

**U.S. District Court
Northern District of Texas (Wichita Falls)
CIVIL DOCKET FOR CASE #: 7:16-cv-00054-O**

State of Texas, et al. v. United States of America, et al.
Assigned to: Judge Reed C. O'Connor
Related Case: 7:16-cv-00108-O
Case in other court: USCA5, 16-11534
Cause: 28:2201 Declaratory Judgment

Date Filed: 05/25/2016
Date Terminated: 03/03/2017
Jury Demand: None
Nature of Suit: 890 Other Statutes: Other
Statutory Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

State of Texas

represented by **Austin Nimocks**
Office of the Attorney General of Texas
209 West 14th Street
8th Floor
Austin, TX 78701
512-936-2902
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

**Harrold Independent School District
(TX)**

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Alabama

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Wisconsin

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Tennessee

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

Arizona Department of Education

represented by **Austin Nimocks**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

**Heber-Overgaard Unified School
District (AZ)**

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED

Bar Status: Admitted/In Good Standing

Plaintiff

Governor of Maine Paul LePage

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Oklahoma

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Louisiana

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Utah

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Georgia

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of West Virginia

represented by **Austin Nimocks**
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Mississippi

represented by **Austin Nimocks**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Plaintiff

State of Kentucky

represented by **Austin Nimocks**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

V.

Defendant

United States of America

represented by **Benjamin Leon Berwick**
US Department of Justice
Civil Division, Federal Programs Branch
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617-748-3129
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Email: benjamin.l.berwick@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

**United States Department of
Education**

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

John B. King
*in his Official Capacity as United States
Secretary of Education*

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

United States Department of Justice

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

Loretta Lynch
*in her Official Capacity as Attorney
General of the United States*

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

Vanita Gupta
*in her Official Capacity as Principal
Deputy Assistant Attorney General*

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

**United States Equal Employment
Opportunity Commission**

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

Jenny R Yang
*in her Official Capacity as the Chair of
the United States Equal Employment
Opportunity Commission*

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

United States Department of Labor

represented by

Benjamin Leon Berwick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

Thomas E. Perez
*in his Official Capacity as United States
Secretary of Labor*

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

David Michaels
*in his Official Capacity as the Assistant
Secretary of Labor for Occupational
Safety and Health Administration*

represented by **Benjamin Leon Berwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

V.

Movant

**American Civil Liberties Union
Foundation**

represented by **Kenneth D Upton , Jr**
Lambda Legal Defense & Education Fund
3500 Oak Lawn Ave
Suite 500
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Paul David Castillo
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ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Movant

**American Civil Liberties Union of
Texas**

represented by **Kenneth D Upton , Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Paul David Castillo
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Movant

GLBTQ Legal Advocates & Defenders

represented by

Kenneth D Upton , Jr
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Paul David Castillo
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Movant

**Lambda Legal Defense and Education
Fund, Inc.**

represented by **Kenneth D Upton , Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Paul David Castillo
(See above for address)
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Movant

National Center for Lesbian Rights

represented by **Kenneth D Upton , Jr**
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LEAD ATTORNEY
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Bar Status: Admitted/In Good Standing

Paul David Castillo
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Movant

Transgender Law Center

represented by **Kenneth D Upton , Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Paul David Castillo
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Movant

Dr. Rachel Jona Tudor

represented by **Ezra Ishmael Young**
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Fund, Inc.
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Movant

Rhonda Fleming
TERMINATED: 02/03/2017

represented by **Rhonda Fleming**
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Fort Worth, TX 76127
PRO SE

Movant

Charlsa Suzanne Little
TERMINATED: 02/03/2017

represented by **Charlsa Suzanne Little**
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BOP Bryan FPC
PO Box 2149
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PRO SE

Movant

Jeanette Driever
TERMINATED: 02/03/2017

represented by **Jeanette Driever**
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BOP Carswell FMC
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Fort Worth, TX 76127
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Amicus

**Eagle Forum Education & Legal
Defense Fund**

represented by **Karen Bryant Tripp**
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ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Amicus

Governor C. L. "Butch" Otter

represented by **Cally Younger**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
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Amicus

State of Washington
*Amicus States [Washington/New York] et
al.*

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Amicus

**Letitia James, Public Advocate for the
 City of New York**

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Date Filed	#	Docket Text
05/25/2016	<u>1</u>	COMPLAINT against Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang filed by State of Utah, Heber-Overgaard Unified School District (AZ), Harrold Independent School District (TX), State of Texas, State of West Virginia, Arizona Department of Education, State of Alabama, State of Oklahoma, State of Georgia, Paul LePage, State of Wisconsin, State of Louisiana, State of Tennessee. (Filing fee \$400; Receipt number 0539-7604002) Plaintiff will submit summons(es) for issuance. In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the <u>Judges Copy Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information - Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Cover Sheet, # <u>2</u> Exhibit(s), # <u>3</u> Exhibit(s), # <u>4</u> Exhibit(s), # <u>5</u> Exhibit(s), # <u>6</u> Exhibit(s), # <u>7</u> Exhibit(s), # <u>8</u> Exhibit(s), # <u>9</u> Exhibit(s), # <u>10</u> Exhibit(s), # <u>11</u> Exhibit(s), # <u>12</u> Exhibit(s), # <u>13</u> Exhibit(s), # <u>14</u> Exhibit(s), # <u>15</u> Exhibit(s), # <u>16</u> Additional Page(s)) (Nimocks, Austin) (Entered: 05/25/2016)
05/25/2016	<u>2</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Louisiana, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin. (Nimocks, Austin) (Entered: 05/25/2016)
05/25/2016	<u>3</u>	Request for Clerk to issue Summons filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Louisiana, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin. (Attachments: # <u>1</u> Additional Page(s), # <u>2</u> Additional Page(s), # <u>3</u> Additional Page(s), # <u>4</u> Additional Page(s), # <u>5</u> Additional Page(s), # <u>6</u> Additional Page(s), # <u>7</u> Additional Page(s), # <u>8</u> Additional Page(s), # <u>9</u> Additional Page(s), # <u>10</u> Additional Page(s)) (Nimocks, Austin) (Entered: 05/25/2016)
05/25/2016	<u>4</u>	New Case Notes: A filing fee has been paid. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. (plp) (Entered: 05/25/2016)

