

FILED: August 30, 2017

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2056
(4:15-cv-00054-RGD-DEM)

GAVIN GRIMM

Plaintiff - Appellant

v.

GLOUCESTER COUNTY SCHOOL BOARD

Defendant - Appellee

JUDY CHIASSON, Ph. D., School Administrator California; DAVID VANNASDALL, School Administrator California; DIANA K. BRUCE, School Administrator District of Columbia; DENISE PALAZZO, School Administrator Florida; JEREMY MAJESKI, School Administrator Illinois; THOMAS A. ABERLI, School Administrator Kentucky; ROBERT BOURGEOIS, School Administrator Massachusetts; MARY DORAN, School Administrator Minnesota; RUDY RUDOLPH, School Administrator Oregon; JOHN O'REILLY, School Administrator New York; LISA LOVE, School Administrator Washington; DYLAN PAULY, School Administrator Wisconsin; SHERIE HOHS, School Administrator Wisconsin; LEAH FREGULIA; STANFORD PRESCOTT; ADELITA GRIJALVA; MICHELLE KING; MONICA GARCIA; REF RODRIGUEZ, Ph. D.; JULIE VITALE, Ph. D.; SAN DIEGO COOPERATIVE CHARTER SCHOOLS; WENDY RANCK-BUHR, Ph. D.; SAN DIEGO UNIFIED SCHOOL DISTRICT; CINDY MARTEN; SAN FRANCISCO UNIFIED SCHOOL DISTRICT; ELDGRIDGE GREER, Ph. D.; ACHIEVEMENT FIRST PUBLIC CHARTER SCHOOLS; MORGAN BARTH; EMILY BANKS; GREGORY R. MEECE; CAROLYNE ALBERT-GARVEY; DANIEL F. GOHL; JANICE K. JACKSON, Ed.D.; KAREN CARNEY; SARAH

SHIRK; BETH BAZER, Ed.D.; PAULA INSLEY MILLER, Ed.D.; CHIMILLE E. DILLARD, Ed.D.; THOMAS WEBER; CATHERINE FROM; HOWARD COLTER; MATTHEW HANEY; KEN KUNIN; ROBERT A. MOTLEY; TOMMY CHANG, Ed.D.; CYNDY TAYMORE; LIZBETH DESELM; DELOIS COOKE SPRYSZAK; CRAIG MCCALLA; BLAKE PREWITT, Ed.S.; PAMELA RETZLAFF, Ed.D.; WASHOE COUNTY SCHOOL DISTRICT; JAMES C. MORSE, SR., Ed.D.; THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD; THOMAS SMITH, Ed.D.; CRAIG VAUGHN; ARTHUR DIBENEDETTO; LAS CRUCES PUBLIC SCHOOLS; HEIDI CARTER; ANTHONY GATTO; ERIC DOSS; PEYTON CHAPMAN; ZIAD W. MUNSON, Ph. D.; MICHAEL SCHILDER, Ed.D.; SUZANNE VINCENT; RACHEL SANTA, Ed.D.; KELLIE M HARGIS, Ed.D.; LINDSEY POLLOCK, Ed.D.; EMILY SUTHERLAND; BRIAN SCHAFFER; MONTPELIER PUBLIC SCHOOLS; WASHINGTON CENTRAL SUPERVISORY UNION; ARLINGTON COUNTY SCHOOL BOARD; SHERRI CYRA; LAURA H. LOVE; JERRY NICHOLSON; JILL GURTNER; WILLIAM DENO; MONICA SCHOMMER; BRYAN DAVIS, Ph. D.; PARU SHAH, Ph. D.; TIM KENNEY; THE NATIONAL WOMEN'S LAW CENTER; CONSTITUTIONAL ACCOUNTABILITY CENTER; SAMUEL R. BAGENSTOS; MARTIN S. LEDERMAN; MICHAEL C. DORF; LEAH M. LITMAN; AMERICAN ACADEMY OF PEDIATRICS; AMERICAN PSYCHIATRIC ASSOCIATION; AMERICAN ACADEMY OF CHILD AND ADOLESCENT PSYCHIATRY; AMERICAN COLLEGE OF PHYSICIANS; AMERICAN MEDICAL ASSOCIATION; AMERICAN ACADEMY OF FAMILY PHYSICIANS; AMERICAN ACADEMY OF NURSING; AMERICAN ACADEMY OF PHYSICIAN ASSISTANTS; AMERICAN MEDICAL WOMEN'S ASSOCIATION; AMERICAN NURSES ASSOCIATION; AMERICAN PSYCHOANALYTIC ASSOCIATION; ASSOCIATION OF MEDICAL SCHOOL PEDIATRIC DEPARTMENT CHAIRS; ENDOCRINE SOCIETY; GLMA: HEALTH PROFESSIONALS ADVANCING LGBT EQUALITY; MENTAL HEALTH AMERICA; NATIONAL ASSOCIATION OF SOCIAL WORKERS; SOCIETY FOR ADOLESCENT HEALTH AND MEDICINE; SOCIETY FOR PHYSICIAN ASSISTANTS IN PEDIATRICS; THE NATIONAL PTA; GLSEN; AMERICAN SCHOOL COUNSELOR ASSOCIATION; NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS; MARYLAND PTA; EVIE PRIESTMAN; CARTER BROWN; KATE BROWN; SYDNEY GREENSTEIN, a/k/a Siddy; DYLAN KLEIMAN; SARAH LORE; KAYDEN ORTIZ; MAXWELL PLATT; ROWAN WOOLDRIDGE; INTERACT: ADVOCATES FOR INTERSEX YOUTH; DEANNA ADKINS, M.D.; MILTON DIAMOND, M.D.; JOEL FRADER, M.D.;

