

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

BROCK STONE, et al.,  
Plaintiffs,

vs.

DONALD J. TRUMP, et al.,  
Defendants.

Case No. 1:17-cv-02459

**JOINT MOTION FOR ENTRY OF ORDER REGARDING PENDING MOTIONS  
RELATED TO PLAINTIFFS' PRIVACY AND FOR ENTRY OF STIPULATED  
PROTECTIVE ORDER REGARDING THE PSEUDONYM PLAINTIFF'S IDENTITY**

Pursuant to the discussion among counsel for the parties and the Court at the status conference on September 27, 2017 and the Court's Initial Scheduling Order (D.E. 48), the parties have resolved the issues presented by the following pending motions:

- Plaintiffs' motion for permission for Plaintiff John Doe to proceed under pseudonym, and to omit individual Plaintiffs' home addresses from caption (D.E. 8); and
- Plaintiffs' unopposed motion to file declaration of John Doe under seal (D.E. 42).

The parties' resolution is encompassed in the proposed order, attached hereto as Exhibit 1, which the parties jointly request that the Court enter.

The attached proposed order further includes an endorsement of the stipulated protective order, attached hereto as Exhibit 2. Good cause for entry of the stipulated protective order exists for the reasons set forth below:

1. Plaintiff John Doe, a service member who is transgender, is seeking to proceed through pseudonym in this litigation. Plaintiff Doe's motion to proceed through pseudonym fully sets forth the grounds for that request. The motion was filed on August 28, 2017, and is currently pending before the Court.

2. Although John Doe requests the use of a pseudonymous identity for the public docket, the parties agree that Defendants need to discover the identity of Plaintiff Doe to aid in their defense.

3. The proposed protective order provides a mechanism for Plaintiff Doe, and other pseudonymous plaintiffs who may be subsequently joined, if any, to identify themselves to Defendants while limiting Defendants' use and dissemination of that information.

*[signatures on following page]*

Dated: September 29, 2017

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that, on September 29, 2017, a copy of the foregoing document, and its attachments, was served on all counsel of record by CM/ECF.



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Marianne F. Kies

# **EXHIBIT 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

BROCK STONE, et al.,  
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vs.

DONALD J. TRUMP, et al.,  
Defendants.

Case No. 1:17-cv-02459

**[PROPOSED] ORDER**

Upon consideration of the parties' joint motion for entry of Order regarding pending motions related to Plaintiffs' privacy and for entry of stipulated protective order regarding the pseudonym plaintiff's identity, it is ORDERED this \_\_\_\_ day of \_\_\_\_\_ 2017, that the motion is GRANTED.

Accordingly, IT IS HEREBY ORDERED that the Stipulated Protective Order, signed by counsel of record for the parties on September 29, 2017, and attached to the parties' joint motion as Exhibit 2 is HEREBY ENTERED.

It is FURTHER ORDERED that Plaintiffs' motion for permission for Plaintiff John Doe to proceed under pseudonym, and to omit individual Plaintiffs' home addresses from caption (D.E. 8) is GRANTED. The parties SHALL adhere to the Stipulated Protective Order regarding the pseudonym Plaintiff and Plaintiffs SHALL inform defense counsel of any changes to the individual Plaintiffs' allegations of residence in the Complaint in a timely manner after becoming aware of such a change.

It is FURTHER ORDERED that Plaintiffs' unopposed motion to file declaration of John Doe under seal (D.E. 42) is GRANTED. Accordingly, the declaration of John Doe in support of

Plaintiffs' motion for preliminary injunction (the "Sealed Declaration") is HEREBY PLACED UNDER SEAL. The Clerk of the Court SHALL place the Sealed Declaration in an envelope or other container that is marked SEALED, SUBJECT TO ORDER OF COURT DATED \_\_\_\_\_ . No party or their counsel shall make public or otherwise disclose the Sealed Declaration to any person or entity not directly associated with this litigation.

