

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

G. G., BY HIS NEXT FRIEND AND MOTHER,)	
DEIRDRE GRIMM,)	
)	
Plaintiff/Appellee,)	
)	Case No. 15-2056
v.)	
)	
GLOUCESTER COUNTY SCHOOL BOARD,)	
)	
Defendant/Appellant.)	

AMENDED MOTION TO JOIN AMICUS BRIEF NUNC PRO TUNC

COMES NOW counsel for The United Synagogue of Conservative Judaism (“USCJ”), and moves to join the amicus brief in support of Appellant (“AU Amicus Brief”) filed herein by Americans United for Separation of Church and State and Other Organizations (“AU Amici”) on May 15, 2015 (D.E. 140), nunc pro tunc, in support of Appellant, for the following reasons:

1. USCJ joined in an amicus brief in support of Appellant filed in the Supreme Court of the United States prior to the remand to this Court on March 6, 2017 (D.E. 101 and 108). The Statement of Interest of the USCJ, filed in the Supreme Court, is submitted as Exhibit A hereto.

2. USCJ was not listed among the Other Organizations joining in the AU Amicus Brief because USCJ was not able to complete its internal review and authorize participation prior to the filing deadline.

3. USCJ promptly (a) requested and obtained the consent of counsel for the AU Amici for USCJ to join in the AU Amicus Brief, and (b) applied to this Court by letter dated May 19, 2017, for leave to do so on consent, *nunc pro tunc*. A copy of that letter application is submitted as Exhibit B hereto.

4. By letter dated May 22, 2017, received by mail on May 26, 2017, the Clerk of the Court advised counsel for USCJ that the request for relief must be presented as a motion. A copy of that letter is submitted as Exhibit C hereto.

5. Pursuant to Local Appellate Rule 27(a), the undersigned hereby states that:

(a) All parties are represented by counsel.

(b) Counsel for all parties and the AU Amici received copies of Exhibit B in advance of the filing of this motion.

(c) Counsel for all parties consented to the granting of this motion.

Specifically: Andrew S. Furlow, Esq. consented on behalf of the AU Amici on May 18, 2017; Joshua Block, Esq., consented on behalf of Appellant on June 2, 2017; and David Corrigan, Esq., consented on behalf of Appellee on June 3, 2017.

6. The Court may grant the relief sought herein pursuant to F.R.App.Pro 26(b).
7. There will be no prejudice to any party or the administration of justice by the granting of the relief sought herein.
8. A copy of the USCJ's Disclosure of Corporate Affiliations and Other Interests is submitted as Exhibit D hereto.
9. As indicated on the certificate of service, undersigned counsel has served a copy of this motion on counsel for all parties and all amici through the CM/ECF system.

Respectfully submitted this 6th day of June, 2017.

/s/ Erica T. Dubno
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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(a)(7)(C), the undersigned counsel certifies that this motion:

(i) complies with the type requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6) because it has been prepared using Microsoft Office Word and is set in Times New Roman font in a size equivalent to 14 points or larger and,

(ii) complies with the length requirement of Rule 27(d)(2) because it is 754 words.

Dated June 6, 2017

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CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2017 the foregoing document was served on all parties or their counsel of record through the CM/ECF system.

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**STATEMENT OF INTEREST OF
THE UNITED SYNAGOGUE OF CONSERVATIVE JUDAISM**

Amicus curiae The United Synagogue of Conservative Judaism (“USCJ”) is the congregational arm of Conservative Judaism in North America. USCJ is committed to dynamic Judaism that is learned and passionate, authentic and pluralistic, joyful and accessible, egalitarian and traditional, and thereby seeks to create the conditions for a powerful and vibrant Jewish life for the individual members of its sacred communities, regardless of gender identity or sexual orientation.

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May 19, 2017

Via FedEx®Hon. Patricia S. Connor, Clerk
Fourth Circuit Court of Appeals
Lewis F. Powell Jr. Courthouse & Annex
1100 East Main Street, Suite 501
Richmond, Virginia 23219Re: C.G., etc. v. Gloucester County School Board
Court of Appeals Docket No. 15-2056

Dear Madame Clerk:

We represent The United Synagogue of Conservative Judaism (“USCJ”), which joined in an amicus brief in support of appellant filed in the Supreme Court of the United States prior to the remand to the Circuit Court on March 6, 2017. (D.E. 101 and 108) The Statement of Interest of the USCJ, filed in the Supreme Court, is attached.