		05/25/2016)
05/25/2016	<u>5</u>	Summons issued as to All Defendants, U.S. Attorney, and U.S. Attorney General. (plp) (Entered: 05/25/2016)
06/15/2016	<u>6</u>	AMENDED COMPLAINT <i>Plaintiffs' First Amended Complaint for Declaratory and Injunctive Relief</i> against Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang filed by State of Utah, Heber-Overgaard Unified School District (AZ), Harrold Independent School District (TX), State of Texas, State of West Virginia, Arizona Department of Education, State of Alabama, State of Oklahoma, State of Georgia, Paul LePage, State of Wisconsin, State of Louisiana, State of Tennessee, State of Mississippi, State of Kentucky. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information - Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C, # <u>4</u> Exhibit(s) Exhibit D, # <u>5</u> Exhibit(s) Exhibit E, # <u>6</u> Exhibit(s) Exhibit F, # <u>7</u> Exhibit(s) Exhibit G, # <u>8</u> Exhibit(s) Exhibit H, # <u>9</u> Exhibit(s) Exhibit I, # <u>10</u> Exhibit(s) Exhibit J, # <u>11</u> Exhibit(s) Exhibit K, # <u>12</u> Exhibit(s) Exhibit L, # <u>13</u> Exhibit(s) Exhibit M, # <u>14</u> Exhibit(s) Exhibit N) (Nimocks, Austin) (Entered: 06/15/2016)
06/17/2016	<u>7</u>	Request for Clerk to issue Summons filed by Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin. (Attachments: # <u>1</u> Additional Page(s), # <u>2</u> Additional Page(s), # <u>3</u> Additional Page(s), # <u>4</u> Additional Page(s), # <u>5</u> Additional Page(s), # <u>6</u> Additional Page(s), # <u>7</u> Additional Page(s), # <u>8</u> Additional Page(s), # <u>9</u> Additional Page(s), # <u>10</u> Additional Page(s)) (Nimocks, Austin) (Main Document 7 replaced on 11/17/2016) (skg). (Attachment 1 replaced on 11/17/2016) (skg). (Attachment 2 replaced on 11/17/2016) (skg). (Attachment 3 replaced on 11/17/2016) (skg). (Attachment 4 replaced on 11/17/2016) (skg). (Attachment 5 replaced on 11/17/2016) (skg). (Attachment 6 replaced on 11/17/2016) (skg). (Attachment 7 replaced on 11/17/2016) (skg). (Attachment 8 replaced on 11/17/2016) (skg). (Attachment 9 replaced on 11/17/2016) (skg). (Attachment 10 replaced on 11/17/2016) (skg). (Entered: 06/17/2016)
06/20/2016	<u>8</u>	CERTIFICATE OF SERVICE by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re <u>6</u> Amended Complaint,,,,, regarding #6 Amended Complaint (Nimocks, Austin) (Main Document 8 replaced on 6/20/2016) (baa). (Entered: 06/20/2016)
06/20/2016	<u>9</u>	Summons Reissued as to All Defendants, U.S. Attorney, and U.S. Attorney General (per attorney request). (plp) (Entered: 06/20/2016)
06/20/2016	<u>10</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT re <u>6</u> Amended Complaint by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin. (Nimocks, Austin) Modified on 6/20/2016 (plp). (Entered: 06/20/2016)
07/06/2016	<u>11</u>	MOTION for Injunction filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin with Brief/Memorandum in Support. (Attachments: # <u>1</u> Exhibit(s) Exhibit O, # <u>2</u> Exhibit(s) Exhibit P, # <u>3</u>

		Exhibit(s) Exhibit Q, # <u>4</u> Exhibit(s) Exhibit R, # <u>5</u> Exhibit(s) Exhibit S, # <u>6</u> Exhibit(s) Exhibit T, # <u>7</u> Exhibit(s) Exhibit U) (Nimocks, Austin) (Entered: 07/06/2016)
07/07/2016	<u>12</u>	ORDER re: <u>11</u> MOTION for Injunction . Having considered the parties' agreed request for expedited consideration, it is ORDERED that Defendants' Response, if any, be filed on or before July 27, 2016. It is further ORDERED that Plaintiffs' Reply, if any, be filed on or before August 3, 2016. The Court will schedule a hearing addressing Plaintiffs' Application for Preliminary Injunction at a later date. (Ordered by Judge Reed C O'Connor on 7/7/2016) (trt) (Entered: 07/07/2016)
07/13/2016	<u>13</u>	MOTION Leave to Proceed Without Local Counsel filed by Eagle Forum Education & Legal Defense Fund. Party Amicus EAGLE FORUM EDUCATION & LEGAL DEFENSE FUND added. Attorney Karen Bryant Tripp added to party Eagle Forum Education & Legal Defense Fund(pty:am) (Tripp, Karen) (Entered: 07/13/2016)
07/13/2016	<u>14</u>	Third Party MOTION for Leave to File Amicus Curiae Brief in Support of Plaintiffs' Motion for a Preliminary Injunction filed by Eagle Forum Education & Legal Defense Fund with Brief/Memorandum in Support. (Tripp, Karen) (Entered: 07/13/2016)
07/13/2016	<u>15</u>	Brief/Memorandum in Support filed by Eagle Forum Education & Legal Defense Fund re <u>14</u> Third Party MOTION for Leave to File Amicus Curiae Brief in Support of Plaintiffs' Motion for a Preliminary Injunction (Tripp, Karen) (Entered: 07/13/2016)
07/13/2016	<u>16</u>	Brief/Memorandum in Support filed by Eagle Forum Education & Legal Defense Fund re <u>15</u> Brief/Memorandum in Support of Motion, <u>14</u> Third Party MOTION for Leave to File Amicus Curiae Brief in Support of Plaintiffs' Motion for a Preliminary Injunction <i>Amicus Curiae Brief</i> (Tripp, Karen) (Entered: 07/13/2016)
07/14/2016	<u>17</u>	ORDER granting <u>13</u> Motion to proceed without local counsel. (Ordered by Judge Reed C O'Connor on 7/15/2016) (trt) . (Entered: 07/15/2016)
07/14/2016	<u>18</u>	ORDER granting <u>14</u> Motion for Leave to File Amicus Curiae Brief in Support of Plaintiffs' Motion for a Preliminary Injunction. The requesting party must file the document with the clerk by 7/18/2016. (Ordered by Judge Reed C O'Connor on 7/14/2016) (trt) (Entered: 07/15/2016)
07/15/2016	<u>19</u>	Brief/Memorandum in Support filed by Eagle Forum Education & Legal Defense Fund re <u>18</u> Order on Motion for Leave to File, <i>Amicus Curiae Brief</i> (Tripp, Karen) (Entered: 07/15/2016)
07/15/2016	<u>20</u>	NOTICE of Attorney Appearance by Benjamin Leon Berwick on behalf of Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang. (Filer will update contact info in ECF.) (Berwick, Benjamin) (Entered: 07/15/2016)
07/15/2016	<u>21</u>	Unopposed Motion for Extension of Time to File Answer filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang (Attachments: # <u>1</u> Proposed Order) (Berwick, Benjamin) (Entered: 07/15/2016)
07/17/2016	<u>22</u>	MOTION for Leave to File Amicus Brief filed by Governor C. L. "Butch" Otter (Attachments: # <u>1</u> Proposed Amicus Brief) Attorney Cally Younger added to party Governor C. L. "Butch" Otter(pty:am) (trt) (Entered: 07/18/2016)
07/17/2016	<u>23</u>	Brief in Support filed by Governor C. L. "Butch" Otter re <u>22</u> MOTION for Leave to File Amicus Brief (trt) (Entered: 07/18/2016)
07/17/2016	<u>24</u>	MOTION for Leave to Proceed Without Local Counsel filed by Governor C. L. "Butch" Otter (trt) (Entered: 07/18/2016)
07/18/2016	<u>25</u>	ORDER: Defendants' unopposed Motion for Extension of Time to File Answer (ECF <u>21</u>) is GRANTED. It is further ORDERED that Defendants may file an answer or otherwise respond to Plaintiffs' Amended Complaint on or before the date that is 30 days after the Court rules on Plaintiffs' Application for Preliminary Injunction.

