be dismissed because an unincorporated association lacks the capacity to be sued under Florida law.

For an entity that is neither an individual nor a corporation, capacity to sue or be sued is determined “by the law of the state where the court is located.” Fed. R. Civ. P. 17(b)(3). In Florida, an unincorporated association has no legal existence separate from its members and cannot be sued in its entity name. *See Larkin v. Buranosky*, 973 So. 2d 1286, 1286–87 (Fla. 2d DCA 2008). Instead, a plaintiff seeking to sue an unincorporated association under Florida law must identify and serve its individual

members. *See Walton-Okaloosa-Santa Rosa Med. Soc. v. Spires*, 153 So. 2d 325, 326–27 (Fla. 1st DCA 1963); *see also Elliott v. Sherwood Manor Mobile Home Park*, 947 F. Supp. 1574, 1578–79 (M.D. Fla. 1996) (applying Florida law under Rule 17(b)).

MFL-Duval’s incapacity appears on the face of the Second Amended Complaint. McMath explicitly pleads that MFL-Duval “is an unincorporated association” (SAC ¶ 14) while resting Count VI on actions taken by MFL-Duval (SAC ¶ 61). McMath identifies no statutory exception conferring legal capacity on a local chapter. Dismissal is therefore required because no discovery can alter the legal status that McMath has affirmatively pleaded.

McMath’s decision to name Ellye Smith Aull as a defendant does not cure this defect. Although the Second Amended Complaint alleges that Aull is “the principal of M4L-Duval” (SAC ¶ 15). Setting aside the factual error of her allegation, even if it were deemed true for present purposes, serving process only on the alleged principal of an unincorporated voluntary association is insufficient to vest the court with jurisdiction over the association’s individual members. *See Spires*, 153 So. 2d at 326; *see also* 3A Fla. Jur. 2d Associations & Clubs § 24 (same). Because Florida law requires suit against the members themselves, and McMath has sued only one member alongside an entity lacking capacity, Count VI against MFL-Duval fails as a matter of law and should be dismissed.

3. Rule 17(b)(3)(A)’s federal-right exception applies exclusively to federal claims and cannot confer capacity for McMath’s state-law claim for tortious interference (Count VI).

Rule 17(b)(3)(A) provides a narrow exception allowing an unincorporated association that lacks state-law capacity to be sued in its common name solely “to enforce a substantive right existing under the United States Constitution or laws.” Fed. R. Civ. P. 17(b)(3)(A). Because Count VI asserts a Florida common-law tort rather than a federal statutory or constitutional right (SAC ¶¶ 59–64), Rule 17(b)(3)(A) does not apply to it. Therefore, Count VI against MFL-Duval fails as a matter of law and should be dismissed. Count IX should be dismissed against MFL-Duval based upon immunity (as argued in Section B) or, alternatively, for failing to state a claim (as argued in Section D).

B. The First Amendment’s Petition Clause and the *Noerr-Pennington* doctrine immunize MFL-Duval’s email and therefore bar McMath’s claims against MFL, Inc. and MFL-Duval.

1. McMath’s claims are meritless because MFL-Duval’s email to state officials is classic petitioning activity.

“Springing from First Amendment rights to assemble and petition government in the antitrust context, *Noerr-Pennington* immunity protects those who petition the government for official redress.” *Westgate Resorts, Ltd. v. Sussman*, 387 F. Supp. 3d 1318, 1355 (M.D. Fla. 2019). This protection “extends not only to legislative action, but also to attempts to influence executive and adjudicative governmental bodies.” *Atico Int’l USA, Inc. v. LUV N’ Care, Ltd.*, 2009 WL 2589148, at *2 n.1 (S.D. Fla. Aug. 19, 2009).

The September 12 email sent by MFL-Duval represents paradigm petitioning activity protected by the First Amendment. Addressing the School District Superintendent, and copying the Commissioner of Education and School District Board Members, MFL-Duval explicitly sought to “raise some serious concerns about a teacher’s ongoing professional behavior” regarding McMath allegedly introducing her personal views into the classroom. (Ex. 1 at 2; Dkt. 32-1.) In support of its petition, MFL-Duval submitted truthful, unedited screenshots of McMath’s public posts and sought specific, formal remedies committed to agency discretion: an immediate classroom tour, an inspection of student notebooks against state curriculum and AP standards, and an interim suspension pending the outcome of the investigation. (Ex. 1; Dkt. 32-1.) Urging public officials to treat McMath’s conduct with “high urgency, full fidelity and complete transparency” (*id.*) is a textbook example of citizens petitioning for a redress of grievances. *Cf. Borough of Duryea v. Guarnieri*, 564 U.S. 379, 388 (2011) (observing that “[t]he right to petition allows citizens to express their ... concerns to their government and their elected representatives”).

2. McMath’s attempt to invoke the “sham” exception fails as a matter of law.

McMath seeks to evade the *Noerr-Pennington* doctrine’s absolute bar by labeling MFL-Duval’s email “objectively baseless and a sham.” (SAC ¶ 61.) A plaintiff bears the heavy burden of pleading and proving objective baselessness. *See Orange Lake Country Club, Inc. v. Reed Hein & Assocs., LLC*, 367 F. Supp. 3d 1360, 1371 (M.D. Fla. 2019). McMath cannot meet that burden. A petition is a sham only if it is “objectively

baseless in the sense that no reasonable litigant could realistically expect success on the merits.” *Pro. Real Est. Invs., Inc. v. Columbia Pictures Indus., Inc.*, 508 U.S. 49, 60 (1993) (*PRE*). Objective baselessness must be measured when the petition is submitted, not through the lens of hindsight or subsequent administrative rulings. *See id.* at 65; *see also In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litig.*, 333 F. Supp. 3d 135, 154 (E.D.N.Y. 2018) (“Objective baselessness is assessed at the time of filing.”).

McMath’s own pleading refutes her sham allegation. She alleges that MFL-Duval’s submission was “accepted as the operative complaint initiating [the School District’s] investigation of Plaintiff.” (SAC ¶ 39.) She alleges that the School District then reassigned her from the classroom. (SAC ¶ 43.) And she alleges that the Commissioner issued a probable-cause determination on her teaching certificate. (SAC ¶ 29.) MFL-Duval asked the Superintendent to investigate and to remove McMath from her classroom pending that investigation. (Ex. 1 at 2–3.) By McMath’s own account, MFL-Duval obtained precisely what it requested. A successful effort triggering official action and probable cause conclusively defeats a sham allegation. *See PRE*, 508 U.S. at 58 (“[W]e have explicitly observed that a successful effort to influence governmental action certainly cannot be characterized as a sham.” (citation modified)).

McMath’s conclusory allegation that MFL-Duval acted “to injure Plaintiff through the machinery of government process rather than to obtain any legitimate outcome” (SAC ¶ 61) likewise fails. To begin with, subjective intent is legally irrelevant because McMath cannot satisfy the threshold requirement of objective baselessness.

See PRE, 508 U.S. at 60–61. Even if the complaint was objectively baseless, which it is not, MFL-Duval’s email expressly forecloses McMath’s allegation that MFL-Duval sought not “to obtain any legitimate outcome.” (SAC ¶ 61.) “Indeed, when the exhibits contradict the general and conclusory allegations of the pleading, the exhibits govern.” *Griffin Indus., Inc. v. Irvin*, 496 F.3d 1189, 1206 (11th Cir. 2007). “This rule applies even to exhibits that are attached to a motion to dismiss but are incorporated by reference.” *Int’l Bhd. of Teamsters v. Amerijet Int’l, Inc.*, 932 F. Supp. 2d 1336, 1345 (S.D. Fla. 2013) (citing *Cucinotta v. CVS Pharmacy, Inc.*, 2012 WL 5467524, at *3 (M.D. Fla. Nov. 9, 2012)). The email effectively proves that MFL-Duval sought tangible outcomes: a tour of McMath’s classroom, a review of student notebooks, and a suspension pending an investigation. (Ex. 1 at 2–3.) The Second Amended Complaint offers no concrete allegations refuting the express words in the email, much less claiming that MFL-Duval sought to harm McMath only through an administrative proceeding. “Without a proper allegation of such a motive and well-pleaded facts which could lead this court to infer such a motive, a claim under the sham exception is fatally defective.” *City of Gainesville v. Fla. Power & Light Co.*, 488 F. Supp. 1258, 1266 (S.D. Fla. 1980).⁴

⁴ “*Noerr–Pennington* does not immunize petitioning activity consisting of false statements made to the government.” *Kinsman v. Winston*, 2015 WL 12839267, at *7 (M.D. Fla. Sept. 15, 2015). That exception is inapplicable here. The Second Amended Complaint is devoid of any allegation that MFL-Duval made a single false or misleading factual statement in its September 12 email. (SAC ¶¶ 61–63.) To the contrary, MFL-Duval’s email simply transmitted to public-school authorities unedited screen captures of McMath’s own public Facebook posts. (Ex. 1 at 2.)