The USCJ hereby respectfully requests (a) leave to join in the amicus brief (“AU Amicus Brief”) filed on the remand by Americans United for Separation of Church and State and Other Organizations (“AU Amici”) on May 15, 2015 (D.E. 140), *nunc pro tunc*, and (b) if required, leave to make this application by this letter.

The reason why the USCJ is not listed among the Other Organizations joining in the AU Amicus Brief is that the USCJ was not able to complete its internal review and authorize participation by the filing deadline.


I am authorized to represent to the Court that counsel for the AU Amici **consent** to the relief requested herein.

There will be no prejudice to any party by the granting of the relief sought herein.

ZANE AND RUDOFSKY

We thank the Court in advance for its hopefully favorable consideration of this application.

Respectfully



Edward S. Rudofsky

cc: Rebecca K. Glenberg, Esq. (rglenberg@acluva.org)
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**STATEMENT OF INTEREST OF
THE UNITED SYNAGOGUE OF CONSERVATIVE JUDAISM**

Amicus curiae The United Synagogue of Conservative Judaism (“USCJ”) is the congregational arm of Conservative Judaism in North America. USCJ is committed to dynamic Judaism that is learned and passionate, authentic and pluralistic, joyful and accessible, egalitarian and traditional, and thereby seeks to create the conditions for a powerful and vibrant Jewish life for the individual members of its sacred communities, regardless of gender identity or sexual orientation.

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

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No. 15-2056, G. G. v. Gloucester County School Board
4:15-cv-00054-RGD-DEM

Dear Mr. Rudofsky :

Your request for relief from the court to join in the amicus brief filed by Americans United for Separation of Church and State and Other Organizations must be presentend as a motion.

Sincerely,

/s/ Jennifer Rice
Deputy Clerk

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DISCLOSURE OF CORPORATE AFFILIATIONS AND OTHER INTERESTS

Disclosures must be filed on behalf of all parties to a civil, agency, bankruptcy or mandamus case, except that a disclosure statement is **not** required from the United States, from an indigent party, or from a state or local government in a pro se case. In mandamus cases arising from a civil or bankruptcy action, all parties to the action in the district court are considered parties to the mandamus case.

Corporate defendants in a criminal or post-conviction case and corporate amici curiae are required to file disclosure statements.

If counsel is not a registered ECF filer and does not intend to file documents other than the required disclosure statement, counsel may file the disclosure statement in paper rather than electronic form. Counsel has a continuing duty to update this information.

No. 15-2056

Caption: C.G. etc. v. Gloucester County School Board

Pursuant to FRAP 26.1 and Local Rule 26.1,

The United Synagogue of Conservative Judaism

(name of party/amicus)

who is amicus, makes the following disclosure:
(appellant/appellee/petitioner/respondent/amicus/intervenor)

1. Is party/amicus a publicly held corporation or other publicly held entity? YES NO

2. Does party/amicus have any parent corporations? YES NO
If yes, identify all parent corporations, including all generations of parent corporations:

3. Is 10% or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity? YES NO
If yes, identify all such owners:

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation (Local Rule 26.1(a)(2)(B))? YES NO
If yes, identify entity and nature of interest:

5. Is party a trade association? (amici curiae do not complete this question) YES NO
If yes, identify any publicly held member whose stock or equity value could be affected substantially by the outcome of the proceeding or whose claims the trade association is pursuing in a representative capacity, or state that there is no such member:

6. Does this case arise out of a bankruptcy proceeding? YES NO
If yes, identify any trustee and the members of any creditors' committee:

Signature: /s/ Erica T. Dubno

Date: May 31, 2017

Counsel for: The United Syn. of Conserv. Judaism

CERTIFICATE OF SERVICE

I certify that on May 31, 2017 the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below:

/s/ Erica T. Dubno
(signature)

May 31, 2017
(date)