

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

J.A.W., a minor child,)	
)	
Plaintiff,)	
)	
v.)	No. 3:18-cv-37-WTL-MBP
)	
EVANSVILLE VANDERBURGH SCHOOL)	
CORPORATION,)	
)	
Defendant.)	

Plaintiff's Preliminary Witness and Exhibit Lists

Plaintiff, by counsel, submits his preliminary witness and preliminary exhibit lists for the trial of this case as required by the approved case management plan in this case.

Preliminary trial witness list

1. Plaintiff, who can be contacted in care of his counsel and who has knowledge of the allegations of his complaint.
2. Wyatt Squires, 7766 Camp Brosend Road, Apt. C, Newburgh, IN 47630, 812/773-2110.
3. David Smith, Superintendent, Evansville Vanderburgh School Corporation, 951 Walnut Street, Evansville, IN, 47713, 812/435-8453.
4. Dr. Anne Butsch, Dr. Thomas Stratton, or other employees of ECHO Community Health Care, 315 Mulberry Street, Evansville, IN 47713, 812/421-7489.
5. Stephanie Cueche, LCSW, or other counsellors at Within Sight, LLC, 15 S. Vann Ave., Evansville, IN 47714, 812/402-8333.

6. Dr. Randi Ettner, Ph.D., 1214 Lake Street, Evanston, IL 60201, 847/328-3433.
7. Dr. Judy Chiasson, Ph.D., Program Coordinator for the Office of Human Relations, Diversity, and Equity, Los Angeles Unified School District, 333 S. Beaudry Ave., 29th Floor, Los Angeles, CA 90017, 213/241-8719
8. Dr. Janine Fogel, M.D., C.C.F.B., A.B.F.M., Assistant Professor of Clinical Family Medicine, Medical Director, Transgender Health and Wellness Program, Eskenazi Health Outpatient Center, 720 Eskenazi Ave., 5th Floor, Indianapolis, IN 46202, 317/880-6029.
9. Dr. Dennis Fortenberry, Donald Orr Professor of Adolescent Medicine, Chief, Division of Adolescent Medicine, Professor of Pediatrics, Indiana University School of Medicine – Department of Pediatrics, 410 W. 10th Street, Room 1001, Indianapolis, IN 46202, 317/274-8812.
10. As of yet undetermined representatives of Indiana school corporations who have knowledge of the policies or practices of their corporations that allow transgender students to use restrooms and locker rooms consistent with the gender identities and the policies and their effects.
11. Any and all persons listed on the defendant's initial disclosures and/or any future witness lists.
12. Any and all persons necessary for impeachment or rebuttal, and/or for the authentication of documents.
13. Defendant will be notified of any additional persons in timely fashion as these persons become known.

Proposed trial exhibit list

1. All documents attached to any filings by plaintiff or defendant in this cause.
2. All documents produced by the defendant in this matter.
3. All depositions taken in this matter and their exhibits.
4. All responses to interrogatories and documents produced in discovery in this matter.
5. All stipulations and responses to requests for admissions in this matter.
6. The complaint and answer to the complaint in this cause and any amended complaints and answers to any amended complaints.
7. All affidavits and verified documents filed in this case.
8. All documents noted by defendant in its disclosures and any exhibit lists.
9. The declarations/expert reports of Dr. Ettner, Dr. Chiasson, Dr. Fogel, and Dr. Fortenberry.
10. The medical records of plaintiff from ECHO Community Health Care.
11. All counseling records from Within Sight, LLC.
12. The letter of Kenneth Falk to Patrick Shoulders concerning plaintiff, dated January 21, 2018 and the response from Patrick Shoulders, dated February 5, 2018. They are both in the possession of defendant's counsel.
13. Policies from other Indiana schools and also from other states concerning access of transgender students to bathrooms and locker rooms consistent with their gender identities.
14. Any and all documents necessary for purposes of impeachment or rebuttal.

15. The defendant will be notified of any additional documents in a timely fashion.

s/ Kenneth J. Falk

Kenneth J. Falk
No. 6777-49

s/ Gavin M. Rose

Gavin M. Rose
No. 26565-53

s/ Jan P. Mensz

Jan P. Mensz
No. 33798-49
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Attorneys for Plaintiff

Certificate of Service

I hereby certify that on this 29th day of June, 2018, a copy of the foregoing was filed electronically with the Clerk of this Court. A copy will be served by the Court's system on:

Patrick A. Shoulders
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Jean M. Blanton
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s/ Kenneth J. Falk

Kenneth J. Falk
Attorney at Law