

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

DREW ADAMS, a minor, by and through  
his next friend and mother, ERICA  
ADAMS KASPER,

Plaintiff,

v.

Case No.: 3:17-cv-00739-TJC-JBT

THE SCHOOL BOARD OF ST. JOHNS  
COUNTY, FLORIDA,

Defendant.

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**DEFENDANT'S RESPONSE TO PLAINTIFF'S REQUEST FOR JUDICIAL  
NOTICE AS TO FLORIDA PROVISIONS FOR CORRECTING THE SEX MARKER  
ON BIRTH CERTIFICATES AND DRIVER'S LICENSES**

Defendant, **THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA**,  
responds to Plaintiff's Request for Judicial Notice (*Doc. 147*) as follows:

1. Defendant does not oppose the taking of judicial notice of: (1) *Florida Statute* § 382.016(2006); (2) *Florida Administrative Code Annotated Rule* 64V-1.003(2); (3) Florida Department of Health *Vital Statistics Instructions for Amending a Live Birth Certificate*; and (4) The Florida Department of Highway Safety and Motor Vehicles, *Driver License and Operations Manual, License Requirements, LR 07- Gender Requirements*.<sup>1</sup>

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<sup>1</sup> Defendant concedes that information contained in the Florida Department of Highway Safety and Motor Vehicles' Driver License and Operations Manual ("Manual") is a public record and is available on the Florida Department of Highway Safety and Motor Vehicles' website, and is thus appropriate for judicial notice. However, Defendant would note that the Manual is an inter-office policy manual that does not cite to any statute or rule that supports its requirements for changing the gender marker on a driver's license.

Dated this 4th day of January, 2018.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 4th day of January, 2018, a true and correct copy of the foregoing was electronically filed in the U.S. District Court, Middle District of Florida, using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

*/s/ Kevin C. Kostelnik*

**KEVIN KOSTELNIK**