Because Counts VI and IX rest entirely on constitutionally protected petitioning, both counts must be dismissed with prejudice as to MFL, Inc. and MFL-Duval. Thus, the Court need not determine whether McMath states claims for tortious interference and First Amendment “joint action” retaliation. *Cf. Atico*, 2009 WL 2589148, at *4 n.8 (“Because the Court finds the First Amendment immunizes Defendants from liability for the activities alleged in the Amended Complaint, the Court need not address Defendants’ arguments that Plaintiff failed to allege adequately the elements of each claim.”).

C. McMath fails to state a claim for tortious interference.

A plaintiff asserting a claim for tortious interference must plead and prove: “(1) the existence of a business relationship[;] (2) knowledge of the relationship on the part of the defendant; (3) an intentional and unjustified interference with the relationship by the defendant; and (4) damage to the plaintiff as a result of the breach of the relationship.” *Glob. Marine Expl., Inc. v. Republic of France*, 151 F.4th 1296, 1312 (11th Cir. 2025) (quoting *Ethan Allen, Inc. v. Georgetown Manor, Inc.*, 647 So. 2d 812, 814 (Fla. 1994)). McMath fails to plausibly allege that either MFL, Inc. or MFL-Duval intentionally and unjustifiably interfered with her employment contract with the School District.

1. McMath fails to plausibly allege any tortious conduct by MFL, Inc.

At the outset, Count VI must be dismissed as to MFL, Inc. because the Second Amended Complaint fails to cure the core pleading deficiency previously identified by this Court. In its Order, the Court explicitly held that McMath’s proposed pleading

“does not identify specific conduct by MFL, Inc.” to interfere with her employment. (Dkt. 49 at 9.) The Second Amended Complaint fails to fix that defect but instead alleges unrelated circumstances that have no bearing on the alleged tortious interference.

First, “operating the national chapter network” (SAC ¶ 63) does not make an umbrella organization liable for a communication sent by a local chapter, much less establish intentional interference. *Cf. Ponessi by Ponessi v. Am. Gold Star Mothers*, 725 F. Supp. 201, 202–03 (S.D.N.Y. 1989) (holding that nonprofit organization’s national headquarters could not be held liable for local chapter’s alleged negligence at fundraiser, where national headquarters neither participated in planning or operation of fundraising events nor received any of proceeds of such activities). Second, “promoting and hosting the Commissioner” at an unrelated event is completely attenuated from McMath’s employment contract and constitutes neither improper means nor a direct cause of any adverse employment action against McMath. (SAC ¶ 63.) Third, public statements by legal counsel acknowledging that citizens reported posts to Moms for Liberty describe post-hoc observations, not contemporaneous acts of tortious interference by MFL, Inc. (SAC ¶ 63.)

In short, McMath’s formulaic recitation that MFL, Inc. acted by “directing, coordinating with, or ratifying M4L-Duval’s objectively baseless complaint” (SAC ¶ 63) is a textbook set of legal labels and conclusory buzzwords that warrant no presumption of truth. The SAC contains zero facts showing who at MFL, Inc.

allegedly directed the email, what instruction was given, or how MFL, Inc. supposedly ratified it before or at the time of its submission.

McMath's allegation that Mathew D. Staver is the "Founder and Chairman" of MFL, Inc. (SAC ¶ 41) is false (and likely a factual hallucination). Mr. Staver is an attorney for Liberty Counsel and a counsel of record representing Defendants. McMath can allege no fact indicating that Mr. Staver has any corporate relationship with Moms for Liberty. And just as this Court found that "counsel's post-suit fundraising efforts do not show that his clients engaged in a pre-suit conspiracy" (Dkt. 49 at 11), so too here commentary by outside counsel simply stating objective facts about the case cannot retroactively constitute intentional interference by MFL, Inc.

Finally, McMath's assertion that MFL, Inc. "directed, coordinated with, or ratified M4L-Duval's complaint against Plaintiff as part of a national model of using government enforcement mechanisms against ideological targets" (SAC ¶ 41; *see also* SAC ¶ 63) is made "[u]pon information and belief" (SAC ¶ 41), and is a formulaic recitation of legal labels devoid of factual enhancement. Because the Second Amended Complaint still fails to identify specific, non-conclusory conduct by MFL, Inc., much less improper and unjustifiable conduct, Count VI fails as a matter of law and must be dismissed as to MFL, Inc.

2. MFL-Duval's email is protected by Florida's general common law qualified privilege.

McMath cannot state a claim against MFL-Duval for tortious interference because MFL-Duval's September 12 email is protected by Florida's general common

law qualified privilege. “In Florida, a statement is conditionally privileged if made by one having an interest or duty therein to another having a corresponding interest in the statement.” *Braxton Techs., LLC v. Ernandes*, 2010 WL 11623673, at *5 (M.D. Fla. Apr. 22, 2010) (citing *Nodar v. Galbreath*, 462 So. 2d 803, 809 (Fla. 1984)). To overcome this privilege, McMath must establish that MFL-Duval’s communication was made with “express malice,” which requires a showing that MFL-Duval “was primarily motivated by a desire to harm [McMath] rather than to protect the interest giving rise to the privilege.” *Braxton*, 2010 WL 11623673, at *5 (citing *Nodar*, 462 So. 2d at 806, 811).

Citizens and community groups hold a vital—and protected—interest in the qualifications, classroom conduct, and professional fitness of public-school teachers. *See Nodar*, 462 So. 2d at 809 (holding that statements made by a citizen to a school board regarding a public-school teacher’s classroom behavior are subject to a qualified privilege). Here, MFL-Duval shared a direct, mutual interest with the District Superintendent, School Board members, and the Commissioner of Education, the public officials entrusted with supervising teachers and maintaining educational standards. *See Fla. Stat. §§ 1012.795, 1012.796*. That mutual interest is precisely what MFL-Duval addressed when it communicated its concerns about McMath’s professionalism.

McMath cannot overcome this conditional privilege because the Second Amended Complaint fails to plausibly allege express malice. McMath’s conclusory assertion that MFL-Duval acted “to injure Plaintiff through the machinery of government process” (SAC ¶ 61) is a bare legal conclusion that cannot survive Rule

12(b)(6). Where a communication directly addresses a matter of legitimate public concern and seeks official administrative recourse, “the presence of strong feelings or sharp criticism does not destroy the privilege unless ill will was the *primary* reason for the communication.” *Braxton*, 2010 WL 11623673, at *5. MFL-Duval’s explicit purpose in sending the email was “to raise some serious concerns about a teacher’s ongoing professional behavior” and to ensure that personal political views were not being introduced into public-school classrooms. (Ex. 1 at 2.) The email forwarded McMath’s own public posts, “unedited,” to the officials responsible for supervising her. (*Id.*) The Second Amended Complaint alleges no fact showing ill will and identifies no false statement in the email. (SAC ¶¶ 61–63.) The September 12 email is therefore protected by Florida’s common law qualified privilege as a matter of law.

3. McMath fails to adequately allege an intentional and unjustified interference with a contractual relationship.

Interference is actionable only when it is “unjustified,” which requires conduct that is independently wrongful. *See Tamiami Trail Tours, Inc. v. Cotton*, 463 So. 2d 1126, 1127 (Fla. 1985). Improper means is generally limited to threats, intimidation, physical violence, misrepresentations, and illegal conduct. *See Al Rushaid Petroleum Inv. Co. v. Siemens Energy, Inc.*, 159 F.4th 887, 894, 896 (11th Cir. 2025). A defendant who does “no more than insisting upon existent legal rights in a permissive way” has used no improper means at all. *Glob. Marine Expl., Inc. v. Republic of France*, 151 F.4th 1296, 1312 (11th Cir. 2025). McMath fails to plausibly allege that either MFL, Inc. or MFL-

Duval engaged in any independently wrongful conduct, force, coercion, or misrepresentation.

Moreover, sending truthful information to government officials about a matter of public concern is privileged as a matter of law. “Lawfully disclosing truthful information does not subject a defendant to liability to a plaintiff whose contract is disrupted as a result.” Restatement (Third) of Torts: Liab. for Econ. Harm § 20 cmt. b (2020). This privilege “applies even if the information causes a contract to be breached and was disseminated by the defendant with that hope.” *Id.* Because truthful reporting is absolutely privileged, MFL-Duval’s email cannot constitute improper means or sustain a claim for tortious interference. *Cf. Bongino v. Daily Beast Co., LLC*, 477 F. Supp. 3d 1310, 1320 (S.D. Fla. 2020) (“[T]he statement is true and thus privileged by the First Amendment.”).

4. McMath fails to adequately allege that the Moms for Liberty Defendants were the actual or proximate cause of any contractual interference.

