

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
NO. 26-5057**

Ramsi A. Woodcock

Appellant

On appeal from the United States District Court
for the Eastern District of Kentucky
v. Civil Action No. 5:25-CV-00424

University of Kentucky, et al.

Appellees

**NOTICE OF FEDERAL RULE OF APPELLATE PROCEDURE
RULE 43(C)(2) SUBSTITUTION OF PARTIES AND SIMILAR
PENDING CASES**

The University of Kentucky, President Capilouto, Provost DiPaola, Interim Dean Duff, and General Counsel Thro give notice of an automatic substitution of parties and two pending cases involving the same parties.

First, in the case currently pending before this Court and scheduled for oral argument on July 28, 2026, Professor Woodcock originally sued Interim Dean Duff in both his official and personal capacities. On July 20, Gregory F. Van Tatenhove, a former U.S. District Judge for the Eastern District of Kentucky, became Dean of the University of

Kentucky's Rosenberg College of Law. So, under Federal Rule of Appellate Procedure 43(c)(2), Dean Van Tatenhove is automatically substituted for Interim Dean Duff with respect to the official capacity claims. The individual capacity claims against Interim Dean Duff remain and there are no individual capacity claims against now Dean Van Tatenhove. The Court should correct the caption.

Second, on July 20, Professor Woodcock sued the University of Kentucky, President Capilouto, Provost Robert DiPaola, Interim Dean Duff, and General Counsel Thro in state court.¹ Although Professor Woodcock alleges violations of the Kentucky Constitution rather than the United States Constitution, his claims arise from the same transactional nucleus of facts as his claims in this case and seeks essentially the same relief as in this case. Because the Supreme Court of Kentucky generally follows federal constitutional analysis for free speech claims, the claims in the state case are substantively identical to the claims in this case.

¹ That complaint is styled as *Ramsi A. Woodcock v. University of Kentucky, Eli Capilouto, in his official and individual capacities, Robert DiPaola, in his official and individual capacities, William Thro, in his official and individual capacities, and James C. Duff, in his individual capacity*, Case No. 26-CI-03325, pending in Fayette Circuit Court, and a copy is attached as **Exhibit 1**.

Third, on July 13, Professor Woodcock sued Dean Van Tatenhove, University of Kentucky, President Capilouto, and Provost Robert DiPaola in federal court.² He seeks an injunction removing Dean Van Tatenhove and appointing a faculty committee as Dean. The district court denied his request for a Temporary Restraining Order,³ and Professor Woodcock is now insisting on expedited discovery and that the Court hold a preliminary injunction hearing.⁴ While this new federal suit is irrelevant to the *Younger* abstention issues pending before this Court, it reflects Professor Woodcock's expansive view of academic freedom, which forms the basis for his underlying First Amendment claims presently before the district court.

Respectfully submitted,

/s/Carmin G. Iaccarino

Bryan H. Beauman

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² That Complaint is styled as *Ramsi A. Woodcock v. Gregory Van Tatenhove, Eli Capilouto, in his official and individual capacities, Robert DiPaola, in his official and individual capacities, and University of Kentucky*, Case No. 5:26-cv-00262, pending in the United States District Court for the Eastern District of Kentucky, and a copy is attached as **Exhibit 2**.

³ July 20, 2026, Order denying Motions (amended and supplement) for Temporary Restraining Order, Case 5:26-cv-00262 [DE 15], attached as **Exhibit 3**.

⁴ Plaintiff's Motion for Leave to File a Supplemental Brief Regarding Preliminary Injunction Scheduling and Expedited Discovery, Case 5:26-cv-00262 [DE 18], attached as **Exhibit 4**.

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Kentucky; Eli Capilouto, in his official and
individual capacities; Robert DiPaola, in
his official and individual capacities;
William Eugene Thro, in his official and
individual capacities; Gregory Van
Tatenhove, in his official capacity, and
James C. Duff, in his individual capacity*

CERTIFICATE OF COMPLIANCE

This response complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 508 words, excluding those parts exempted by Fed. R. App. P. 32(f).

This response complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared using proportionally-spaced, 14-point face.

/s/ Carmine G. Iaccarino

Counsel for the University Appellees

CERTIFICATE OF SERVICE

I certify that on July 27, 2026, I served a true and complete copy of this Notice using the Court's CM/ECF system, which will serve counsel of record.

/s/ Carmine G. Iaccarino

Counsel for the University Appellees