		(Ordered by Judge Reed C O'Connor on 7/18/2016) (baa) (Entered: 07/18/2016)
07/18/2016	<u>26</u>	ORDER granting <u>24</u> Motion for Leave to Proceed Without Local Counsel. (Ordered by Judge Reed C O'Connor on 7/18/2016) (ewd) (Entered: 07/18/2016)
07/18/2016	<u>27</u>	ORDER granting <u>22</u> Motion for Leave to File Amicus Curiae Brief in Support of Plaintiff's Motion for a Preliminary Injunction and Brief in Support. It is ORDERED that Governor Otter may file his Amicus Brief on or before July 22, 2016. (Ordered by Judge Reed C O'Connor on 7/18/2016) (ewd) (Entered: 07/18/2016)
07/22/2016	<u>28</u>	Brief/Memorandum in Support filed by Governor C. L. "Butch" Otter re <u>27</u> Order on Motion for Leave to File, <i>Amicus Curiae Brief</i> (Younger, Cally) (Entered: 07/22/2016)
07/26/2016	<u>29</u>	Unopposed MOTION for Leave to File Brief in Excess of Page Limit filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang (Attachments: # <u>1</u> Proposed Order) (Berwick, Benjamin) (Entered: 07/26/2016)
07/27/2016	<u>30</u>	ORDER: Unopposed Motion for Leave to File Brief in Excess of Page Limit (ECF No. <u>29</u>) is GRANTED. It is ORDERED that Defendants may file a brief in response to Plaintiffs' Application for Preliminary Injunction no longer than 30 pages in length. (Ordered by Judge Reed C O'Connor on 7/27/2016) (baa) (Entered: 07/27/2016)
07/27/2016	<u>31</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$25; Receipt number 0539-7756843) filed by State of Washington. Party State of Washington added. Attorney Alan D Copsey added to party State of Washington(pty:am) (Copsey, Alan) (Entered: 07/27/2016)
07/27/2016	<u>32</u>	STATES' MOTION FOR LEAVE TO PROCEED WITHOUT LOCAL COUNSEL re <u>31</u> Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$25; Receipt number 0539-7756843) filed by State of Washington (Attachments: # <u>1</u> Proposed Order) (Copsey, Alan) Modified title on 7/28/2016 (trt). (Entered: 07/27/2016)
07/27/2016	<u>33</u>	MOTION for Leave to File Amicus Brief <i>In Opposition To Plaintiffs' Application For Preliminary Injunction</i> filed by State of Washington (Attachments: # <u>1</u> Proposed Order) (Copsey, Alan) (Entered: 07/27/2016)
07/27/2016	<u>34</u>	Brief/Memorandum in Support filed by State of Washington re <u>33</u> MOTION for Leave to File Amicus Brief <i>In Opposition To Plaintiffs' Application For Preliminary Injunction</i> (Copsey, Alan) (Entered: 07/27/2016)
07/27/2016	<u>35</u>	MOTION for Leave to File Without Local Counsel filed by Letitia James, Public Advocate for the City of New York (Attachments: # <u>1</u> Proposed Order). Party Letitia James, Public Advocate for the City of New York added. Attorney Molly Thomas-Jensen added to party Letitia James, Public Advocate for the City of New York(pty:am) (Thomas-Jensen, Molly) (Entered: 07/27/2016)
07/27/2016	<u>36</u>	MOTION for Leave to File Brief of Amicus Curiae <i>In Opposition To Plaintiffs' Application For Preliminary Injunction</i> filed by Letitia James, Public Advocate for the City of New York (Attachments: # <u>1</u> Exhibit(s) Brief of Amicus Curiae, # <u>2</u> Proposed Order) (Thomas-Jensen, Molly) (Entered: 07/27/2016)
07/27/2016	<u>37</u>	Brief/Memorandum in Support filed by Letitia James, Public Advocate for the City of New York re <u>36</u> MOTION for Leave to File Brief of Amicus Curiae <i>In Opposition To Plaintiffs' Application For Preliminary Injunction</i> (Thomas-Jensen, Molly) (Entered: 07/27/2016)
07/27/2016	<u>38</u>	MOTION for Leave to File Brief Amici Curiae filed by American Civil Liberties Union Foundation, American Civil Liberties Union of Texas, GLBTQ Legal Advocates & Defenders, Lambda Legal Defense and Education Fund, Inc., National Center for Lesbian Rights, Transgender Law Center (Attachments: # <u>1</u> Exhibit(s) Proposed Amicus Brief, # <u>2</u> Proposed Order Proposed Order Granting Leave). Party American Civil Liberties Union Foundation, American Civil Liberties Union of Texas, GLBTQ Legal Advocates & Defenders, Lambda Legal Defense and Education Fund, Inc., National Center for Lesbian Rights, Transgender Law Center added. Attorney