Count VI alleges that MFL-Duval’s interference “was a proximate cause of Plaintiff’s investigation, reassignment, and loss of her teaching position.” (SAC ¶ 64.) But McMath’s own pleading sets forth an explicit factual timeline that affirmatively negates any proximate causation as a matter of law. According to the Second Amended Complaint, state officials received a screen capture of McMath’s social-media post at 9:26 a.m. on September 11, 2025 (SAC ¶ 21), and the Department, at the Commissioner’s direction, opened its own inquiry into McMath’s posts. (SAC ¶ 23.) Even accepting McMath’s fabricated facts as true, MFL-Duval did not send its

phantom “complaint” email until 2:56 p.m.—twenty-two minutes *after* state authorities had already opened the investigation. (SAC ¶ 25.) And the *actual* timeline is further damaging to McMath’s contention: MFL-Duval did not send its email until the following morning at 11:03 a.m. (Ex. 1; Dkt. 32-1.)

McMath summarizes this sequence herself: “Plaintiff’s post reached FDOE from an unidentified sender before any complaint existed; the Commissioner’s office directed an inquiry that afternoon; and the M4L-Duval complaint and the anonymous email followed. The State did not react to a public complaint; it moved first, and the private complaints trailed the State’s own action.” (SAC ¶ 27.) McMath’s own pleading thus concedes that the Moms for Liberty Defendants were not the actual or proximate cause of the investigation that led to her reassignment.

D. McMath fails to state a claim for Section 1983 “joint action” First Amendment retaliation (Count IX) because the Second Amended Complaint pleads no “particularized allegations” of a conspiratorial agreement.

Count IX, styled “First Amendment Retaliation via Joint Action Under Color of State Law,” fails as a matter of law: McMath fails to allege facts plausibly showing an agreement between the Moms for Liberty Defendants and state actors to violate her constitutional rights. As this Court held in its Order, Section 1983 requires “particularized allegations” of a conspiracy between private and state actors to deprive a plaintiff of a constitutional right. (Dkt. 49 at 10 [quoting *Hansel v. All Gone Towing Co.*, 132 F. App’x 308, 309 (11th Cir. 2005)].) And “the linchpin for conspiracy is agreement.” *Bailey v. Bd. of Cnty. Comm’rs of Alachua Cnty.*, 956 F.2d 1112, 1122 (11th Cir. 1992).

The Second Amended Complaint fails to plausibly allege that the Moms for Liberty Defendants were “willful participant[s] in joint action with the State or its agents” or “reached an understanding” with state officials to retaliate against McMath because of her speech. *Harvey v. Harvey*, 949 F.2d 1127, 1133 (11th Cir. 1992) (quoting *Dennis v. Sparks*, 449 U.S. 24, 27 (1980)). Pleading in the disjunctive that an agreement was “express or tacit” (SAC ¶ 71) shows that McMath cannot identify a single instance where words or promises were exchanged to violate her constitutional rights. Such threadbare recitals warrant no presumption of truth. *Cf. Brown v. Municipalities of Fourth Jud. Cir. Ct.*, 2008 WL 2329418, at *2 (M.D. Fla. June 4, 2008) (“[A] complaint containing conclusory, vague, and general allegations of conspiracy will be dismissed as insufficient.”).

McMath’s attempt (SAC ¶ 72) to demonstrate joint action through an “operational sequence” likewise fails. A chronological timeline of independent acts cannot substitute for particularized allegations of a conspiratorial agreement. *See McKenna v. Bristol Va. City Police Dep’t*, 2022 WL 614031, at *8 (W.D. Va. Mar. 2, 2022) (“Merely labeling a chronological series of actions by multiple individuals as ‘conspiracy’ or providing only a conclusory, formulaic recitation of the legal elements of conspiracy will not do.”). Rather than alleging a meeting of the minds, the Second Amended Complaint affirmatively negates any plausible inference that MFL-Duval or MFL, Inc. conspired with state officials to set the government in motion, explicitly admitting that the Department’s inquiry “preceded every public complaint” and that “[t]he State did not react to a public complaint; it moved first, and the private

complaints trailed the State’s own action.” (SAC ¶¶ 23, 27.) A private communication that trails state action cannot, as a matter of logic or law, serve as evidence of an antecedent unlawful conspiratorial agreement. In any event, “the provision of information to a state official—even if that information is false or results in the official taking affirmative action—is insufficient to constitute ‘joint action’ with state actors for purposes of § 1983.” *Jeanty v. City of New York*, 2024 WL 5236462, at *39 (E.D.N.Y. Dec. 28, 2024) (citation omitted).

Finally, McMath’s attempt to connect MFL, Inc.—alleging that “M4L, Inc., through its Chairman and counsel, publicly acknowledged that Moms for Liberty forwarded the matter to both DCPS and FDOE for review” (SAC ¶ 72)—relies on a seemingly factual fabrication. Mathew Staver is not an officer or chairman of MFL, Inc. but the Founder and Chairman of *Liberty Counsel*, which serves as MFL, Inc.’s outside legal counsel.

In sum, McMath has failed to allege that the Moms for Liberty Defendants engaged in joint action with state officials. Count IX must be dismissed with prejudice. *Cf. FuQua v. Massey*, 615 F. App’x 611, 613 (11th Cir. 2015) (finding that district court properly granted motion to dismiss because plaintiff’s “conclusory allegations” that defendants violated her civil rights were “insufficient”).

E. The Court should disregard McMath’s attempt to “reserve” a future malicious-prosecution claim in a footnote.

McMath attempts to “reserve” a future malicious-prosecution claim in a footnote “[b]ecause the administrative proceeding has not yet terminated by final

order.” (SAC at 17 n.2). The Court should reject that attempt. A plaintiff cannot use footnote placeholders to bypass Rule 15 or keep hypothetical claims on life support after three failed attempts to state a cause of action. *Cf. Antonio v. Saxon Mortg. Servs., Inc.*, 2012 WL 13426614, at *4 (C.D. Cal. Sept. 7, 2012) (“A complaint is an active pleading, not a placeholder to preserve claims ‘just in case’ they someday arise.”). Having dropped her malicious-prosecution count in response to this Court’s prior Order (Dkt. 49 at 8), McMath should not be permitted to park a ghost claim in a footnote to avoid dismissal with prejudice or bypass Rule 15’s mandatory standards for future amendment. *Cf. Arroyo v. Pfizer, Inc.*, 2013 WL 415607, at *10 (N.D. Cal. Jan. 31, 2013) (“Plaintiff cannot insert an inconsistent and confusing placeholder to expand whatever right she may later have under Rule 15 to amend the complaint.”).

F. The Court should award the Moms for Liberty Defendants attorney’s fees and costs under Florida’s anti-SLAPP statute.

Because McMath’s meritless causes of action targeted First Amendment-protected speech, Florida’s anti-SLAPP statute, Fla. Stat. § 768.295, allows Defendants to recover attorney’s fees and costs to defend against the claims. The statute prohibits any person from filing a claim “without merit” and “primarily because such person or entity has exercised the constitutional right of free speech in connection with a public issue, or right to peacefully assemble, to instruct representatives of government, or to petition for redress of grievances,” mandating that the court “shall award the prevailing party reasonable attorney fees and costs incurred

in connection with a claim that an action was filed in violation of this section.” Fla. Stat. § 768.295(3)–(4).

MFL-Duval’s email—the basis of McMath’s claims against Defendants—falls squarely within the statutory protection. Sent to the Superintendent of Duval County Public Schools and copied to the Commissioner of the Florida Department of Education, the email addressed a public-school teacher’s fitness and conduct (Ex. 1 at 2–3), which is a matter of public concern that state and local authorities were already actively reviewing (SAC ¶¶ 21, 23–25). Consequently, Counts VI and IX were filed in violation of Section 768.295, and Defendants are entitled to reasonable attorney’s fees and costs. The Court should grant entitlement and set briefing as to amount.

CONCLUSION

The Court should dismiss Count VI and Count IX with prejudice as to MFL, Inc. and as to MFL-Duval under Rule 12(b)(6). In the alternative as to MFL-Duval, the Court should dismiss Count VI for lack of capacity under Rule 17(b)(3) and Florida law, and dismiss Count VI and Count IX under Rule 12(b)(5) for insufficient service of process. The Court should further disregard McMath’s reservation of a malicious-prosecution claim in footnote 2 of the Second Amended Complaint and grant no leave to add that claim to this action. Finally, the Court should determine that Count VI and Count IX were filed in violation of Fla. Stat. § 768.295, and accordingly award Defendants reasonable attorney’s fees and costs they incurred in defending against this action, retain jurisdiction to quantify the award, and set briefing as to amount.

