

No. 18-72159

**UNITED STATES COURT OF APPEALS FOR THE NINTH
CIRCUIT**

In re DONALD J. TRUMP, et al.,
Petitioners.

DONALD J. TRUMP, President of the United States, et al.,
Petitioners-Defendants,

v.

UNITED STATES DISTRICT COURT FOR THE WESTERN
DISTRICT OF WASHINGTON,
Respondent,

RYAN KARNOSKI, et al.,
Real Parties in Interest-Plaintiffs,

STATE OF WASHINGTON,
Real Party in Interest-Plaintiff-Intervenor.

**REAL PARTIES IN INTEREST-PLAINTIFFS' MOTION TO
SUPPLEMENT APPELLATE RECORD**

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Plaintiffs respectfully move this Court to supplement the record with the as-produced “Panel of Experts” report referenced by counsel for the Government at oral argument on October 10, 2018. Counsel for the Government represented to the Court during oral argument that Plaintiffs “have the entire Panel of Experts report.” Counsel for Plaintiffs corrected the Government and represented to the Court that the as-produced report is entirely redacted, and during rebuttal, the Government stated that “It’s just untrue that [Plaintiffs] don’t have the Panel of Experts report.” To clarify this issue, Plaintiffs attach hereto as Exhibit A the “Panel of Experts” report as produced to Plaintiffs by the Government, and which was discussed with and provided to the district court during oral argument on July 17, 2018. (*See* Dist. Ct. Dkt. No. 310, at 46 (handing report to Judge Pechman, and noting that “the whole thing is redacted”). Plaintiffs request the appellate record be supplemented with this report.¹

* * *

¹ Plaintiffs sought Defendants’ consent to the instant motion, but Defendants’ counsel did not respond prior to filing.

Dated: October 12, 2018

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this brief complies with the length limits permitted by Ninth Circuit Rule 27-1(1)(d), because it does not exceed 20 pages, excluding the parts exempted by Federal Rule of Appellate Procedure 32(f). The brief's type size and type face comply with Fed. R. App. P. 32(a)(5) and (6).

s/ Stephen R. Patton _____
Stephen R. Patton

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on October 12, 2018. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/ Stephen R. Patton _____
Stephen R. Patton

