

**Declaration of Anthony E. Rothert**  
**(Pursuant to 28 U.S.C. § 1746)**

I, Anthony E. Rothert, hereby declare and state as follows:

1. I am over the age of 18 and competent to testify. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to those facts if called as a witness.
2. Attached hereto are true and accurate copies of the results produced on April 7, 2022 from searching the availability of *Lawn Boy* by Jonathan Evison for free borrowing or inter-library loan on the publicly accessible databases of several local library branches. Ex. A, St. Charles City-County Library; Ex. B, Warren County Scenic Library; Ex. C, St. Louis County Library; Ex. D, St. Louis City Library. The St. Charles City-County Library shows one print copy available at local branches and one digital copy available via hoopla. Ex. A. The Warren County Scenic Library shows 16 print and 2 audiobook copies available at local branches. Ex. B. St. Louis County Library reports 22 print and 4 audio copies. Ex. C. St. Louis City Library indicates 1 electronic, 9 print, and 3 audio copies that are currently available. Ex. D.
3. Attached hereto as Exhibit E is a true and accurate copy of the product page for *Lawn Boy* on Amazon.com accessed on April 7, 2022, which indicates availability in hardcover, Kindle, and audio formats.
4. For use in this case, I myself purchased 14 copies of *Lawn Boy* on Amazon on March 10, 2022, each of which was delivered to my home on or before March 13, 2022.
5. I have personal knowledge of each of the Exhibits to Plaintiff's Memorandum in Support of Motion for Preliminary Injunction and Reply in Support of Motion for Preliminary

Injunction, and each Exhibit is a true and accurate copy of the document at issue.

Specifically, for purposes of authentication, I certify that:

Exhibit 1 is a true and correct copy of the book *The Bluest Eye* by Toni Morrison.

Exhibit 2 is a true and correct copy of the book *Fun Home: A Family Tragicomic Paperback*, by Alison Bechdel.

Exhibit 3 is a true and correct copy of the book *All Boys Aren't Blue*, by George M. Johnson.

Exhibit 4 is a true and correct copy of the book *Heavy: An American Memoir*, by Kiese Laymon.

Exhibit 5 is a true and correct copy of the book *Lawn Boy*, by Jonathan Evison.

Exhibit 6 is a true and correct copy of the book *Gabi, A Girl in Pieces*, by Isabel Quintero.

Exhibit 7 is a true and correct copy of the book *Modern Romance*, by Aziz Ansari.

Exhibit 8 is a true and correct copy of the book *Invisible Girl*, by Lisa Jewell.

Exhibit 9 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Board Regulation 6310: School Libraries.

Exhibit 10 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Board Policy 6310: School Libraries.

Exhibit 11 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Board Policy 6241: Challenged Materials.

Exhibit 12 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Board Regulation 6241: Challenged Materials.

Exhibit 13 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Review of Instructional Materials Form dated 11/8/2021 for *Gabi*.

Exhibit 14 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email re Book Removal Status.

Exhibit 15 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Memorandum to Board re *Gabi* Review Committee Report.

Exhibit 16 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for

records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Review of Instructional Materials Form dated 10/1/2021 for *Lawn Boy*.

Exhibit 17 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Review of Instructional Materials Form dated 9/30/2021 for *All Boys Aren't Blue*.

Exhibit 18 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Review of Instructional Materials Form dated 9/30/2021 for *Heavy*.

Exhibit 19 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Review of Instructional Materials Form dated 9/30/2021 for *Fun Home*.

Exhibit 20 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Review of Instructional Materials Form dated 10/1/2021 for *The Bluest Eye*.

Exhibit 21 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Memorandum to Board re *The Bluest Eye* Review Committee Report.

Exhibit 22 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email re Review Committee Guidelines.

Exhibit 23 is a true and correct copy of transcript of a recording Nixa Parents Meeting with Andy Wells that I have personally reviewed by listening to the recording while reviewing the transcript, in which speakers are identified as they identify themselves on the recording and is accurate.

Exhibit 24 is a true and correct copy of the transcript of the digital video and audio recording of the January 20, 2022 Board Meeting as posted and available from public viewing on the District's website that I have personally reviewed by watching and listening to the recording while reviewing the transcript and is accurate, except in some instances I am not 100 percent certain that the school board member or administrator identified in the transcript is correctly identified although in each of those instances the person identified is either an administrator or board member and I reasonably believe they are correctly identified.