Dated: October 5, 2026

Respectfully submitted,

/s/ Horatio G. Mihet

Mathew D. Staver (FBN 0701092)

Horatio G. Mihet (FBN 0611131)

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*Counsel for Defendants Moms for
Liberty and Moms for Liberty-Duval*

LOCAL RULE 3.01(g) CERTIFICATION

Pursuant to Local Rule 3.01(g), undersigned counsel certifies that, prior to filing this Motion, counsel for Defendants Moms for Liberty, Inc. and Moms for Liberty–Duval made extensive, repeated efforts to confer with counsel for Plaintiff, John M. Phillips, regarding the grounds for dismissal, the statutory claims for attorney’s fees and costs under Fla. Stat. § 768.295, and the factual hallucinations in the Second Amended Complaint. Because today, Monday, October 5, 2026, is the mandatory deadline (Fed. R. Civ. P. 15(a)(3)) for Defendants to respond to the Second Amended Complaint (Dkt. 57), undersigned counsel initiated written conferral efforts a full week in advance. Specifically, counsel for Defendants made the following attempts to confer:

1. **Monday, September 28, 2026, at 5:13 p.m.:** Undersigned counsel sent a detailed Local Rule 3.01(g) email to Mr. Phillips outlining each legal and factual ground for dismissal, explaining Defendants’ statutory fee entitlements, and requesting a phone or Zoom conference on Tuesday or Wednesday.

2. **Tuesday, September 29, 2026, at 10:33 a.m.:** Undersigned counsel sent a follow-up email requesting times for a brief telephone conference on Tuesday or Wednesday and clarifying that Defendants would be filing their Motion to Dismiss on or before the October 5 deadline.

3. **Wednesday, September 30, 2026, at 10:38 a.m.:** Undersigned counsel sent a third email requesting a phone call on Wednesday, Thursday, or Friday to determine whether the motion could be resolved without court intervention. Counsel further advised that if no response were received by the close of business on October

1, 2026, Defendants would file this Motion and report that their requests to confer had gone unanswered

4. **Monday, October 5, 2026, at 8:46 a.m.:** Undersigned counsel sent a fourth email reminding Mr. Phillips that Defendants' filing deadline under the Federal Rules was today.

5. **Monday, October 5, 2026, at 9:19 a.m.:** Mr. Phillips sent an email stating that Plaintiff "assuredly object[s] to the relief requested" and declining to participate in a telephone conference prior to filing, citing a lack of time.

6. **Monday, October 5, 2026, at 9:52 a.m.:** Undersigned counsel attempted to call Mr. Phillips directly at his office, but the call was routed to an answering service. Undersigned counsel immediately sent a follow-up email providing a direct telephone number, inviting a call prior to filing, and noting that the conference would take fewer than 10 minutes.

7. **Monday, October 5, 2026, at 10:18 a.m.:** Mr. Phillips sent an email confirming that Plaintiff objects to "each ground for relief" that undersigned counsel set forth in his September 28 email.

Based on Mr. Phillips's October 5 email, Plaintiff opposes all relief requested in this Motion.

[Signature block on following page]

Respectfully submitted,

/s/ Horatio G. Mihet

Horatio G. Mihet

*Counsel for Defendants Moms for
Liberty and Moms for Liberty-Duval*

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Respectfully submitted,

/s/ Horatio G. Mihet

Horatio G. Mihet

*Counsel for Defendants Moms for
Liberty and Moms for Liberty-Duval*

Exhibit 1

Moms for Liberty-Duval
Email (with email
attachments)

From: LibertyMoms Duval momsforlibertyduval@gmail.com
Subject: Teacher Concerns - Hope McMath
Date: Sep 12, 2025 at 11:03:04 AM
To: Christopher S. Bernier BernierC@duvalschools.org
Cc: Anastasios.Kamoutsas@fldoe.org, Charlotte D. Joyce
joycec@duvalschools.org, April A. Carney
CarneyA1@duvalschools.org

Dear Dr. Bernier,

With heavy reflection, we wish to raise some serious concerns about a teacher's ongoing professional behavior.

Hope McMath is a teacher at Douglas Anderson School of the Arts.

Our members passed along a concern regarding a "karma's a bitch" post McMath made following the assassination of Charlie Kirk.

We didn't feel like that alone warranted a letter to you. However, a deeper dive into Ms. McMath's posts have found us deeply concerned about bringing her personal (and radical) views into the classroom.

A snapshot is attached of her social media posts. All are unedited and all were captured in the last 24 hours.

Field trips appear to have had students return home with "GOD IS TRANS" posters, along with promises to gift other students with activist artwork, McMath opens the year with a display of lynching, McMath blames students for bringing COVID to campus...and more.

We believe this evidence shows that McMath bringing her own activism into the hearts and minds of Douglas Anderson students.

We request that you tour her classroom immediately and also review

student notebooks to determine what is being taught in a supplemental way that goes well outside the lines of state curriculum (or AP standards). We believe you have cause to suspend McMath while the investigation is underway. McMath does not deserve a student audience for ONE MORE DAY. Our suspension and investigation request is why we have copied the Commissioner and board leaders.

Indoctrination is totally unacceptable. This likely opens an issue with Parental Rights - the GOD IS TRANS incident alone violates our interpretation of parents being in charge of upbringing of our children.

As an aside: McMath, like ALL teachers, needs to be reminded - these are OUR children, not YOURS. Parents trust valued teachers to come alongside our children for a season to deliver state-approved educational content. Taking leaps beyond that role violates their job description and professional standards.

If McMath did gain parental consent to gift students these materials, then you may remove our objection to the GOD IS TRANS concern.

Please treat this with high urgency, full fidelity and complete transparency.

These are the posts we quickly found, and the ones that McMath bothered to make public. It's very troubling to think about the years of influence she has had with the district's students. All of the things that are unknown should make you uncomfortable.

In closing, please note this is the FIRST time Moms for Liberty Duval has brought concerns about a specific teacher to the district in this manner. We take this matter very seriously and look forward to your response and resolution.

Kind regards,
Moms for Liberty Duval



McMath_Social_Media.pdf

20.2 MB

**Note: “Karma’s a bitch”
regarding the assassination of
Charlie Kirk. This post is now
deleted. Image was catpured
at 9am on 9/11/25.**





Hope McMath
11h · 



Karma's a bitch - and she heard all your speeches when you proudly proclaimed that you didn't give a shit about other people's lives.

 Like

 Comment

 Share

 45

2 shares

Most relevant ▾

- 

Anita Mari
180 metres, one shot. That’s a trained individual. Kirk was an annoyance, not a threat. There’s no benefit for the left to making him a martyr. There’s considerable benefit to the right to making a rallying point from the sacrifice of a visible but otherwise insignificant talking head.
2h Like Reply 1 
- 

Wilma Lee
Violence or murder is not the answer
3h Like Reply
- 

Sheila Jackdon
Heard that ass loud and clear!
10h Like Reply

Note: announcing her first day of school - uses images of lynching to begin the year of AP Art History