		Kenneth D Upton, Jr added to party American Civil Liberties Union Foundation(pty:mov), Attorney Kenneth D Upton, Jr added to party American Civil Liberties Union of Texas(pty:mov), Attorney Kenneth D Upton, Jr added to party GLBTQ Legal Advocates & Defenders(pty:mov), Attorney Kenneth D Upton, Jr added to party Lambda Legal Defense and Education Fund, Inc.(pty:mov), Attorney Kenneth D Upton, Jr added to party National Center for Lesbian Rights(pty:mov), Attorney Kenneth D Upton, Jr added to party Transgender Law Center(pty:mov) (Upton, Kenneth) (Entered: 07/27/2016)
07/27/2016	<u>39</u>	Brief/Memorandum in Support filed by American Civil Liberties Union Foundation, American Civil Liberties Union of Texas, GLBTQ Legal Advocates & Defenders, Lambda Legal Defense and Education Fund, Inc., National Center for Lesbian Rights, Transgender Law Center re <u>38</u> MOTION for Leave to File Brief Amici Curiae (Upton, Kenneth) (Entered: 07/27/2016)
07/27/2016	<u>40</u>	RESPONSE filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang re: <u>11</u> MOTION for Injunction (Berwick, Benjamin) (Entered: 07/27/2016)
07/28/2016	<u>41</u>	ORDER granting <u>32</u> Motion for Leave to Proceed Without Local Counsel. (Ordered by Judge Reed C O'Connor on 7/28/2016) (trt) (Entered: 07/28/2016)
07/28/2016	<u>42</u>	ORDER granting <u>31</u> Application for Admission Pro Hac Vice of Alan D. Copsey. If not already done, Applicant must register as an ECF User within 14 days (LR 5.1(f)). (Ordered by Judge Reed C O'Connor on 7/28/2016) (baa) (Entered: 07/28/2016)
07/28/2016	<u>43</u>	ORDER: The Court finds that the unopposed Motion for Leave to File Brief as Amici Curiae and Brief in Support (ECF <u>36</u>) is well-taken, and should be and is hereby GRANTED. It is ORDERED that the Court will accept the Motion for Leave to File Brief as Amici Curiae and Brief in Support as docketed on July 27, 2016 (ECF No. 36-37). (Ordered by Judge Reed C O'Connor on 7/28/2016) (baa) (Entered: 07/28/2016)
07/28/2016	<u>44</u>	ORDER granting <u>38</u> Motion for Leave to File Brief as Amici Curiae. It is ORDERED that the Court will accept the Movants Amicus Brief as docketed on July 27, 2016 (ECF No. 38-1). (Ordered by Judge Reed C O'Connor on 7/28/2016) (trt) (Entered: 07/28/2016)
07/28/2016	<u>45</u>	ORDER granting <u>35</u> Motion for Leave to Proceed Without Local Counsel. (Ordered by Judge Reed C O'Connor on 7/28/2016) (trt) (Entered: 07/28/2016)
07/28/2016	<u>46</u>	ORDER granting <u>33</u> States' Motion for Leave to File Amicus Curiae Brief in Opposition to Plaintiffs' Application for Preliminary Injunction. It is ORDERED that the Court will accept the Movants' Amicus Brief as docketed on July 27, 2016 (ECF No. 34). (Ordered by Judge Reed C O'Connor on 7/28/2016) (trt) (Entered: 07/28/2016)
07/28/2016	<u>47</u>	NOTICE of Attorney Appearance by Paul David Castillo on behalf of American Civil Liberties Union Foundation, American Civil Liberties Union of Texas, GLBTQ Legal Advocates & Defenders, Lambda Legal Defense and Education Fund, Inc., National Center for Lesbian Rights, Transgender Law Center. (Filer confirms contact info in ECF is current.) (Castillo, Paul) (Entered: 07/28/2016)
07/29/2016	<u>48</u>	Correspondence received via the court's online email system regarding 7:16-cv-00054-O State of Texas, et al. v. United States of America, et al. (ali) (Entered: 07/29/2016)
08/03/2016	<u>49</u>	First MOTION for Leave to File To file reply brief in excess of page limit filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin (Attachments: # <u>1</u> Proposed Order Proposed Order) (Nimocks, Austin) (Entered: 08/03/2016)