Exhibit 25 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email re Parent Choice.

Exhibit 26 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email from Board Member re Board Disregard of Recommendation.

Exhibit 27 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email from Committee Member re Board Disregard of Recommendation.

Exhibit 28 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email from Librarian re Review Process.

Exhibit 29 is a true and correct copy of the transcript of the audio and video digital recording of the February 25, 2022 Board Meeting as posted and made available for public viewing on the District's website, which I have personally reviewed by watching and listening to the recording and is accurate.

Exhibit 30 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email re Book Removal Status.

Exhibit 31 is a true and correct copy of correspondence I received via email from counsel for the District.

Exhibit 32 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email re Weeding Request.

Exhibit 34 is a true and correct copy of the No Left Turn Book Challenge List as publicly displayed on that organization's website.

Exhibit 35 is a true and correct copy of Sandy Garber's Board Candidate Statement as displayed on the District's website.

Exhibit 43-Exhibit 45 are true and correct copies of postings on Andy Wells' Facebook account.

Exhibit 46-Exhibit 48 are true and correct copies of postings on Sandy Garber's Facebook account.

Exhibit 49 and Exhibit 50 are true and correct copies of postings on Amber Crawford's Facebook account.

Exhibit 51 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: National Coalition Against Censorship Letter to Board.

Exhibit 52 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Missouri Library Association Letter to Board.

Exhibit 53 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Email from Community Member re Removal Concerns.

Exhibit 55 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Dr. Skeeters Email re Weeded Books.

Exhibit 56 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Garber Email to Bates re NCAC Letter.

Exhibit 57 is a true and correct copy of a record provided electronically by the Wentzville R-IV School District Custodian of Records on February 24, 2022 in response to a request for records under the Missouri Sunshine Law submitted and received on January 25, 2022 and identified as: Garber Email to Board re NCAC Letter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 7, 2022.

  
\_\_\_\_\_  
Anthony E. Rothert

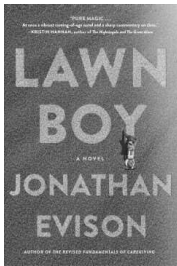


RETURN TO LIST

PREVIOUS

DISPLAYING 6 OF 31

NEXT



2018

★★★★★ (668)



Format: Book
Author: Evison, Jonathan, author.
Title: Lawn boy: a novel / Jonathan Evison.
Edition: First edition.

Publisher, Date: Chapel Hill, North Carolina : Algonquin Books of Chapel Hill, 2018.
©2018

Description: 312 pages ; 22 cm

Summary: "All Mike Muoz wants is to find the secret to the American dream of happiness and prosperity. Is that too much to ask? But so far for Mike, an aspiring landscape artist, life has felt like a whole lot of waiting for something to happen while he does other people's yard work. In this funny, angry, touching, and ultimately deeply inspiring novel, bestselling author Jonathan Evison takes the reader into the heart and mind of a young man as he embarks on a mission to discover his true self. Mike faces both external challenges and roadblocks of his own making--his family life is oh-so-complicated, and it's hard for him to get ahead in the all-white Seattle-area gated community in which he works--but in the end he can see the future and his place in it. And its looking really good.

Subjects: Mexican Americans -- Fiction.
Working class -- Fiction.
American Dream -- Fiction.
Bildungsromans.
Seattle (Wash.) -- Fiction.
Washington (State) -- Fiction.

LCCN: 2017032613

ISBN: 9781616202620
1616202629

Other Number: 993685680

System Availability: 2

# System items in: 1

Ex A

Exhibit 54

Current Holds: 0

EXPAND ALL | COLLAPSE ALL

### Availability

Call Number	Shelf Location	Status	Type
▼ <u>Corporate Parkway Branch</u> (0 of 1 available)			
▼ <u>Fiction</u>			
 F Evison Jonathan	Adult	On Hold Shelf	Book
▼ <u>Middendorf-Kredell Branch</u> (1 of 1 available)			
▼ <u>Fiction</u>			
 F Evison Jonathan	Adult	Available	Book

### Suggestions and more

### Annotations

### Trade Reviews

### Large Cover Image

### Product Details

### Librarian's View

◀ RETURN TO LIST

◀ PREVIOUS

DISPLAYING 6 OF 31

NEXT



PLACE HOLD

Add to My List

Ex A

Exhibit 54

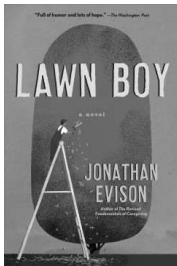


RETURN TO LIST

PREVIOUS

DISPLAYING 4 OF 31

NEXT



2018

★★★★★ (668)



Format: Electronic Resources, Book

Author: Evison, Jonathan, author.