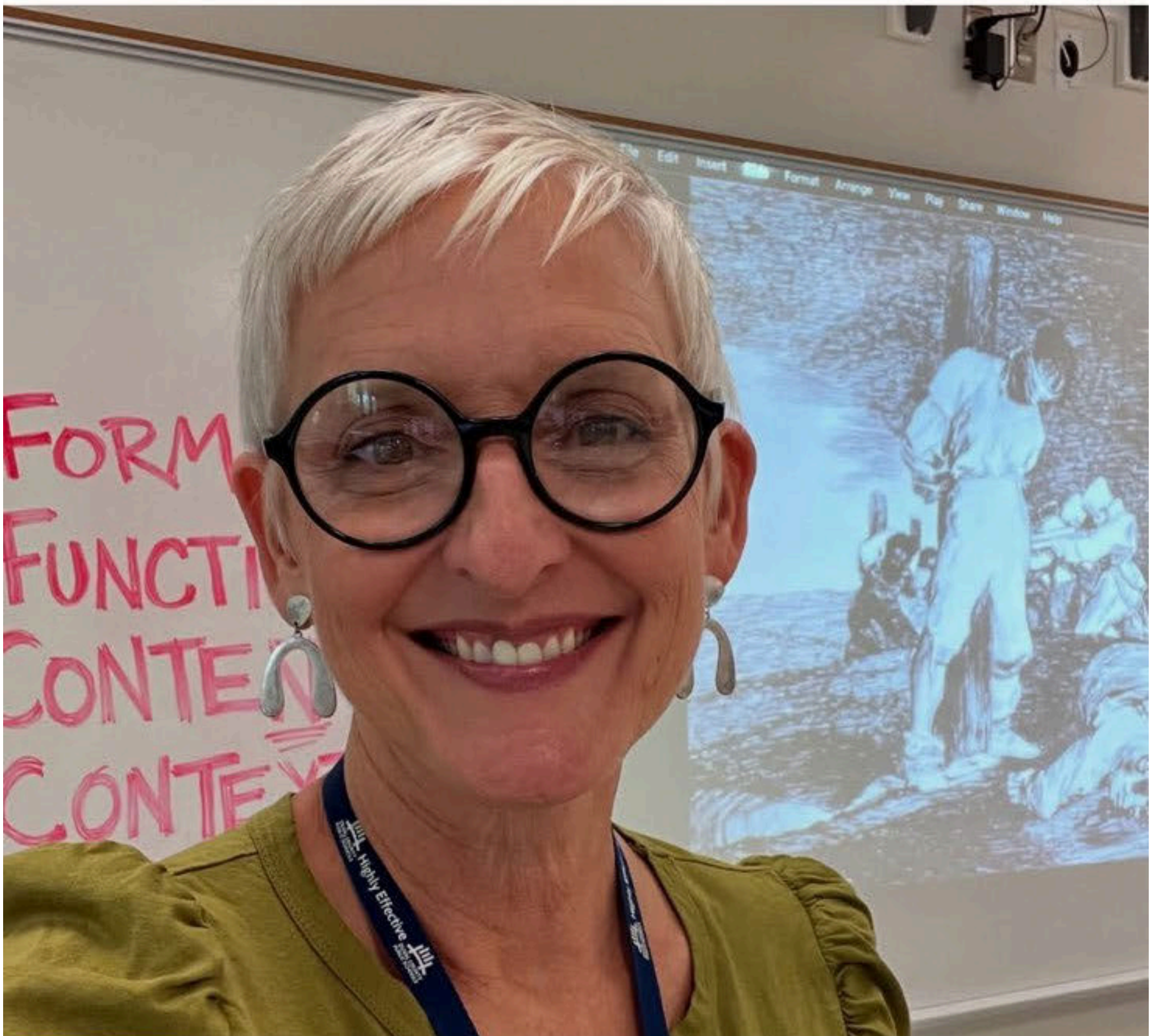
Hope McMath

Aug 13 · 🌐



Yep, she's back! Two classes of AP Art History at Douglas Anderson School of the Arts, working alongside the BEST team. I mean, the visual arts faculty is just the best! I'll still be managing the gallery and super excited to continue building a love for art history, culture, and community with more than 50 students. That class of 43 is going to be tricky, but so far, so good.

Feeling grateful 🙏



Note: blaming students who “came to school to take their (and our) chances” with covid



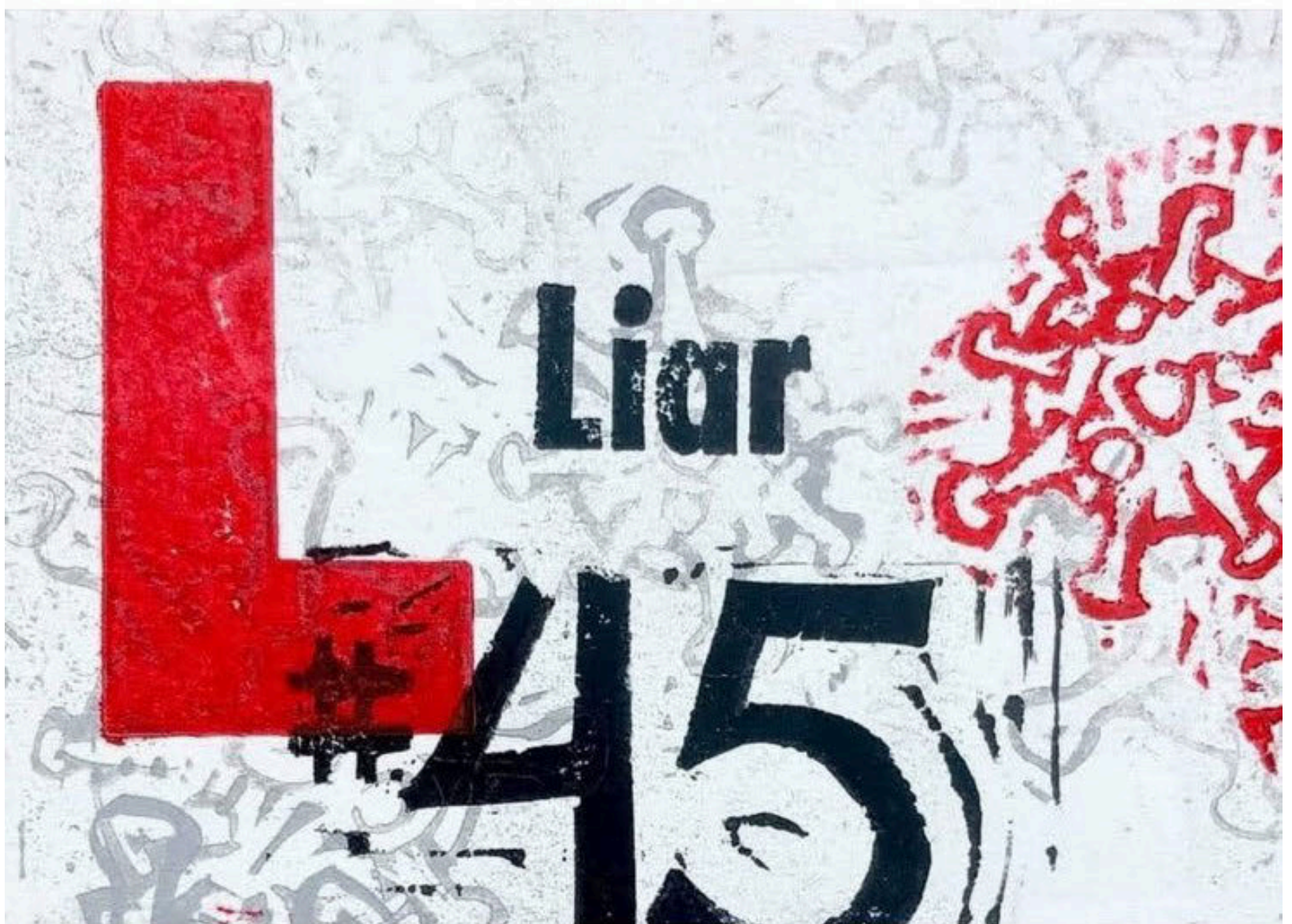
Hope McMath

Aug 18 · 🌐



I'm sharing this again for two reasons. He's still a liar and a deadly presence in this world. The second is to remind us to take care. Barry and I have multiple family members who have Covid 19. All are home sick and pretty miserable. My mom who is a long covid patient has it the worst. And it's all over our students - many missed days last week with it, while others came to school to take their (and our) chances. Nope, it's not a serious thing for most, but it's very serious for others. Take care, y'all.

Art by me. One of 26 sheets from Covid
Abecedarium 2020



Note: “so much more than an art history class” is the response to a student discussion on racism



Hope McMath · [Follow](#)

Mar 12, 2020 · 🌐



Best feedback today when I asked if there were any more questions, concerns or nuggets of wisdom to share before we go online...The student raised her hand and reminded all “Don’t be racist!” So much more than an art history class.



21



Like



Comment



Share



Hope McMath · [Follow](#)

Aug 31, 2019 · 🌐



Hold your loved ones close. Check on your neighbors...near and far. Help where you can. We prepare for the worst, hoping the stor... [See more](#)



Note: known DCPS activist Hurst thanks McMath for going “well beyond what you are asked to do”



Hope McMath
Aug 4 · 



**WORRIED ABOUT THE
NEW SCHOOL YEAR?**

**YOU’VE DONE THIS BEFORE.
YOU’LL DO IT AGAIN.
AND YOU’LL CRUSH IT.**



 Like

 Comment

 Share

 32

2 shares

Most relevant ▾



Rodney Lawrence Hurst Sr
Yes, you do, [Hope McMath](#).
Hats off to teachers and ALL you do, well
beyond what you are asked to do.

5w Like Reply

2 

Note: DCPS students visiting McMath's personal art gallery and being gifted with GOD IS TRANS artwork prints. Along with a promise to distribute more on campus.



Hope McMath is at Yellow House. .

Follow

Nov 30, 2021 •

When a student visiting @yellowhouseart asks "tell me about the 'God Is Trans' print on the shelf" and I launch into a lesson about @kennedyprints, artists as activists, and the power of sharing your work and leaving the pedestals and white walls THIS is what it looks like. The message spreads as these prints go out into the world in these many good hands!

Thank you Amos Kennedy for your generous gift to this community (and you probably have several IG follower requests from your new fans). And big thank you to this group of students from @dandersonarts for getting it and giving me hope. And for anyone at DA who didn't receive one, I've got you!!!