08/03/2016	<u>50</u>	ELECTRONIC ORDER granting <u>49</u> Motion for Leave to File. (Ordered by Judge Reed C O'Connor on 8/3/2016) (Judge Reed C O'Connor) (Entered: 08/03/2016)
08/03/2016	<u>51</u>	NOTICE of Attorney Appearance by Austin R Nimocks for Michael C. Toth on behalf of Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin. (Nimocks, Austin) (Entered: 08/03/2016)
08/03/2016	<u>52</u>	REPLY filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re: <u>40</u> Response/Objection, (Attachments: # <u>1</u> Declaration(s) Declaration of Kara Belew) (Nimocks, Austin) (Entered: 08/03/2016)
08/04/2016	<u>53</u>	NOTICE of <i>Attorney Schedule</i> filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang (Berwick, Benjamin) (Entered: 08/04/2016)
08/08/2016	<u>54</u>	ORDER deferring ruling on <u>11</u> Motion for Injunction and setting hearing date (Ordered by Judge Reed C O'Connor on 8/8/2016) (Judge Reed C O'Connor) (Entered: 08/08/2016)
08/09/2016		Hearing/Deadline Modification: Deadlines/hearings set per <u>54</u> Order deferring ruling on Motion for Injunction and setting hearing date. Motion Hearing re <u>11</u> MOTION for Injunction set for 8/12/2016 10:30 AM in US Courthouse, Courtroom 2nd Floor, 501 W. 10th St. Fort Worth, TX 76102-3673 before Judge Reed C O'Connor. (plp) (Entered: 08/09/2016)
08/12/2016	<u>56</u>	ELECTRONIC Minute Entry for proceedings held before Judge Reed C O'Connor: Evidentiary Hearing held on 8/12/2016. Order to follow. Attorney Appearances: Plaintiff - Austin Nimocks; Defense - Benjamin Berwick. (Court Reporter: Denver Roden) (No exhibits) Time in Court - 2:10. (chmb) (Entered: 08/18/2016)
08/18/2016	<u>55</u>	Correspondence received via the court's online email system regarding 7:16-cv-00054-O State of Texas, et al. v. United States of America, et al. (ali) (Entered: 08/18/2016)
08/19/2016	<u>57</u>	First MOTION for Leave to File Additional Exhibit filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Proposed Order) (Nimocks, Austin) (Entered: 08/19/2016)
08/21/2016	<u>58</u>	ORDER granting <u>11</u> Motion for Injunction (Ordered by Judge Reed C O'Connor on 8/21/2016) (Judge Reed C O'Connor) (Entered: 08/21/2016)
08/24/2016	<u>59</u>	Notice of Filing of Official Electronic Transcript of Hearing on Motion for Injunction Proceedings held on 08-12-2016 before Judge Reed C. O'Connor. Court Reporter/Transcriber Denver B. Roden, RMR, Telephone number 214-753-2298. Parties are notified of their <u>duty to review</u> the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If redaction is necessary, a <u>Redaction Request - Transcript</u> must be filed within 21 days. If no such Request is filed, the transcript will be made available via PACER without redaction after 90 calendar days. If redaction request filed, this transcript will not be accessible via PACER; see redacted transcript. The clerk will mail a copy of this notice to parties not electronically noticed. (82 pages) Redaction Request due 9/14/2016. Redacted Transcript Deadline set for 9/26/2016. Release of Transcript Restriction set for 11/22/2016. (dbr) (Entered: 08/24/2016)
08/30/2016	<u>60</u>	ORDER REQUIRING SCHEDULING CONFERENCE AND REPORT FOR CONTENTS OF SCHEDULING ORDER: Joint Report due by 9/26/2016. (Ordered

		by Judge Reed C O'Connor on 8/30/2016) (baa) (Entered: 08/30/2016)
08/30/2016	<u>61</u>	NOTICE of <i>Pending Litigation</i> filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang (Berwick, Benjamin) (Entered: 08/30/2016)
08/31/2016	<u>62</u>	ORDER: The Court finds that expedited briefing is necessary to resolve Defendants' Notice. See L.R. 7.1. Accordingly, it is ORDERED that Plaintiffs must file a Response to Defendants' Notice on or before September 9, 2016. Should Defendants wish to file a Reply, they may do so on or before September 14, 2016. (Ordered by Judge Reed C O'Connor on 8/31/2016) (baa) (Entered: 08/31/2016)
09/01/2016	<u>63</u>	Notice of Filing of Official Electronic Transcript of Hearing on Motion for Injunction CORRECTED Proceedings held on 08-12-2016 before Judge Reed C. O'Connor. Court Reporter/Transcriber Denver B. Roden, RMR, Telephone number 214-753-2298. Parties are notified of their <u>duty to review</u> the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If redaction is necessary, a <u>Redaction Request – Transcript</u> must be filed within 21 days. If no such Request is filed, the transcript will be made available via PACER without redaction after 90 calendar days. If redaction request filed, this transcript will not be accessible via PACER; see redacted transcript. The clerk will mail a copy of this notice to parties not electronically notified. (81 pages) Redaction Request due 9/22/2016. Redacted Transcript Deadline set for 10/3/2016. Release of Transcript Restriction set for 11/30/2016. (dbr) (Entered: 09/01/2016)
09/09/2016	<u>64</u>	NOTICE of <i>PENDING LITIGATION</i> re: <u>61</u> Notice (Other), <u>62</u> Order Setting Deadline/Hearing, <u>58</u> Order on Motion for Injunction filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin (Attachments: # <u>1</u> Exhibit(s) Exhibit 1, # <u>2</u> Exhibit(s) Exhibit 2, # <u>3</u> Exhibit(s) Exhibit 3, # <u>4</u> Exhibit(s) Exhibit 4, # <u>5</u> Exhibit(s) Exhibit 5, # <u>6</u> Exhibit(s) Exhibit 6) (Nimocks, Austin) (Entered: 09/09/2016)
09/12/2016	<u>65</u>	MOTION for Clarification of the Court's Preliminary Injunction Order and Unopposed Request for Expedited Consideration filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang with Brief/Memorandum in Support. (Berwick, Benjamin) (Entered: 09/12/2016)
09/12/2016	<u>66</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$25; Receipt number 0539-7858288) filed by Rachel Jona Tudor (Attachments: # <u>1</u> Exhibit(s) Ezra Young Certificate of Good Standing, # <u>2</u> Proposed Order Proposed Order). Party Dr. Rachel Tudor added. (Young, Ezra) (Entered: 09/12/2016)
09/12/2016	<u>67</u>	MOTION to Intervene <i>and Join Claim</i> filed by Rachel Jona Tudor with Brief/Memorandum in Support. (Attachments: # <u>1</u> Exhibit(s) Exhibit 1, Complaint in Intervention, # <u>2</u> Proposed Order Proposed Order) (Young, Ezra) (Entered: 09/12/2016)
09/12/2016	<u>68</u>	MOTION re <u>66</u> Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$25; Receipt number 0539-7858288) filed by Rachel Jona Tudor with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Order Proposed Order) (Young, Ezra) (Entered: 09/12/2016)
09/12/2016	<u>69</u>	Agreed STIPULATION of <i>WAIVER of BOND</i> by State of Texas. (Nimocks, Austin) (Entered: 09/12/2016)
09/13/2016	<u>70</u>	ORDER: Having considered the parties' agreed request for expedited consideration, it is ORDERED that Plaintiffs' Response, if any, be filed on or before September 19, 2016. It is further ORDERED that Defendants' Reply, if any, be filed on or before September 23, 2016. (Ordered by Judge Reed C O'Connor on 9/13/2016) (trt)