Title: *Lawn boy.*

Publisher, Date: [United States] : Algonquin Books, 2018.

Made available through hoopla

Description: 1 online resource  
text file

Summary: For Mike Muoz, a young Chicano living in Washington State, life has been a whole lot of waiting for something to happen. Not too many years out of high school and still doing menial work-and just fired from his latest gig as a *lawn boy* on a landscaping crew-he knows that he's got to be the one to shake things up if he's ever going to change his life. But how? In this funny, angry, touching, and ultimately deeply inspiring novel, bestselling author Jonathan Evison takes the reader into the heart and mind of a young man on a journey to discover himself, a search to find the secret to achieving the American dream of happiness and prosperity. That's the birthright for all Americans, isn't it? If so, then what is Mike Muoz's problem? Though he tries time and again to get his foot on the first rung of that ladder to success, he can't seem to get a break. But then things start to change for Mike, and after a raucous, jarring, and challenging trip, he finds he can finally see the futur

Subjects: Mexican Americans -- Social conditions -- Fiction.  
Working class -- Social aspects -- Fiction.  
American Dream -- Fiction.  
Electronic books.

Other Author: hoopla digital.

Notes: Digital content provided by hoopla.

Mode of access: World Wide Web.

Web Site: Web Link Instantly available on hoopla.

Cover image Web Link

ISBN: 9781616208257

1616208252

Publisher or MWT12066075

Distributor Number:

EXPAND ALL | COLLAPSE ALL

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**Suggestions and more**

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**Annotations**

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**Trade Reviews**

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**Large Cover Image**

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**Product Details**

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**Librarian's View**

◀ RETURN TO LIST

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**Recently Viewed Titles** ▲



Lawn boy : a novel  
Evison, Jonathan, author.



2018

My Account

# Scenic Regional Library

Home New Titles Adopt-a-Book eBooks Request Materials Find a Library Request Scenic Library Card Contact Us Help

Get Mobile App

Search the Catalog Advanced Search Browse the Catalog

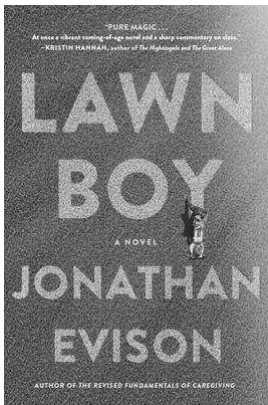
Search:  Type: Title  -- Basket Actions --   
Format: All Formats  Library: Missouri Evergreen    Disable Highlighting

Viewing Results for Grouped Record:

## Search Results Results 1 - 3 of 3 (page 1 of 1) Preferred library: Scenic Regional?

Select 1 - 3 0 selected titles

1.



### Lawn boy : a novel / Jonathan Evison.

Evison, Jonathan.

Book

Place Hold

Add to basket

Library	Shelving location	Call number	Status
<u>Scenic Regional-Hermann</u>	Fiction	FIC EVI	Available
<u>Scenic Regional-Pacific</u>	Fiction	FIC EVI	Available
<u>Scenic Regional-Union</u>	Fiction	FIC EVI	Available
<u>Henry County - Main Library</u>	Fiction	Fic Ev3J	Available
<u>Lebanon-Laclede County Library</u>	Adult Fiction	F Evison	Available

#### Summary

"Mike Muñoz is a young Mexican American not too many years out of high school--and just fired from his latest gig as a lawn boy on a landscaping crew.[Show More](#)

11 of 11 copies available at Missouri Evergreen.  
3 of 3 copies available at Scenic Regional.

2.

### Lawn boy / Jonathan Evison.

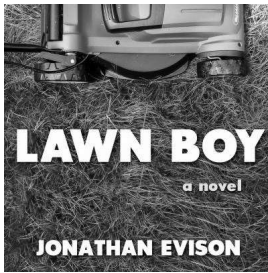
Evison, Jonathan.

