

18-13592-EE

IN THE

**United States Court of Appeals
for the Eleventh Circuit**

DREW ADAMS,
Plaintiff-Appellee,

v.

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA,
Defendant-Appellant.

On Appeal from the United States District Court
for the Middle District of Florida, Jacksonville Division
District Court Case No. 3:17-cv-00739-TJC-JBT

**APPELLEE'S RESPONSE TO
APPELLANT'S CIVIL APPELLATE STATEMENT**

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**APPELLEE’S RESPONSE TO
APPELLANT’S CIVIL APPELLATE STATEMENT**

Appellee-Plaintiff Drew Adams, a minor, by and through his next friend and mother, Erica Adams Kasper (“Mr. Adams” or “Appellee”), provides the following response to the Civil Appeal Statement filed by Appellant-Defendant The School Board of St. Johns County, Florida (the “School Board”).

Section 4 of the School Board’s Civil Appeal Statement suggests that the appeal may involve a conflict of law “[a]mong Circuits.” Mr. Adams respectfully submits that none of the out-of-Circuit cases cited in Section 4 of School Board’s Civil Appeal Statement conflict with the District Court’s decision; instead, it is a *reversal* of the District Court’s decision that would create a conflict among the Circuit Courts.

Section 5 of the Civil Appeal Statement involves “[i]ssues proposed to be raised on appeal, including jurisdictional challenges.” Mr. Adams disagrees with the School Board’s characterization of the relevant issue, and submits that the issue for review is whether the District Court correctly found that excluding a male student from male restrooms at school, simply because he is transgender, constitutes impermissible sex discrimination in violation of Title IX of the Education Amendments of 1972 and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

This response does not reflect Appellee's agreement with any other statement made by Appellant in the Civil Appeal Statement.

* * *

Respectfully submitted this 21st day of September, 2018.

/s/ Tara L. Borelli

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**CERTIFICATE OF COMPLIANCE WITH TYPEFACE
AND TYPE-STYLE REQUIREMENTS**

This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6), because this document has been prepared in a proportionally-spaced typeface using Microsoft Office Word 2016 in fourteen-point Times New Roman font.

Dated: September 21, 2018

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of Court for the U.S. Court of Appeals for the Eleventh Circuit by using the appellate CM/ECF system on September 21, 2018. Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

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