

'SCORECARD' OF PRUNEYARD LITIGATION*

STATE	COURT	REQUIRES ACCESS	DENIES ACCESS	COMMENTS
Arizona	Court of Appeals 1		X	
California	Supreme Court 2	X		
Colorado	Supreme Court 3	X		State involvement in center
Colorado	Court of Appeals 35		X	
Connecticut	Supreme Court 4		X	
Florida	Trial courts 5		X	
Florida	Circuit Court 38	X		
Georgia	Supreme Court 6		X	
Georgia	Supreme Court		X	
Illinois	Supreme Court 7		X	
Iowa	Supreme Court 37		X	
Maryland	Trial court 8		X	Temporary Restraining Order
Massachusetts	Supreme Judicial Court 9 (highest court)	X		Ballot access, not free speech
Massachusetts	U.S. District Court 31	X		City owned land and historic site
Michigan	Supreme Court 10		X	
Minnesota	Supreme Court 29		X	

* "Pruneyard" litigation refers to state cases following the U.S. Supreme Court's decision in Pruneyard Shopping Center et al. v. Robins et al., 447 U.S. 74 (1980), which held that the State of California could require public access to a shopping center for political petitioning under reasonable rules and regulations without violating the center owner's constitutional rights.

STATE	COURT	REQUIRES ACCESS	DENIES ACCESS	COMMENTS
New Jersey	Trial court 11		X	Access to a corporate center
New Jersey	Supreme Court 12	X		Access to a University
New Jersey	Trial court 13	X		Criminal prosecution, not appealed
New Jersey	Supreme Court 14	X		Leafleting only
New Mexico	District Court 15		X	
New York	Court of Appeals 16 (highest court)		X	
New York	Federal District Court 36		X	City owned land not a shopping center
North Carolina	Supreme Court 17		X	
North Dakota	Supreme Court 32	X		City owned mall
Ohio	Supreme Court 18		X	
Oregon	Supreme Court 19	X		Trespass cannot be used
Oregon	Supreme Court 20	X		Initiative only
Oregon	Supreme Court 21	X		
Oregon	Supreme Court 33		X	Reverses No. 21 and puts Nos. 19 & 20 in doubt
Pennsylvania	Supreme Court 22		X	
Pennsylvania	Supreme Court 23	X		Access to a university

STATE	COURT	REQUIRES ACCESS	DENIES ACCESS	COMMENTS
Puerto Rico	Supreme Court 34	X		
Washington	Supreme Court 26 Supreme Court 27	X	X	Initiative only
Wisconsin	Supreme Court 28		X	Anti-War dance and all non- consensual use prohibited