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HON. MARVIN J. GARBIS  
UNITED STATES DISTRICT JUDGE

**EXHIBIT 2**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

BROCK STONE, et al.,  
Plaintiffs,

vs.

DONALD J. TRUMP, et al.,  
Defendants.

Case No. 1:17-cv-02459

**STIPULATED PROTECTIVE ORDER**

Upon the request of the parties in the above-captioned matter, and pursuant to Federal Rule of Civil Procedure 26(c), the Court hereby enters the following protective order to provide a mechanism for plaintiffs who are proceeding in this action through pseudonyms (collectively “the Pseudonym Plaintiffs”) to provide their identities to defendants.

1. Provision of the Pseudonym Plaintiffs’ Identities and Under Seal Filings to Defendants. Upon entry of this protective order, plaintiffs, through their counsel, will provide the identities and addresses of the Pseudonym Plaintiffs along with documents that have been filed under seal in this matter to undersigned defense counsel of record.

2. Limited Dissemination of the Pseudonym Plaintiffs’ Identities. The following persons may receive notice of the Pseudonym Plaintiffs’ identities: (a) counsel for defendants, including supervisory officials at the Department of Justice and agency counsel for defendants; (b) persons regularly in the employ of counsel for defendants who have a need to know the Pseudonym Plaintiffs’ identities in the performance of their duties related to this action; (c) persons regularly in the employ of defendants who have a need to know the Pseudonym Plaintiffs’ identities in the performance of their duties in conjunction with this action, provided that such persons agree to

and sign the attached undertaking (Appendix A); and (d) potential witnesses for this action, provided that such persons agree to and sign the attached undertaking (Appendix A). Counsel for defendants shall maintain copies of all signed undertakings.

3. Permissible Uses of the Pseudonym Plaintiffs' Identities. Any person learning the Pseudonym Plaintiffs' identities pursuant to this Protective Order ("Recipient") shall use that information only for purposes of this litigation and shall not disclose the Pseudonym Plaintiffs' identities to anyone except persons identified in Paragraph 2, absent court order.

4. Scope of the Protective Order. This protective order does not alter the requirements of Local Rule 105.11, which governs the procedure for filing documents under seal. If any party wishes to use any document containing the Pseudonym Plaintiffs' identities, or other personally identifying information that would lead to the discovery of the Pseudonym Plaintiffs' identities, in a court filing or proceeding in this action, they shall either (i) redact the Pseudonym Plaintiffs' names and other personally identifying information or (ii) shall file a motion to seal pursuant to Local Rule 105.11.

5. Modifications. Each party reserves the right to seek to modify the terms of this protective order and Plaintiffs' pseudonym status at any time. Before doing so, however, the counsel for the party seeking to modify this protective order shall confer with counsel for all other parties to this action.

September 29, 2017

/s/ Ryan B. Parker  
Ryan B. Parker

*Attorney for Defendants*

/s/ David M. Zionts  
David M. Zionts

*Attorney for Plaintiffs*

APPENDIX A

ACKNOWLEDGMENT AND AGREEMENT TO BE BOUND

I, \_\_\_\_\_ [print or type full name], declare under penalty of perjury that I have read in its entirety and understand the Stipulated Protective Order, dated September 29, 2017, in *Stone v. Trump*, No. 1:17-cv-02459 (D. Md.). I agree to comply with, and to be bound by, all the terms of this Stipulated Protective Order, and I understand and acknowledge that failure to so comply could expose me to sanctions and punishment in the nature of contempt. I solemnly promise that I will not disclose in any manner any information or item that is subject to this Stipulated Protective Order to any person or entity except in strict compliance with the provisions of this Order.

I further agree to submit to the jurisdiction of the United States District Court for the District of Maryland for the purpose of enforcing the terms of this Stipulated Protective Order, even if such enforcement proceedings occur after termination of this action.

Date: \_\_\_\_\_

City and State where sworn and signed: \_\_\_\_\_

Printed name: \_\_\_\_\_  
[printed name]

Signature: \_\_\_\_\_  
[signature]