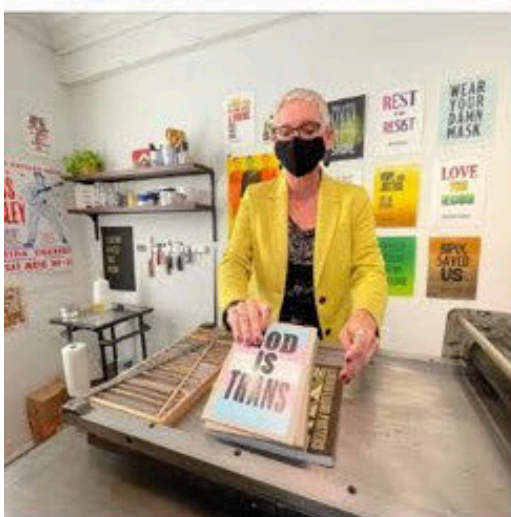
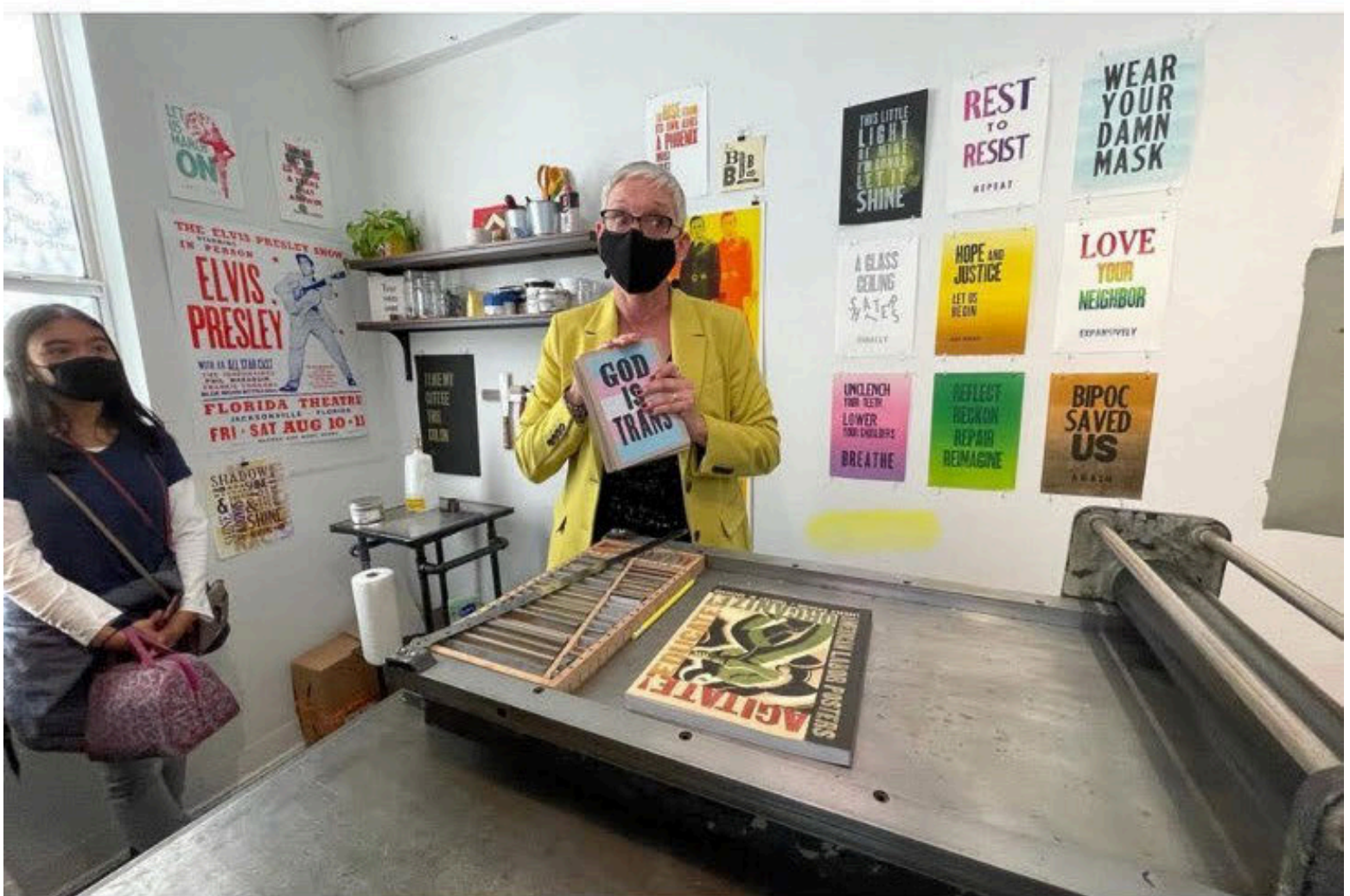
In my happy place today!



Note: DCPS students visiting McMath's personal art gallery and being gifted with GOD IS TRANS artwork prints. Along with a promise to distribute more on campus.

And for anyone at DA who didn't receive one, I've got you!!!

In my happy place today!



 44

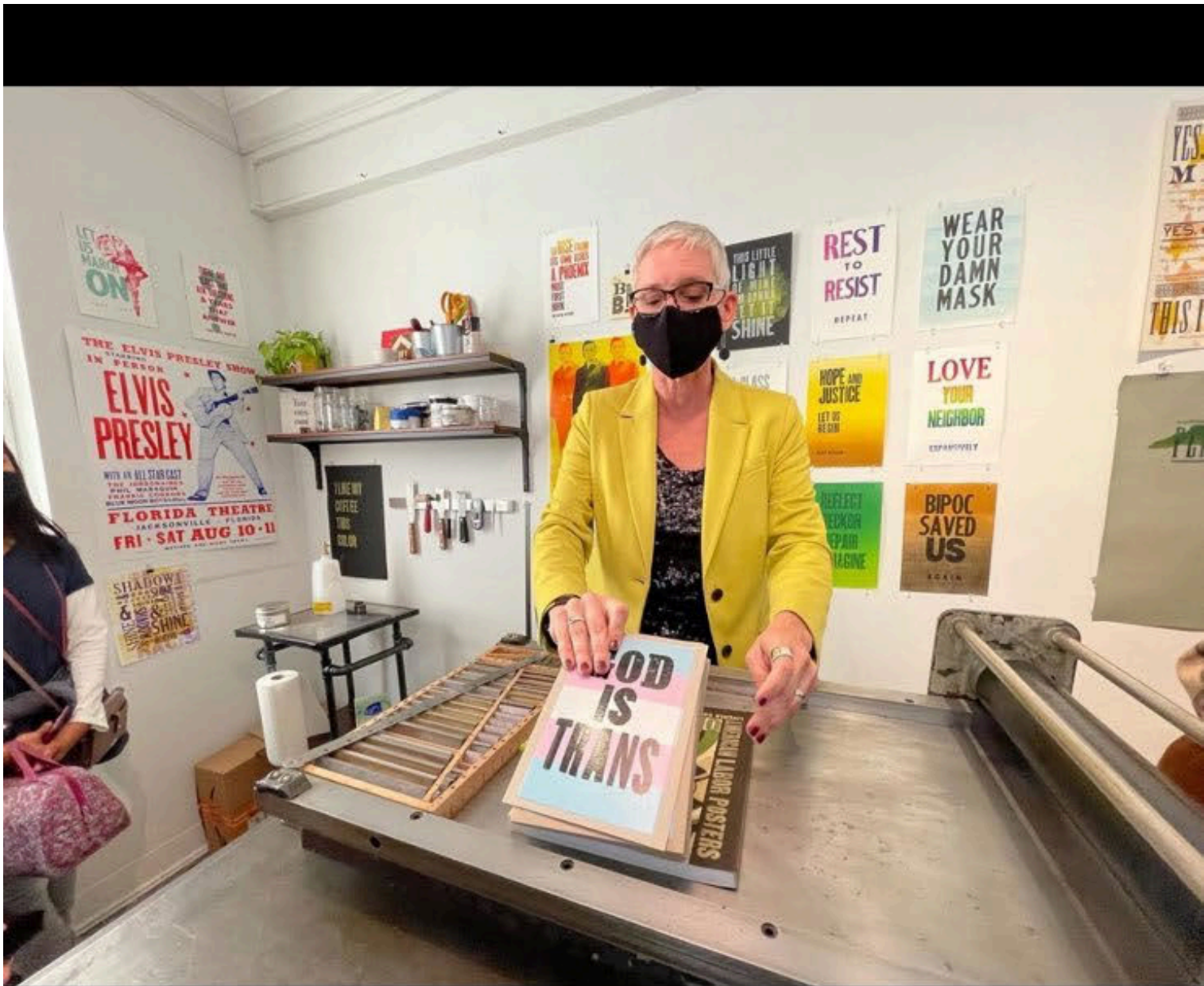
1 comment 1 share

 Like

 Comment

 Share

Note: DCPS students visiting McMath’s personal art gallery and being gifted with GOD IS TRANS artwork prints. Along with a promise to distribute more on campus.