CD Audiobook

Place Hold

Add to basket

Ex. B



Library	Shelving location	Call number	Status
<a href="#">Scenic Regional-Warrenton</a>	Compact Disc-Spoken	CDSP FIC EVI	Available
<a href="#">Scenic Regional-Union</a>	Compact Disc-Spoken	CDSP FIC EVI	Available

**Summary**

For Mike Muñoz, a young Chicano living in Washington State, life has been a whole lot of waiting for something to happen. Not too many years out of h

2 of 2 copies available at Missouri Evergreen.  
2 of 2 copies available at Scenic Regional.

3.



**Lawn boy / Jonathan Evison.**

*Evison, Jonathan.*

Large Print Book

Place Hc  
Add to bar

Library	Shelving location	Call number	Status
<a href="#">Neosho Newton - Neosho Trails Regional-Lexington</a>	Large Print Fiction	EVISON, JONATHAN	Available
	Large Type Fiction	LT FIC Evi	Available

2 of 2 copies available at Missouri Evergreen.

**Search Results**

Results 1 - 3 of 3 (page 1 of 1) Preferred library: **Scenic Regional?**

Missouri Evergreen is supported by the Institute of Museum and Library Services under the provision of the Library Services and Technology Act as Administered by the Missouri State Library, a division of the Office of the Secretary of State.

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The Missouri Evergreen catalog is hosted and supported by the [Equinox Open Library Initiative](#)

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St Louis County Library



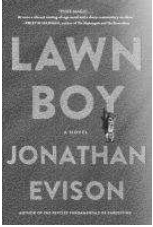
Log in

Home Page

Reset PIN



← Back



### Lawn boy : a novel

Evison, Jonathan.

Published: 2018 | English

"Mike Muñoz is a young Mexican American not too many years out of high school—and just fired from his latest gig as a lawn boy on a landscaping crew. Though he tries time and again to get his foot on the first rung of that ladder to success, he can't seem to get a break. But then things start to change for Mike, and after a ... more »



For Later



Options

<a href="#">Book Available</a>	<a href="#">Large Print Available</a>	<a href="#">Audiobook Available</a>
--------------------------------	---------------------------------------	-------------------------------------

**On shelf at one or more locations**

Baden | 
  Bridgeton Trails | 
  Buder | 
  Cliff Cave | 
  Eureka Hills | 
  Lewis & Clark

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**0 holds 17 copies**

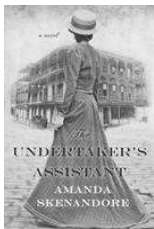
[Edition information](#) ▾

[Related](#) [Details](#)



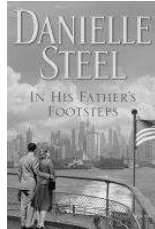
### Related Resources

[See all 3634 related resources >](#)



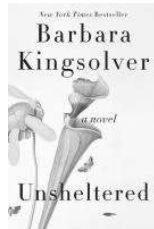
#### The undertaker's assistant

Skenandore, Amanda  
2019



#### In His Father's Footsteps

Steel, Danielle.  
2018



#### Unsheltered

Kingsolver, Barbara.  
2018



#### This Is Your Life, Harriet Chance!

Evison, Jonathan.  
2015



#### Young Jane Young a novel

Zevin, Gabrielle.  
2017

+3629

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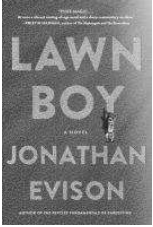
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Home Page

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### Lawn boy : a novel

Evison, Jonathan.

Published: 2018 | English

"Mike Muñoz is a young Mexican American not too many years out of high school—and just fired from his latest gig as a lawn boy on a landscaping crew. Though he tries time and again to get his foot on the first rung of that ladder to success, he can't seem to get a break. But then things start to change for Mike, and after a ... more »



For Later



Options

- Book Available
- Large Print Available
- Audiobook Available

✓ On shelf at one or more locations

☑ Cliff Cave | ☑ Grand Glaize | ☑ Headquarters | ☑ Meramec Valley | ☑ Thornhill

Place Hold

0 holds 5 copies

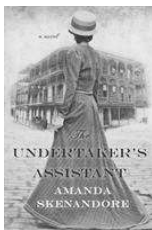
Edition information ▾

Related Details



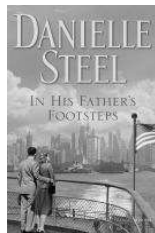
### Related Resources

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The undertaker's assistant

Skenandore, Amanda  
2019



In His Father's Footsteps

Steel, Danielle.  
2018



Unsheltered

Kingsolver, Barbara.  
2018



This Is Your Life, Harriet Chance!

