

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

RACHEL TUDOR,

Plaintiff-Intervenor,

v.

SOUTHEASTERN OKLAHOMA STATE  
UNIVERSITY, and

THE REGIONAL UNIVERSITY SYSTEM  
OF OKLAHOMA,

Defendants.

**Case No. 15-cv-324-C**

**DEFENDANTS' OBJECTIONS TO PLAINTIFF/INTERVENOR'S  
PROPOSED JURY INSTRUCTIONS**

Defendants, Southeastern Oklahoma State University, ("SEOSU"), and The Regional University System of Oklahoma ("RUSO"), ("Defendants"), object to Plaintiff/Intervenor's Proposed Jury Instructions [Doc. 193] as follows:

**Proposed Instruction 13 – Statement of the Case:** Defendants object as it is an inaccurate statement of the issues. Plaintiff/Intervenor's Title VII claims are based upon her sex, female, and specifically, sex stereotyping based on alleged gender non-conforming behavior. However, the proposed instruction contains repeated references to transgender and "her gender," rather than the specific reference to Plaintiff/Intervenor's sex, female. In addition, the statement does not present an accurate representation of Defendants' claims or the evidence.

**Proposed Instruction 16 – Explanation – Gender Discrimination:** Defendants object because the inclusion of “based on an employee’s gender transition” is an inaccurate statement of the law.

**Proposed Instruction 19 – Employers’ Reasons for its Employment Decisions:** Defendants object because the inclusion of “gender discrimination or sex discrimination” is misleading and an inaccurate statement of the law and Plaintiff’s claims.

**Proposed Instruction 22 – Termination:** This instruction is confusing, inaccurate, and unnecessary.

**Proposed Instruction 25 – Reinstatement with Promotion and Tenure as Remedy:** This instruction is improper in that only the district court, not the jury, has the discretion to award equitable relief.

Respectfully submitted,

/s/ Dixie L. Coffey

**DIXIE L. COFFEY, OBA #11876**  
**JEB E. JOSEPH, OBA #19137**  
**KINDANNE JONES, OBA #11374**  
**TIMOTHY M. BUNSON, OBA #31004**  
Assistant Attorneys General  
Oklahoma Attorney General's Office  
Litigation Division  
313 NE 21st Street  
Oklahoma City, OK 73105  
Telephone: 405.521.3921  
Facsimile: 405.521.4518  
Email: dixie.coffey@oag.ok.gov  
Email: jeb.joseph@oag.ok.gov  
Email: kindanne.jones@oag.ok.gov  
Email: tim.bunson@oag.ok.gov  
*Attorneys for Defendants Southeastern Oklahoma  
State University and The Regional University  
System of Oklahoma*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of October 2017, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Ezra Young  
Law Office of Ezra Young  
30 Devoe, 1a  
Brooklyn, NY 1121  
Email: ezraiyoung@gmail.com  
*Attorney for Intervenor Plaintiff*

Brittany Novotny  
NATIONAL LITIGATION LAW  
GROUP, PLLC  
42 Shepherd Center  
2401 NW 23rd Street  
Oklahoma City, OK 73107  
Email: bnovotny@nationlit.com  
*Attorney for Intervenor  
Plaintiff*

Marie Galindo (TX Bar No. 00796592)  
Admitted *Pro Hac Vice*  
Law Office of Marie Galindo  
1500 Broadway, Suite 1200  
Wells Fargo Building  
Lubbock, TX 79401  
megalindo@thegalindofirm.com  
*Attorney for Intervenor Plaintiff*

/s/ Dixie L. Coffey

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Dixie L. Coffey