Hope McMath at Yellow House

Nov 30, 2021 · 🌐

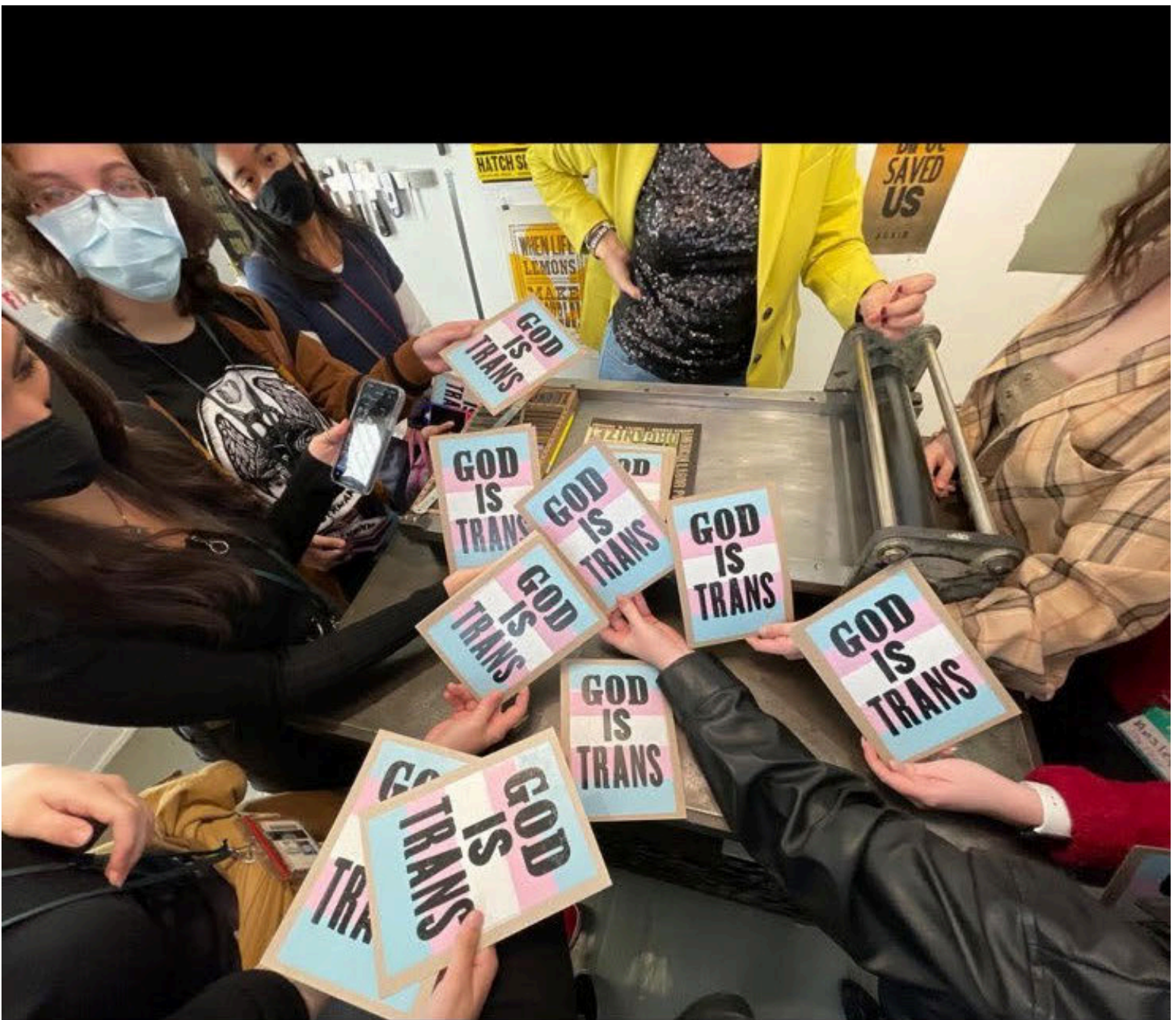
👍 1

👍 Like

💬 Comment

➦ Share

Note: DCPS students visiting McMath's personal art gallery and being gifted with GOD IS TRANS artwork prints. Along with a promise to distribute more on campus.



Hope McMath at Yellow House

Nov 30, 2021 · 🌐

👍 Like

💬 Comment

➦ Share

Note: DCPS students visiting McMath's personal art gallery and being gifted with GOD IS TRANS artwork prints. Along with a promise to distribute more on campus.



Hope McMath at Yellow House

Nov 30, 2021 · 🌐

👍 2

👍 Like

💬 Comment

➦ Share

Note: f*ck ICE artwork - unverified reports that these prints could be on campus



Hope McMath

Jul 16 · 🌐

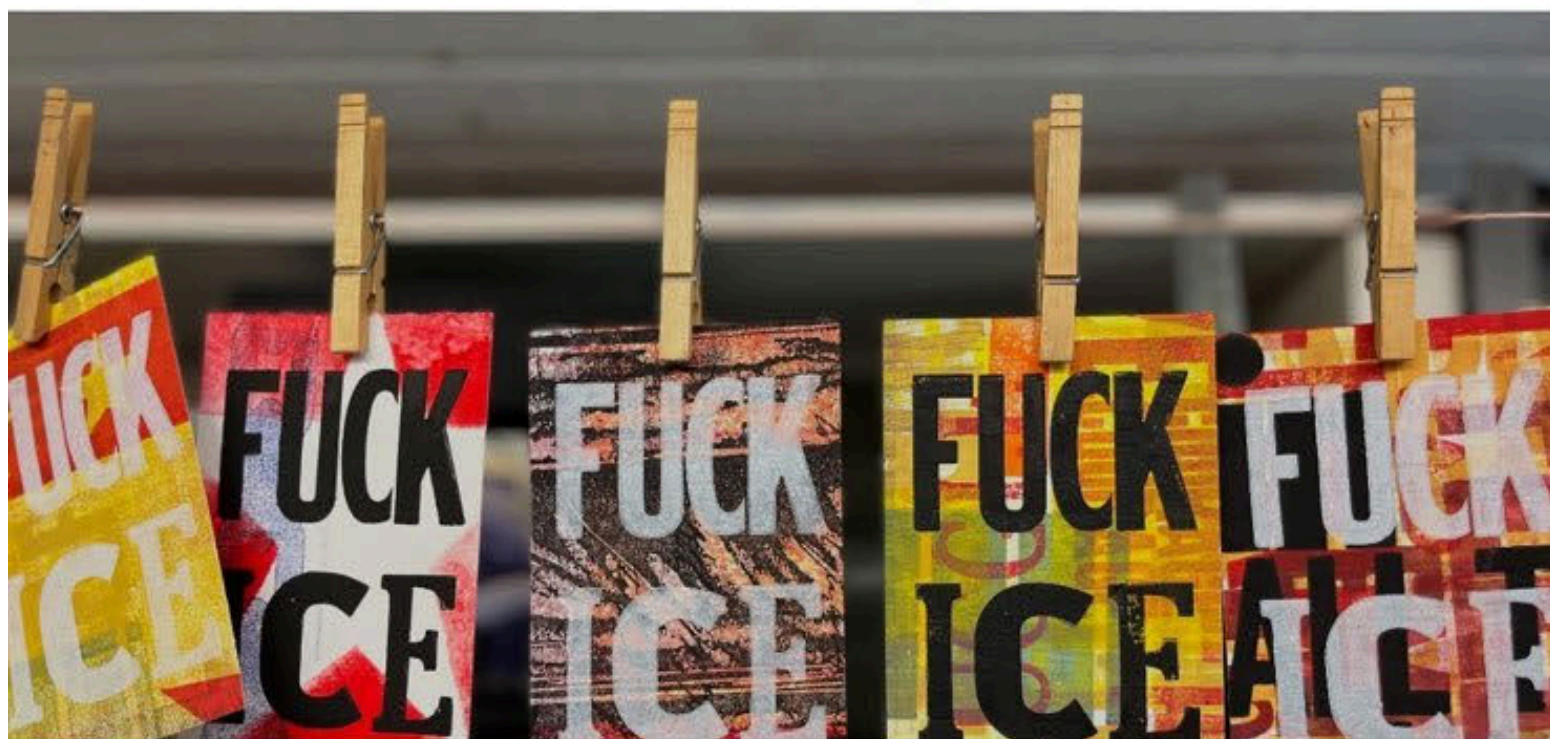


At a time when we grieve immoral detention and unlawful kidnapping of our neighbors, mourn the execution of a man who was destroyed by the State as a boy, grieve the loss of poets and artists to death and censorship, witness the daily destruction of a people through genocide, and witness attacks on education, journalism, public health, and the social safety net - I should be able to create something deeply moving, maybe even profound.

