

**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.

THE SCHOOL BOARD OF ST. JOHNS
COUNTY, FLORIDA,

Defendant.

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

PLAINTIFF’S NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff Drew Adams, a minor, by and through his next friend and mother, Erica Adams Kasper (“Plaintiff”), respectfully submits this notice of supplemental authority in support of his Proposed Findings of Fact and Conclusions of Law (ECF No. 175), to draw the Court’s attention to a ruling issued from the bench after oral argument by the U.S. Court of Appeals for the Third Circuit in *Doe v. Boyertown Area Sch. Dist.*, No. No. 17-3113 (3d Cir. May 24, 2018) (declining to enjoin a school district’s policy that allows transgender students to use facilities in accordance with gender identity, “for the reasons that the [trial] Court explained in its exceptionally well reasoned Opinion” at *Doe v. Boyertown Area Sch. Dist.*, 276 F. Supp. 3d 324 (E.D. Pa. 2017); with a formal opinion to follow), attached as Exhibit A.

CERTIFICATE OF CONFERENCE PURSUANT TO LOCAL RULE 3.01(g)

Pursuant to 3.01(g) of the Local Rules of the Middle District of Florida, the undersigned certifies that counsel for Plaintiff conferred with counsel for Defendant

regarding this notice, and Defendant's position is as follows: "Defendant does not object to Plaintiff filing a notice of supplemental authority as this was requested by the Court at oral argument. Defendant would object to Plaintiff asserting argument in the notice."

* * *

Dated: May 25, 2018

Respectfully submitted,

s/ Tara L. Borelli
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2018, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, causing a copy of the foregoing and all attachments to be served on all counsel of record.

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Exhibit A

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 17-3113

JOEL DOE, a Minor, by and through his Guardians
John Doe and Jane Doe; MACY ROE; MARY SMITH;
JACK JONES, a minor, by and through his Parents
John Jones and Jane Jones, *CHLOE JOHNSON, A minor
by and through her Parent Jane Johnson; *JAMES JONES, A Minor
by and through his Parents John Jones and Jane Jones
Appellants

v.

BOYERTOWN AREA SCHOOL DISTRICT;
DR. BRETT COOPER, In his official capacity as Principal;
DR. E. WAYNE FOLEY, In his official capacity as Assistant Principal;
DAVID KREM, Acting Superintendent

PENNSYLVANIA YOUTH CONGRESS FOUNDATION (Intervenor in D.C.)

*(Pursuant to Court Order dated 04/06/18)

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(E.D. Pa. No. 5-17-cv-01249)
District Judge: Honorable Edward G. Smith

Argued May 24, 2017

Before: MCKEE, SHWARTZ and NYGAARD, Circuit Judges

JUDGMENT