1. Fiesta Mall Venture et al. v. Mecham Recall Committee, 159 Ariz. 371, 767 P.2d 719 (1989) review denied.
2. Robins v. Pruneyard Shopping Center, 23 Cal. 3d 899, 153 Cal. Rptr. 854, 592 P.2d 341 (1979), aff'd, 447 U.S. 74 (1980).
3. Bock v. Westminster Mall Company, 819 P.2d 55 Col. (1991).
4. Cologne v. Westfarms Associates, 192 Conn. 48, 469 A.2d 1201 (1984).
5. Reason '84: The Committee for Citizens' Rights in Actions v. University Square Associates, Ltd., No. 84-9473 (Fla.Ct., 13th Jud. Cir., Hillsborough County, Fla., June 28, 1984); Reason '84: The Committee for Citizens' Rights in Civil Actions v. Albertson's, Inc., No. 84-7750 (Fla. Cir. Ct., 4th Jud. Cir., Duval County, Fla., July 2, 1984).
6. Citizens for Ethical Government, Inc. v. Gwinnett Place Associates, 260 Ga. 245, 392 S.E.2d 8 (1990).
7. Illinois v. Diguida, 152 Ill. 2d 104, 604 N.E.2d 336 (1992).
8. Ficker v. White Flint Mall No. 86894 (Md. Cir. Ct., Montgomery County, Md. March 1, 1984).
9. Batchelder v. Allied Stores International, Inc., 388 Mass. 83, 445 N.E.2d 590 (1983).
10. Woodland v. Michigan Citizens Lobby, 423 Mich. 188, 378 N.W.2d 337 (1985).
11. Bellemead Development Corp. v. Schneider, 193 N.J. Super.85, 472 A.2d 170 (1983) (denying access); Viar v. Allstores Realty Corp., No. C-4919-83E (N.J. Super. Ct., Bergen County, 1983) granting access).
12. State v. Schmid, 84 N.J. 535, 423 A.2d 615 (1980), appeal dismissed sub nom. Princeton University v. Schmid, 455 U.S. 100 (1982).
13. State v. Gerstmann, No. L 83-2613 (N.J. Super. Ct.,Bergen County, N.J., 1983); appeal dismissed 198 N.J. Super. 175.
14. New Jersey Coalition Against War in the Middle East, et al. v J.M.B. Realty Corporation, et al, 138 N.J. 326, 650 A.2d 757 (1994).
15. Horner et al., v. Animas Valley Mall Associates, et al., NM 11th Jud. Dist., No. SJCV-92-148 (12/1/94).
16. SHAD Alliance v. Smith Haven Mall, 66 N.Y. 2d 496, 498 N.Y.S. 2d 99, 488 N.E.2d 1211 (1985).
17. State v. Felmet, 302 N.C. 173, 273 S.E.2d 708 (1981).
18. Eastwood Mall Inc. v. Slanco, 68 Ohio St.3d 221, 626 N.E.2d 59 (1994).
19. Lloyd Corporation v. Whiffen, 307 Or. 674, 773 P.2d 1293 (1989).
20. State of Oregon v. Linda Sue Cargill, 316 Or. 492 (1993).

21. Lloyd Corporation, Ltd. v. Lucinda Whiffen, 315 Or. 500 (1993).
22. Western Pennsylvania Socialist Workers 1982 Campaign v. Connecticut General Life Insurance Co., 512 Pa. 23, 515 A.2d 1331 (1986).
23. Commonwealth v. Tate, 495 Pa. 158, 432 A.2d 1382 (1981).
24. Charleston Joint Venture v. McPherson, 417 S.E.2d 544 (S.C. 1992).
25. Nuclear Weapons Freeze Campaign v. Barton Square Shopping Center, No. 349, 268 (126th Tex. Jud. Dist. Ct., Travis County, Tex., July 23, 1983).
26. Alderwood Associates v. Washington Environmental Council, 96 Wash. 2d 230, 635 P.2d 108 (1981).
27. South Center Joint Venture v. National Democratic Policy Committee, 113 Wn2d 413, 780 P2d 1282 (1989).
28. Jacobs v. Major, 193 Wisc. 2d 492, 407 N.W.2d 832 (Wisc. 1987).
29. State of Minnesota v. Freeman Algot WICKLUND, et al., 589 N.W.2d 793 (Minn. 1999).
30. Cahill v. Cobb Place Associates, L.P., No. S99A0803 (GA Sup. Ct. 1999).
31. Citizens to End Animal Suffering v. Faneuil Hall, 745 F. Supp. 65 (D. Mass. 1990).
32. City of Jamestown v. Beneda et al., 477 N.W.2d 830 (N.D. 1991).
33. Stranahan v. Fred Meyer, Inc., 331 Ore. 38, 11 P.3d 228 (2000).
34. Empresas Puertorriqueñas de Desarrollo, Inc. v. Hermandad Independiente de Empleados Telefónicos et al., No. CC-1998-625 (Supreme Court of Puerto Rico); 2000 TSPR 71; 2000 PR Sup. LEXIS 78.
35. Aaron L. Robertson and Spencer A. Cowen v. Westminster Mall Company, 2000 Colo. App. LEXIS 1561; 2000 Colo. J.C.A.R 5070 (9/27/01)
36. Hotel Employees and Restaurant Employees Union, Local 100 of New York v. City of New York, 311 F.3d 534; 2002 U.S. App. Lexis 23707 (2002).
37. City of West Des Moines v. Paul Engler et al., 641 N.W.2d 803; 2002 Iowa Sup. Lexis 54.
38. Kevin E. Wood v. State of Florida, 2003 WL 1955433 (Fla. Cir. Ct.), February 26, 2003.