Exhibit A

Final Report and Recommendations of the Transgender Panel

October 13 – December 13 2017

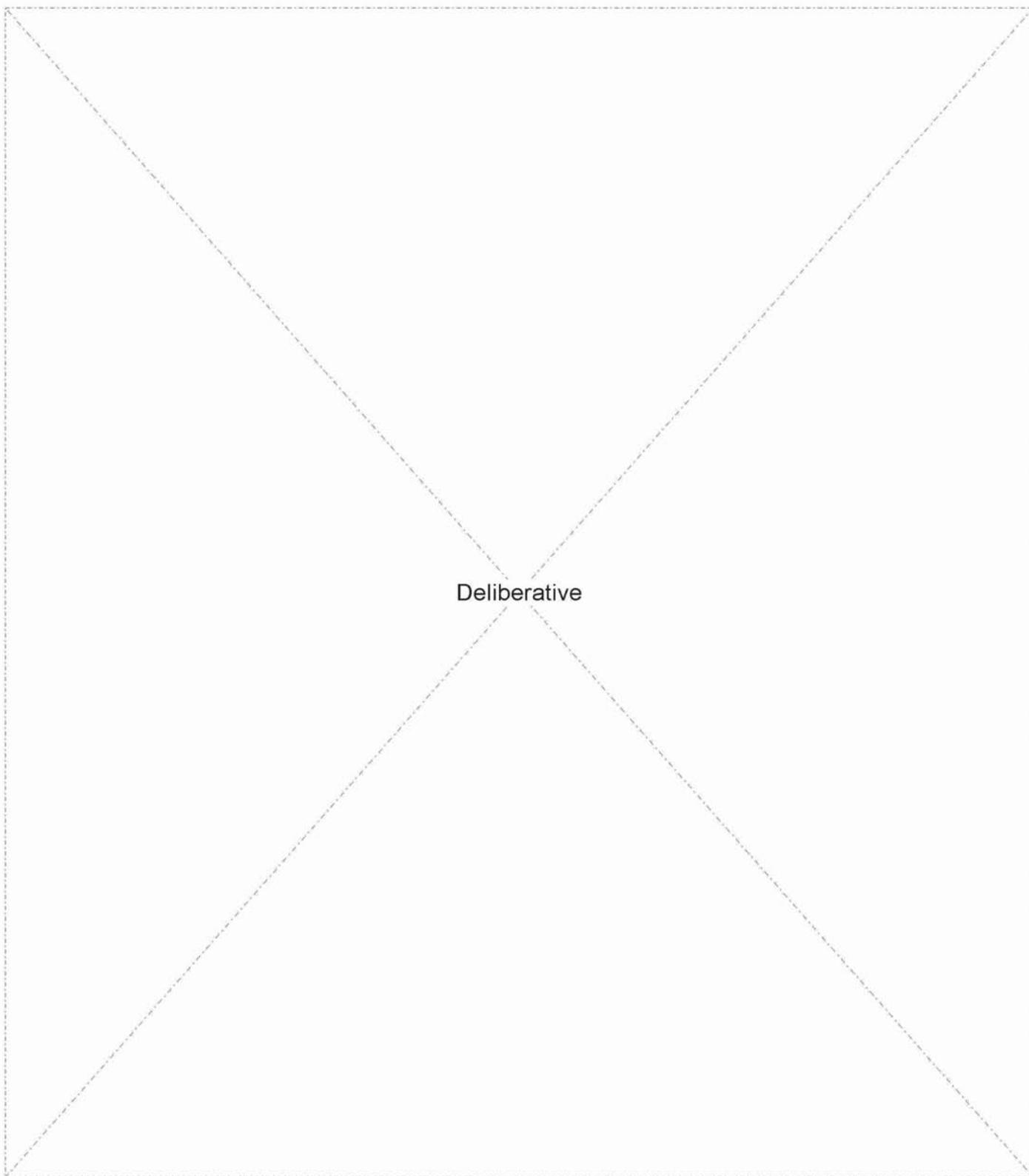


PERSONNEL AND READINESS

Executive Summary