KATRINA KARKAZIS, Ph. D.; AVIVA L. KATZ, M.D.; ELIZABETH REIS, Ph. D.; JOSHUA SAFER, M.D.; AIS-DSD SUPPORT GROUP; PFLAG, INC.; TRANS YOUTH EQUALITY FOUNDATION; GENDER SPECTRUM; GENDER DIVERSITY; AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE; ANTI-DEFAMATION LEAGUE; BEND THE ARC: A JEWISH PARTNERSHIP FOR JUSTICE; CENTRAL CONFERENCE OF AMERICAN RABBIS; HADASSAH; KESHET; NATIONAL LGBT BAR ASSOCIATION; RECONSTRUCTIONIST RABBINICAL ASSOCIATION; UNION FOR REFORM JUDAISM; THE UNITED SYNAGOGUE OF CONSERVATIVE JUDAISM; WOMEN OF REFORM JUDAISM; NAACP LEGAL DEFENSE AND EDUCATION FUND, INC.; NATIONAL EDUCATION ASSOCIATION; AMERICAN FEDERATION OF TEACHERS, AFL-CIO; NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS; AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES, AFL-CIO; SERVICE EMPLOYEES INTERNATIONAL UNION; SCHOOL SOCIAL WORK ASSOCIATION OF AMERICA; AMERICAN BAR ASSOCIATION; STATE OF NEW YORK; STATE OF WASHINGTON; STATE OF CALIFORNIA; STATE OF CONNECTICUT; STATE OF DELAWARE; STATE OF HAWAII; STATE OF ILLINOIS; STATE OF IOWA; STATE OF MAINE; STATE OF MARYLAND; COMMONWEALTH OF MASSACHUSETTS; STATE OF NEW MEXICO; STATE OF OREGON; COMMONWEALTH OF PENNSYLVANIA; STATE OF RHODE ISLAND; STATE OF VERMONT; COMMONWEALTH OF VIRGINIA; DISTRICT OF COLUMBIA; AFFIRM, INC.; AIRBNB, INC.; AKAMAI TECHNOLOGIES, INC.; AMAZON.COM, INC.; APPLE, INC.; APPNEXUS, INC.; ASANA, INC.; BLOOMBERG, L.P.; BOX, INC.; RYZAC, INC., d/b/a Codecademy; CREDO MOBILE, INC.; DROPBOX, INC.; EBAY, INCORPORATED; FASTLY, INC.; FLIPBOARD, INC.; GENERAL ASSEMBLY SPACE, INC.; GITHUB, INC.; IBM CORPORATION; INDIEGOGO, INC.; INTEL CORPORATION; KAISER PERMANENTE; KICKSTARTER, PBC; KNOTEL, INC.; LINDEN RESEARCH, INC., d/b/a Linden Lab; LINKEDIN CORPORATION; MAC COSMETICS, INC.; MAPBOX, INC.; MARIN SOFTWARE INC.; MASSMUTUAL LIFE INSURANCE COMPANY; MEETUP, INC.; MICROSOFT CORPORATION; THE MITCHELL GOLD CO., d/b/a Mitchell Gold + Bob Williams; MONGODB, INC.; NETAPP, INC.; NEXT FIFTEEN COMMUNICATIONS CORP; NEXTDOOR.COM, INC.; NIO; PANDORA MEDIA, INC.; PAYPAL HOLDINGS, INC.; POSTMATES INC.; REPLACEMENTS, LTD.; RETAILMENOT, INC.; SALESFORCE.COM, INC.; SHUTTERSTOCK, INC.; SLACK TECHNOLOGIES, INC.; SPOTIFY USA INC.; SUGARCRM INC;