		(Entered: 09/13/2016)
09/14/2016	<u>71</u>	Unopposed Motion for Extension of Time to File Answer filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang (Attachments: # <u>1</u> Proposed Order) (Berwick, Benjamin) (Entered: 09/14/2016)
09/14/2016	<u>72</u>	REPLY filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang re: <u>61</u> Notice (Other), <u>64</u> Notice (Other),, (Berwick, Benjamin) (Entered: 09/14/2016)
09/19/2016	<u>73</u>	RESPONSE filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re: <u>65</u> MOTION for Clarification of the Court's Preliminary Injunction Order and Unopposed Request for Expedited Consideration (Nimocks, Austin) (Entered: 09/19/2016)
09/23/2016	<u>74</u>	REPLY filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R. Yang re: <u>65</u> MOTION for Clarification of the Court's Preliminary Injunction Order and Unopposed Request for Expedited Consideration (Berwick, Benjamin) (Entered: 09/23/2016)
09/26/2016	<u>75</u>	Joint Submission on Discovery Matters (<i>Joint Report of Parties</i>) by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin. Related document: <u>60</u> Status Report Order. (Nimocks, Austin) (Entered: 09/26/2016)
09/26/2016	<u>76</u>	ORDER setting <u>65</u> Motion for Hearing. Hearing set for 9/30/2016 09:30 AM in US Courthouse, Courtroom 222, 1000 Lamar Street, Wichita Falls, TX 76301-3431 before Judge Reed C O'Connor. (Ordered by Judge Reed C O'Connor on 9/26/2016) (Judge Reed C O'Connor) (Entered: 09/26/2016)
09/27/2016	<u>77</u>	NOTICE of <i>Other Litigation</i> filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang (Berwick, Benjamin) (Entered: 09/27/2016)
09/28/2016	<u>78</u>	NOTICE of <i>Supplemental Authority</i> filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang (Attachments: # <u>1</u> Exhibit(s)) (Berwick, Benjamin) (Entered: 09/28/2016)
09/30/2016	79	ELECTRONIC ORDER granting <u>66</u> Application for Admission Pro Hac Vice of Ezra Young. If not already done, Applicant must register as an ECF User within 14 days (LR 5.1(f)).(Ordered by Judge Reed C O'Connor on 9/30/2016)(chmb)(cds) (Entered: 09/30/2016)
09/30/2016	80	ELECTRONIC Minute Entry for proceedings held before Judge Reed C O'Connor: Motion Hearing held on 9/30/2016 <u>65</u> MOTION for Clarification of the Court's Preliminary Injunction Order and Unopposed Request for Expedited Consideration. Attorney Appearances: Plaintiff – Austin Nimocks; Defense – Benjamin Barwick. (Court Reporter: Denver Roden) (No exhibits) Time in Court – 1:17. (chmb) (Entered: 09/30/2016)

10/03/2016	<u>81</u>	RESPONSE filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang re: <u>67</u> MOTION to Intervene <i>and Join Claim</i> (Berwick, Benjamin) (Entered: 10/03/2016)
10/03/2016	<u>82</u>	RESPONSE filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re: <u>67</u> MOTION to Intervene <i>and Join Claim</i> (Nimocks, Austin) (Entered: 10/03/2016)
10/14/2016	<u>83</u>	NOTICE of <i>Defendants' Intent to File Notice of Appeal</i> filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang (Berwick, Benjamin) (Entered: 10/14/2016)
10/17/2016	<u>84</u>	REPLY filed by Rachel Jona Tudor re: <u>67</u> MOTION to Intervene <i>and Join Claim</i> (Young, Ezra) (Entered: 10/17/2016)
10/17/2016	<u>85</u>	***DISREGARD: See <u>87</u> for correct document*** REPLY filed by Rachel Jona Tudor re: <u>67</u> MOTION to Intervene <i>and Join Claim</i> (Attachments: # <u>1</u> Exhibit(s) Exhibit 1, # <u>2</u> Exhibit(s) Exhibit 2, # <u>3</u> Exhibit(s) Exhibit 3) (Young, Ezra) Modified on 10/19/2016 (plp). (Entered: 10/17/2016)
10/18/2016	<u>86</u>	ORDER granting in part and denying in part <u>65</u> Motion. See order for details. (Ordered by Judge Reed C O'Connor on 10/18/2016) (Judge Reed C O'Connor) (Entered: 10/18/2016)
10/19/2016		Hearing/Deadline Modification: Deadlines set per <u>86</u> Order on Motion for Miscellaneous Relief. Plaintiffs must respond on or before October 24, 2016, and Defendants must reply on or before October 28, 2016. (skg) (Entered: 10/19/2016)
10/19/2016	<u>87</u>	REPLY filed by Rachel Jona Tudor re: <u>67</u> MOTION to Intervene <i>and Join Claim</i> (Attachments: # <u>1</u> Exhibit(s) Exhibit 1, # <u>2</u> Exhibit(s) Exhibit 2, # <u>3</u> Exhibit(s) Exhibit 3) (Young, Ezra) (Entered: 10/19/2016)
10/20/2016	<u>88</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>86</u> Order on Motion for Miscellaneous Relief, <u>58</u> Order on Motion for Injunction to the Fifth Circuit by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang. T.O. form to appellant electronically at <u>Transcript Order Form</u> or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions <u>here</u> . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Berwick, Benjamin) (Entered: 10/20/2016)
10/24/2016	<u>89</u>	Notice of Filing of Official Electronic Transcript of Hearing Proceedings held on 09-30-2016 before Judge Reed C. O'Connor. Court Reporter/Transcriber Denver B. Roden, RMR, Telephone number 214-753-2298. Parties are notified of their <u>duty to review</u> the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If redaction is necessary, a <u>Redaction Request - Transcript</u> must be filed within 21 days. If no such Request is filed, the transcript will be made available via PACER without redaction after 90 calendar days. If redaction request filed, this transcript will not be accessible via PACER; see redacted transcript. The clerk will mail a copy of this notice to parties not electronically noticed. (48 pages) Redaction Request due 11/14/2016. Redacted Transcript Deadline set for 11/25/2016. Release of Transcript Restriction set for 1/23/2017. (dbr) (Entered: 10/24/2016)