Evison, Jonathan.  
2015



Young Jane Young a novel

Zevin, Gabrielle.  
2017

+3629

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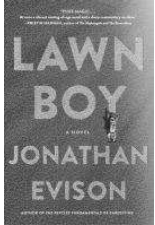
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### Lawn boy : a novel

Evison, Jonathan.

Published: 2018 | English

"Mike Muñoz is a young Mexican American not too many years out of high school—and just fired from his latest gig as a lawn boy on a landscaping crew. Though he tries time and again to get his foot on the first rung of that ladder to success, he can't seem to get a break. But then things start to change for Mike, and after a ... more »



For Later



Options

<a href="#">Book Available</a>	<a href="#">Large Print Available</a>	<a href="#">Audiobook Available</a>
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On shelf at one or more locations  
 Bridgeton Trails |  Daniel Boone |  Thornhill

Place Hold

0 holds 4 copies

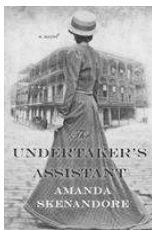
Edition information ▾

[Related](#) [Details](#)



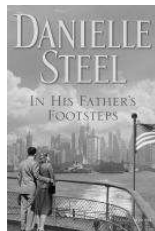
#### Related Resources

See all 3634 related resources >



The undertaker's assistant

Skenandore, Amanda  
2019



In His Father's Footsteps

Steel, Danielle.  
2018



Unsheltered

Kingsolver, Barbara.  
2018



This Is Your Life, Harriet Chance!

Evison, Jonathan.  
2015



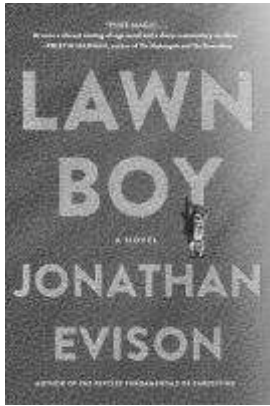
Young Jane Young a novel

Zevin, Gabrielle.  
2017

+3629



## Availability details



### Lawn Boy (/item/show/690786198)

A Novel

by Evison, Jonathan (/v2/search?

query=Evison%2C%20Jonathan&searchType=author)

📖 Book - 2018

Copies: 15


### Available (9)

Location ↕	Collection ↕	Call No. ↕	Status ↕
Baden	Adult Fiction	Fic	Available
Bridgeton Trails	Adult Fiction - Open Stacks	FICTION Evison Jonathan	Available
Buder	Adult Fiction	Fic	Available
Cliff Cave	Adult Fiction - Open Stacks	FICTION Evison Jonathan	Available
Eureka Hills	Adult Fiction - Open Stacks	FICTION Evison Jonathan	Available
Lewis & Clark	Adult Fiction - Open Stacks	FICTION Evison Jonathan	Available
Meramec Valley	Adult Fiction - Open Stacks	FICTION Evison Jonathan	Available
Oak Bend	Adult Fiction - Open Stacks	FICTION Evison Jonathan	Available
Schlafly	Adult Fiction	Fic	Available

### Not available at this time (6)

Location ↕	Collection ↕	Call No. ↕	Status ↕	Due ↕
Oak Bend	Adult Fiction - Open Stacks	FICTION Evison Jonathan	In-Transit	

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o  
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 (https://gateway.bibliocommons.com/v2/libraries/slpl/rss/search?query=lawn%20boy%20by%20evison&searchType=smart&\_ga=2.149476406.1853996116.1

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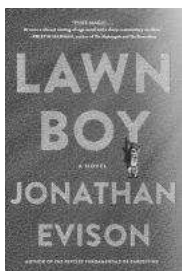
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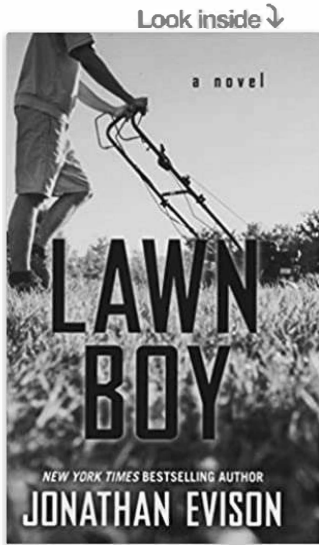
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