THE OUTCAST AGENCY; THE GAP, INC.; TUMBLR, INC.; TWILIO, INC.; TWITTER, INCORPORATED; WARBY PARKER; WEEBLY, INC.; WILLIAMS-SONOMA, INCORPORATED; XEROX CORPORATION; YAHOO! INCORPORATED; YELP, INC.; ZENDESK, INC.; A BETTER BALANCE: THE WORK & FAMILY LEGAL CENTER; CENTER FOR REPRODUCTIVE RIGHTS; FUTURES WITHOUT VIOLENCE; GIRLS INC.; HARVARD LAW GENDER VIOLENCE POLICY WORKSHOP; KNOW YOUR IX; LEGAL AID AT WORK; NATIONAL COUNCIL OF JEWISH WOMEN; NATIONAL ORGANIZATION FOR WOMEN FOUNDATION; NATIONAL WOMEN'S POLITICAL CAUCUS; NEW VOICES FOR REPRODUCTIVE JUSTICE; PUBLIC JUSTICE; STOP SEXUAL ASSAULT IN SCHOOLS; THE NATIONAL CRITTENTON FOUNDATION; THE WOMEN'S LAW PROJECT; WOMEN'S SPORTS FOUNDATION; ARNE DUNCAN; JOHN B. KING, JR.; CATHERINE ELIZABETH LHAMON; JAMES COLE, JR.; MATHEW S. NOSANCHUK; PATRICIA SHIU; M. PATRICIA SMITH; DAVID MICHAELS; DAVID LOPEZ; JOCELYN SAMUELS

Amici Supporting Appellant

STATE OF ALABAMA; STATE OF ARIZONA; STATE OF ARKANSAS; STATE OF GEORGIA; STATE OF KANSAS; STATE OF LOUISIANA; STATE OF MISSISSIPPI; STATE OF MISSOURI; STATE OF NEBRASKA; STATE OF OHIO; STATE OF OKLAHOMA; STATE OF SOUTH CAROLINA; STATE OF TENNESSEE; STATE OF TEXAS; STATE OF UTAH; STATE OF WEST VIRGINIA; MATTHEW G. BEVIN, Governor, Commonwealth of Kentucky; JUDITH REISMAN, Ph. D.; THE CHILD PROTECTION INSTITUTE; EAGLE FORUM EDUCATION AND LEGAL DEFENSE FUND; FOUNDATION FOR MORAL LAW; NORTH CAROLINA VALUES COALITION; FAMILY RESEARCH COUNCIL; ALLIANCE DEFENDING FREEDOM; WOMEN'S LIBERATION FRONT; FAMILY POLICY ALLIANCE; CITIZENS UNITED; CITIZENS UNITED FOUNDATION; PUBLIC ADVOCATE OF THE UNITED STATES; UNITED STATES JUSTICE FOUNDATION; CONSERVATIVE LEGAL DEFENSE AND EDUCATION FUND; THE BECKET FUND FOR RELIGIOUS LIBERTY; PAUL R. MCHUGH, M.D.; PAUL HRUZ, Ph. D., M. D.; LAWRENCE MAYER, Ph. D.

Amici Supporting Appellee

O R D E R

Upon consideration of the motion to dismiss this appeal pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, and there appearing no opposition, the court grants the motion.

Entered at the direction of Judge Niemeyer with the concurrence of Judge Duncan and Judge Floyd.

For the Court

/s/ Patricia S. Connor, Clerk