10/24/2016	<u>90</u>	Brief/Memorandum in Support filed by Arizona Department of Education, Harrold Independent School District (TX), Heber–Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re <u>86</u> Order on Motion for Miscellaneous Relief (Nimocks, Austin) (Entered: 10/24/2016)
10/27/2016	<u>91</u>	MOTION Request for Ruling on Motion to Intervene re <u>67</u> MOTION to Intervene <i>and Join Claim</i> filed by Rachel Jona Tudor with Brief/Memorandum in Support. (Young, Ezra) (Entered: 10/27/2016)
10/28/2016	<u>92</u>	Brief/Memorandum in Support filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang re <u>86</u> Order on Motion for Miscellaneous Relief (Berwick, Benjamin) (Entered: 10/28/2016)
10/31/2016	<u>93</u>	USCA Case Number 16–11534 in USCA5 for <u>88</u> Notice of Appeal filed by United States Department of Justice, Loretta E Lynch, United States Department of Labor, United States of America, John B. King, Jenny R Yang, Vanita Gupta, David Michaels, Thomas E. Perez, United States Equal Employment Opportunity Commission, United States Department of Education. (trt). (Entered: 10/31/2016)
11/03/2016	<u>94</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>86</u> Order on Motion for Miscellaneous Relief, <u>58</u> Order on Motion for Injunction to the Fifth Circuit by Rachel Jona Tudor. Filing fee \$505, receipt number 0539–7980923. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non–ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Young, Ezra) (Entered: 11/03/2016)
11/07/2016	<u>95</u>	MOTION to Stay re <u>86</u> Order on Motion for Miscellaneous Relief, <u>58</u> Order on Motion for Injunction <i>and Unopposed Request for Expedited Consideration</i> filed by Vanita Gupta, John B. King, Loretta E Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang with Brief/Memorandum in Support. (Attachments: # <u>1</u> Declaration(s)) (Berwick, Benjamin) (Entered: 11/07/2016)
11/09/2016	<u>96</u>	ORDER: It is hereby ORDERED that Plaintiffs file a response to Defendants' Motion for Partial Stay of the Court's Preliminary Injunction Order <u>95</u> by November 15, 2016. (Ordered by Judge Reed C O'Connor on 11/9/2016) (skg) (Entered: 11/09/2016)
11/14/2016		USCA Case Number 16–11534 in USCA5 for <u>88</u> Notice of Appeal, filed by United States Department of Justice, United States Department of Labor, United States of America, John B. King, Jenny R Yang, Loretta Lynch, Vanita Gupta, David Michaels, Thomas E. Perez, United States Equal Employment Opportunity Commission, United States Department of Education, <u>94</u> Notice of Appeal, filed by Rachel Jona Tudor. (skg) (Entered: 11/14/2016)
11/15/2016	<u>97</u>	Notice of Filing of Official Electronic Transcript of Hearing Corrected Proceedings held on 09–30–2016 before Judge Reed C. O'Connor. Court Reporter/Transcriber Denver B. Roden, RMR, Telephone number 214–753–2298. Parties are notified of their <u>duty to review</u> the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If redaction is necessary, a <u>Redaction Request – Transcript</u> must be filed within 21 days. If no such Request is filed, the transcript will be made available via PACER without redaction after 90 calendar days. If redaction request filed, this transcript will not be accessible via PACER; see redacted transcript. The clerk will mail a copy of this notice to parties not electronically noticed. (48 pages) Redaction Request due 12/6/2016. Redacted Transcript Deadline set for 12/16/2016. Release of Transcript Restriction set for 2/13/2017. (dbr) (Entered: 11/15/2016)

11/15/2016	<u>98</u>	Transcript Order Form: re <u>88</u> Notice of Appeal,,,,, transcript requested by Jenny R Yang, United States Department of Justice, Loretta Lynch, John B. King, United States of America, United States Equal Employment Opportunity Commission, David Michaels, United States Department of Labor, Thomas E. Perez, United States Department of Education, Vanita Gupta for Preliminary Injunction Hearing held 8/12/16, Motion for Clarification Hearing held 9/30/16 (Court Reporter: Denver Roden.) Payment method: US Government Funds (Berwick, Benjamin) (Entered: 11/15/2016)
11/15/2016	<u>99</u>	RESPONSE filed by Arizona Department of Education, Harrold Independent School District (TX), Heber–Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re: <u>95</u> MOTION to Stay re <u>86</u> Order on Motion for Miscellaneous Relief, <u>58</u> Order on Motion for Injunction <i>and Unopposed Request for Expedited Consideration</i> (Nimocks, Austin) (Entered: 11/15/2016)
11/20/2016	<u>100</u>	ORDER denying <u>95</u> Motion to Stay (Ordered by Judge Reed C O'Connor on 11/20/2016) (Judge Reed C O'Connor) (Entered: 11/20/2016)
11/22/2016		Record on Appeal for USCA5 16–11534 (related to <u>88</u> , <u>94</u> appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 2 Volume(s) electronic transcript. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so, since the USCA5 briefing deadline has now been set. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by <u>contacting the appeals deputy</u> in advance to arrange delivery. (skg) (Entered: 11/22/2016)
12/28/2016		APPEARANCE FORM FILED by Attorney(s) Thais–Lyn Trayer for party(s) Appellant USA Appellant Vanita Gupta Appellant Thomas E. Perez Appellant DOJ Appellant EEOC Appellant David Michaels Appellant LABR Appellant Loretta E. Lynch Appellant Jenny R. Yang Appellant John B. King Appellant EDUC, in case 16–11534. Access to the EROA granted. (skg) (Entered: 12/28/2016)
12/29/2016	<u>101</u>	MOTION to Intervene filed by Rhonda Fleming, Charlsa Suzanne Little, Jeanette Driever. (skg) (Entered: 12/29/2016)
12/30/2016	<u>102</u>	MOTION for Preliminary Injunctive Relief filed by Jeanette Driever, Rhonda Fleming, Charlsa Suzanne Little. (Attachments: # <u>1</u> Exhibit(s)) (skg) (Entered: 12/30/2016)
01/09/2017	<u>103</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Rhonda Fleming. (skg) (Entered: 01/09/2017)
01/09/2017	<u>104</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Brenda Rhames. (skg) (Entered: 01/09/2017)
01/09/2017	<u>105</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Jessica Summers. (skg) (Entered: 01/09/2017)
01/09/2017	<u>106</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Linda Highfield. (skg) (Entered: 01/09/2017)
01/09/2017	<u>107</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Natasha Harper. (skg) (Entered: 01/09/2017)
01/09/2017	<u>108</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Jeanette Driever. (skg) (Entered: 01/09/2017)
01/09/2017	<u>109</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Yolanda Nowlin. (skg) (Entered: 01/09/2017)