But no, something base, crass, and direct is all I can muster.

Letterpress postcard-size prints on the detritus of earlier projects. Shitty little prints made with breaths of defiance and love.

[#fuckice](#) [#makeartnow](#) [#letterpress](#) [#artactivism](#)



+ Add friend

💬 Message



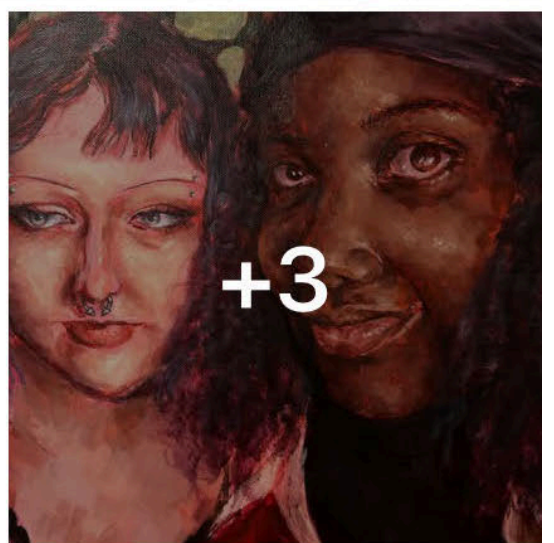
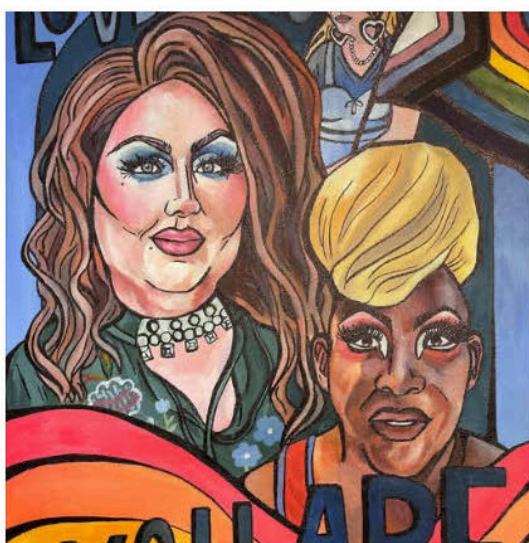
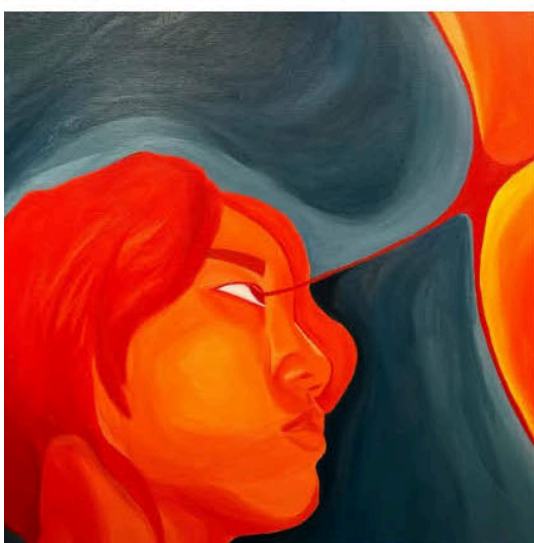
Note: drag queen artwork with #diversitymatters



Hope McMath is at Douglas Anderson School of the Arts. · [Follow](#)

Dec 9, 2022 · 🌐

The kids are alright! Enjoy this glimpse into the artwork by students at Douglas Anderson School of the Arts currently on view in the school's gallery, one of my homes away from home. Happy Friday, y'all. [#dasota](#) [#youngartists](#) [#artseducation](#) [#youthleadingtheway](#) [#representationmatters](#) [#diversitymatters](#) [#artstudentsrock](#) [#gratitude](#)



Like

Comment

Share

Note: reponse to vaccine mandates being removed



Hope McMath



Sep 3 · 🌐

Disgusting. Dangerous. Ignorant. These fuckers are playing games with our lives.



Laura LeMoine Karabinis

Sep 3 · 🌐

This is dangerous, profound ignorance.

Florida to end vaccine mandates for children as state’s surgeon general likens them to ‘slavery’

Joseph Ladapo, a long-time vaccine skeptic, says that every state vaccine requirement would be repealed

● [US politics live - latest updates](#)



Note: “all white people benefitted from...” slavery “and still do”



Hope McMath

Aug 21 · 🌐



Slavery was horrific and for anyone to suggest otherwise is incredibly ignorant or a lying racist. We have generations of receipts on this truth. To hold people in bondage is a kind of violence most of us can't fathom. And we must add to that brutal stew the reality of torture, separation of families, rape, and murder.

My ancestors were enslavers and we can not let them or any others off the hook. There were no 'good' enslavers. Period. And I believe our lack of reckoning and repair has held us all back. I mean ALL. Because if you think this isn't YOUR truth, because your people were not directly part of this industry of horror you.are.wrong. Everyone was - and is - impacted. And all white people benefitted - and still do.

People need to stop with this fucking foolishness.

Art from my body of work exploring the role of my family in this legacy and my own desire to break that legacy. Harriet Tubman is backed by census records and deeds of sale showing the truth of my ancestors' bloody hands.



Note: “what is more important that what is happening in Gaza?”



Hope McMath

Aug 11 • 🌐



To continue to be shocked, horrified, and angered feels foolish. Yet, it does get worse. There are awful acts that leave all of us less safe, less humane. History tells us that the truth tellers will be targeted - violently. That the violence will remain relentless. That those in power will double down, while most people become numb. That it only takes one powerful ally to keep the brutal machine fueled and protected. It makes so much simply seem futile unworthy of our attention and energy. What is more important than what is hapening in Gaza?



youtube.com

**Al Jazeera's Anas al-Sharif and 4 other
journalists killed by Israeli drone strike in Gaza**

Note: former students now volunteering in McMath's personal art gallery



Hope McMath is with @properiri and
@prckly.pear.



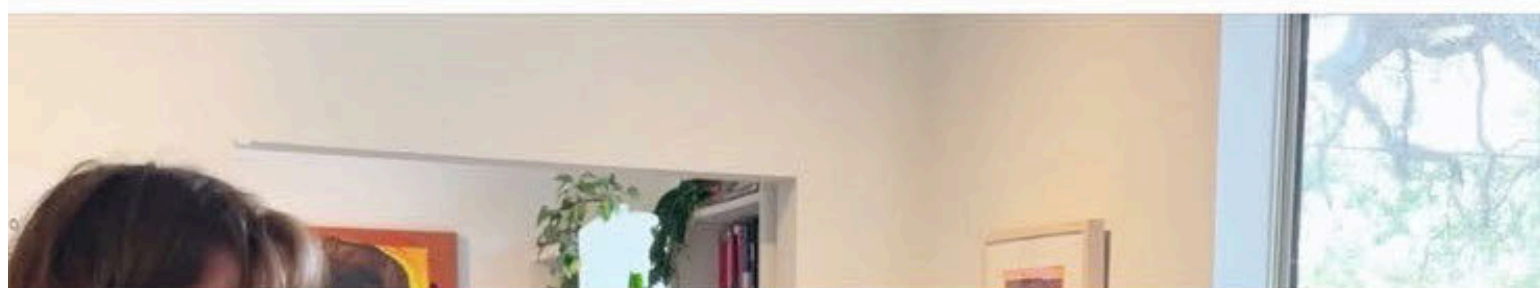
Jul 24 · 🌐

Yesterday three new volunteers started their journeys with Yellow House. What makes this day extra special is that each was a student in my AP Art History classes last year. I've always loved the engagement of past and current students in Yellow House, but recognize the same thing happened when I was at the Cummer Museum.

To see them merge into the community that is always bringing life to this space was a sparkly moment in a world that threatens to dim our sense of hope and possibility. I believe to my marrow that this is the time to create, tend, honor, imagine the kind of world we want to live in. It's messy work, but it is so rich, so good, and so necessary.



Picture of Yellow House regulars in community with new student volunteers - while the whole building was buzzing with neighbors, artists, first time visitors, and long time friends.



Add friend



Message



**Note: 2016, likely precedes
McMath being a DCPS
teacher...however, her
husband is a DASOTA teacher
and the share is “an activist
Halloween” from campus**



Hope McMath · [Follow](#)



Oct 31, 2016 · 🌐

Students at DASOTA where my husband teaches.
An activist Halloween.



Tiffany M. Hickson · [Follow](#)

Oct 31, 2016 · 🌐

So Larry, being the mini activist he is, and
some of his DA friends came up with the idea
of Black Panthers for spirit day. He... [See more](#)



Chip Southworth + 29

2 comments