01/09/2017	<u>110</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Charlsa Suzanne Little. (skg) (Entered: 01/09/2017)
01/11/2017		APPEARANCE FORM FILED by Attorney Gene Micah Wissinger for Amicus Curiae Oklahomans for Equality in 16-11534. EROA access granted. (skg) (Entered: 01/11/2017)
01/12/2017	<u>111</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Robin Parezanin. (skg) (Entered: 01/12/2017)
01/16/2017	<u>112</u>	RESPONSE filed by Arizona Department of Education, Governor C. L. "Butch" Otter, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re: <u>101</u> MOTION to Intervene (Nimocks, Austin) (Entered: 01/16/2017)
01/17/2017	<u>113</u>	RESPONSE filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin re: <u>102</u> MOTION for Injunction (Nimocks, Austin) (Entered: 01/17/2017)
01/17/2017	<u>114</u>	"Addendum to the Motion for Preliminary Injunctive Relief" <u>102</u> filed by Rhonda Fleming. (skg) (Entered: 01/17/2017)
01/17/2017	<u>115</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Levon Edmonds. (skg) (Entered: 01/17/2017)
01/18/2017	<u>116</u>	NOTICE of <i>Regarding Service of ECF No. 112 & No. 113</i> filed by Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin (Nimocks, Austin) (Entered: 01/18/2017)
01/19/2017	<u>117</u>	RESPONSE AND OBJECTION filed by Vanita Gupta, John B. King, Loretta Lynch, David Michaels, Thomas E. Perez, United States Department of Education, United States Department of Justice, United States Department of Labor, United States Equal Employment Opportunity Commission, United States of America, Jenny R Yang re: <u>101</u> MOTION to Intervene (Berwick, Benjamin) (Entered: 01/19/2017)
01/25/2017	<u>118</u>	"Plaintiff-Intervenors' Sur-reply to Plaintiff-States Response" <u>112</u> filed by Jeanette Driever, Rhonda Fleming, Charlsa Suzanne Little. (Attachments: # <u>1</u> Exhibit(s)) (skg) (Entered: 01/25/2017)
01/26/2017	<u>119</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Amy Alley. (skg) (Entered: 01/26/2017)
01/26/2017	<u>120</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Susan Peters. (skg) (Entered: 01/26/2017)
01/26/2017	<u>121</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Donna Roberts. (skg) (Entered: 01/26/2017)
01/26/2017	<u>122</u>	Declaration Pursuant to U.S.C. 1746 in Support of Motion to Intervene <u>101</u> filed by Julie Tina Hatcher. (skg) (Entered: 01/26/2017)
01/27/2017	<u>123</u>	"Plaintiff-Intervenors' Sur-Reply to Defendant's Opposition to Motion to Intervene" <u>117</u> filed by Jeanette Driever, Rhonda Fleming, Charlsa Suzanne Little. (skg) (Entered: 01/27/2017)
01/27/2017	<u>124</u>	NOTICE of "Complaint" filed by Jeanette Driever, Rhonda Fleming, Charlsa Suzanne Little. (skg) (Entered: 01/27/2017)
02/01/2017	<u>125</u>	"Plaintiff-Intervenors' Sur-Reply to Plaintiff-States' Response to Motion for Preliminary Injunction" and "Motion for Live Hearing on the Pleadings" filed by Jeanette Driever, Rhonda Fleming, Charlsa Suzanne Little. (skg) (Entered: 02/01/2017)

		02/01/2017)
02/03/2017	<u>126</u>	Order: It is ORDERED that the Clerk of the Court open a new civil action entitled "Rhonda Fleming, et al. v. John Doe" and copy the following to the docket of the new civil action: (1) ECF Nos. 101-125; and (2) this Order. Putative Intervenor will be afforded an opportunity to amend or withdraw their complaint in the new civil action. Further, Putative Intervenor's Motion to Intervene <u>101</u> ; Motion for Preliminary Injunction <u>102</u> ; and Motion for Live Hearing <u>125</u> are hereby DENIED as moot in the present case. Having reviewed the pleadings and the applicable law, the Court finds that the motions must be SEVERED and removed to a new civil action. ***Clerk's Note: New civil case opened 7:17-CV-0009-O*** (Ordered by Judge Reed C. O'Connor on 2/3/2017) (skg) (Entered: 02/03/2017)
02/03/2017		***Clerk's Notice of delivery: (see NEF for details) Docket No:126. Fri Feb 3 15:45:44 CST 2017 (crt) (Entered: 02/03/2017)
02/06/2017	<u>127</u>	(Document Restricted) Correspondence (skg) (Entered: 02/06/2017)
03/03/2017	<u>128</u>	NOTICE of Dismissal <i>Without Prejudice (Under Fed. R. Civ. P. 41(a)(1)(A)(i))</i> filed by Arizona Department of Education, Harrold Independent School District (TX), Heber-Overgaard Unified School District (AZ), Paul LePage, State of Alabama, State of Georgia, State of Kentucky, State of Louisiana, State of Mississippi, State of Oklahoma, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wisconsin (Nimocks, Austin) (Entered: 03/03/2017)
03/03/2017	<u>129</u>	JUDGMENT/MANDATE of USCA 16-11534 as to <u>88</u> Notice of Appeal filed by United States Department of Justice, United States Department of Labor, United States of America, John B. King, Jenny R Yang, Loretta Lynch, Vanita Gupta, David Michaels, Thomas E. Perez, United States Equal Employment Opportunity Commission, United States Department of Education, <u>94</u> Notice of Appeal filed by Rachel Jona Tudor. Under FED R. APP. P. 42(b), the appeal is dismissed as of March 03, 2017, pursuant to appellant's motion. Issued as Mandate: 3/3/2017. (Attachments: # <u>1</u> USCA5 Cover letter.) (skg) (Entered: 03/03/2017)
03/03/2017		Civil Case Terminated per 148 Notice of Dismissal Without Prejudice <u>128</u> . (skg). (Entered: 03/03/2017)