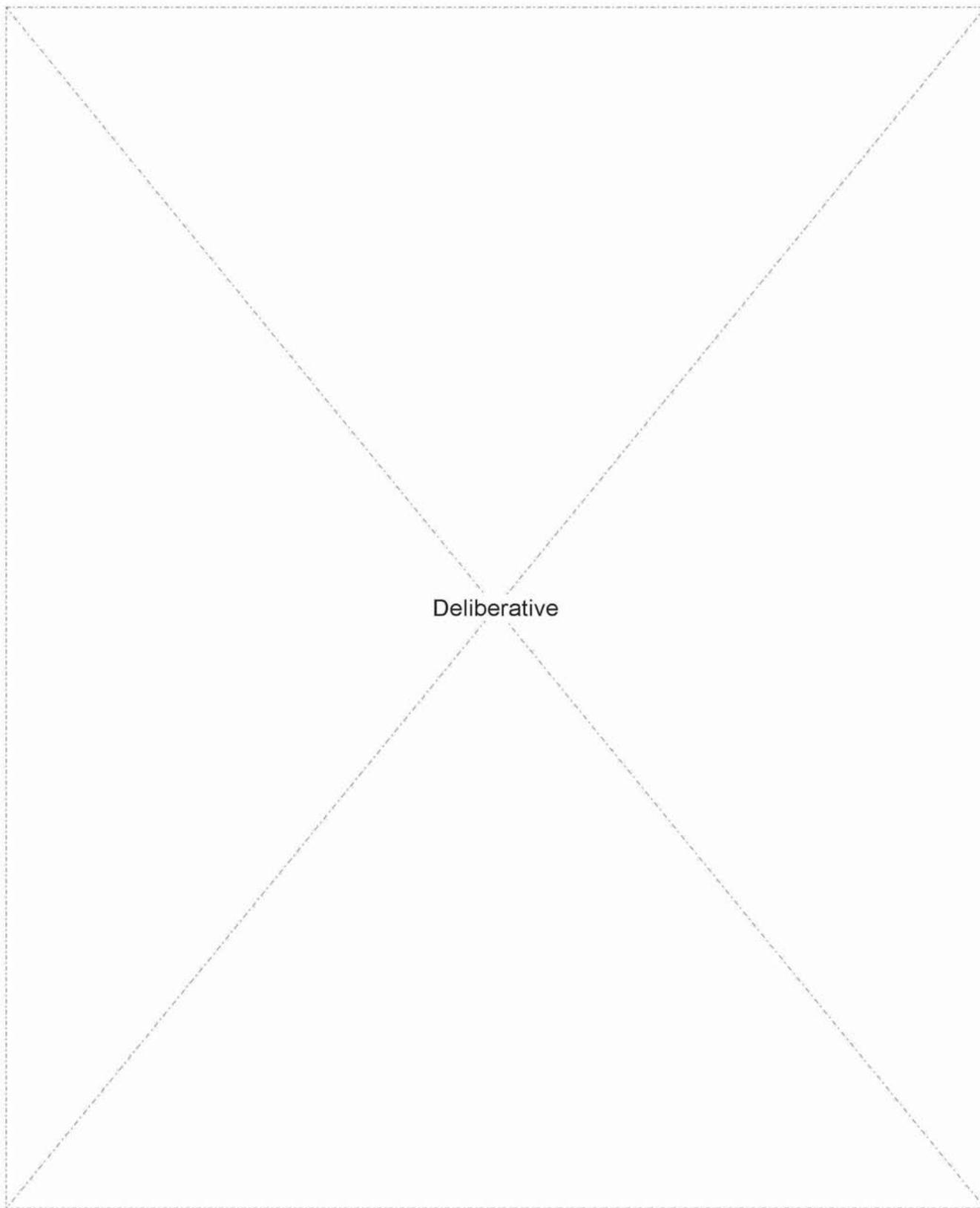
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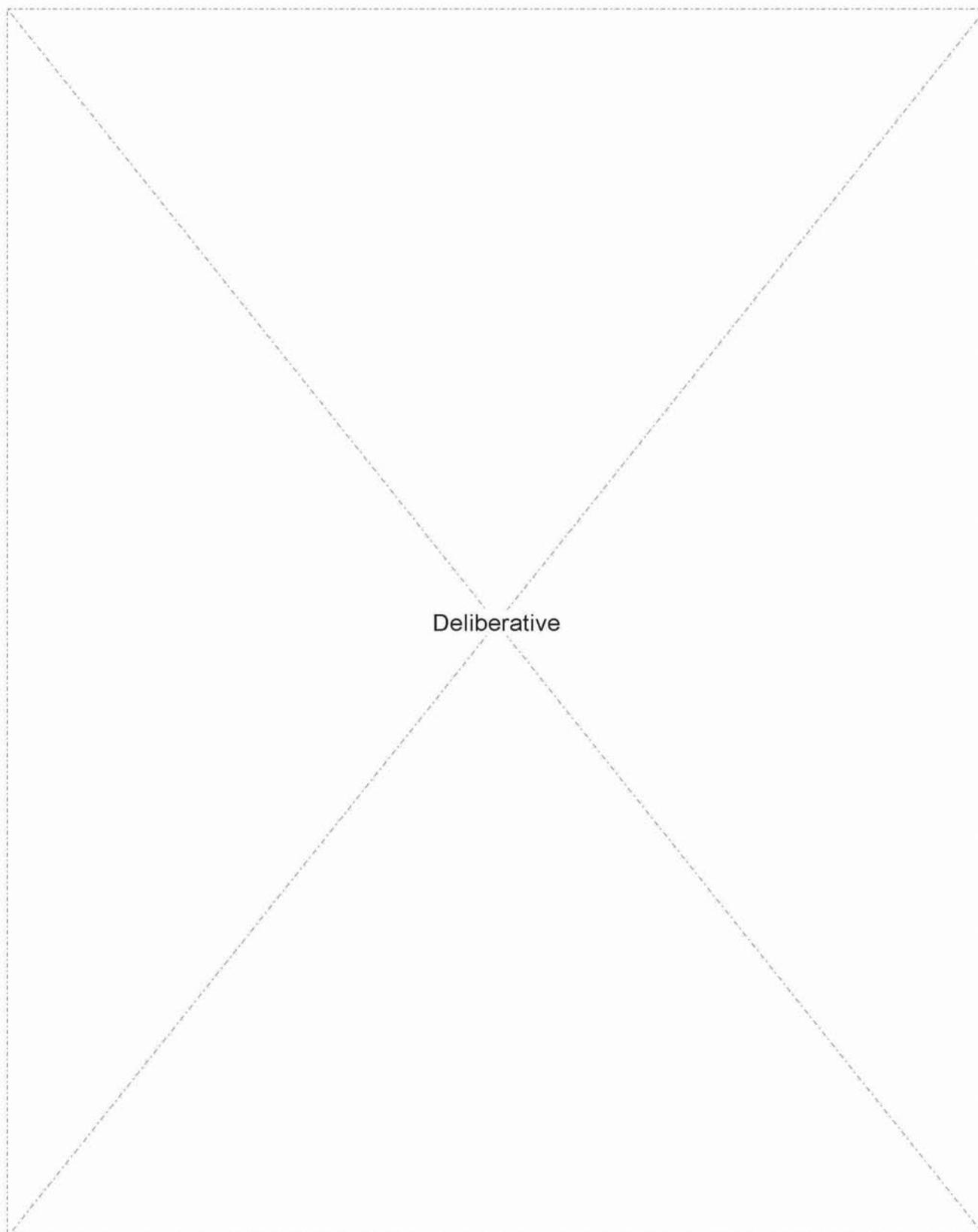


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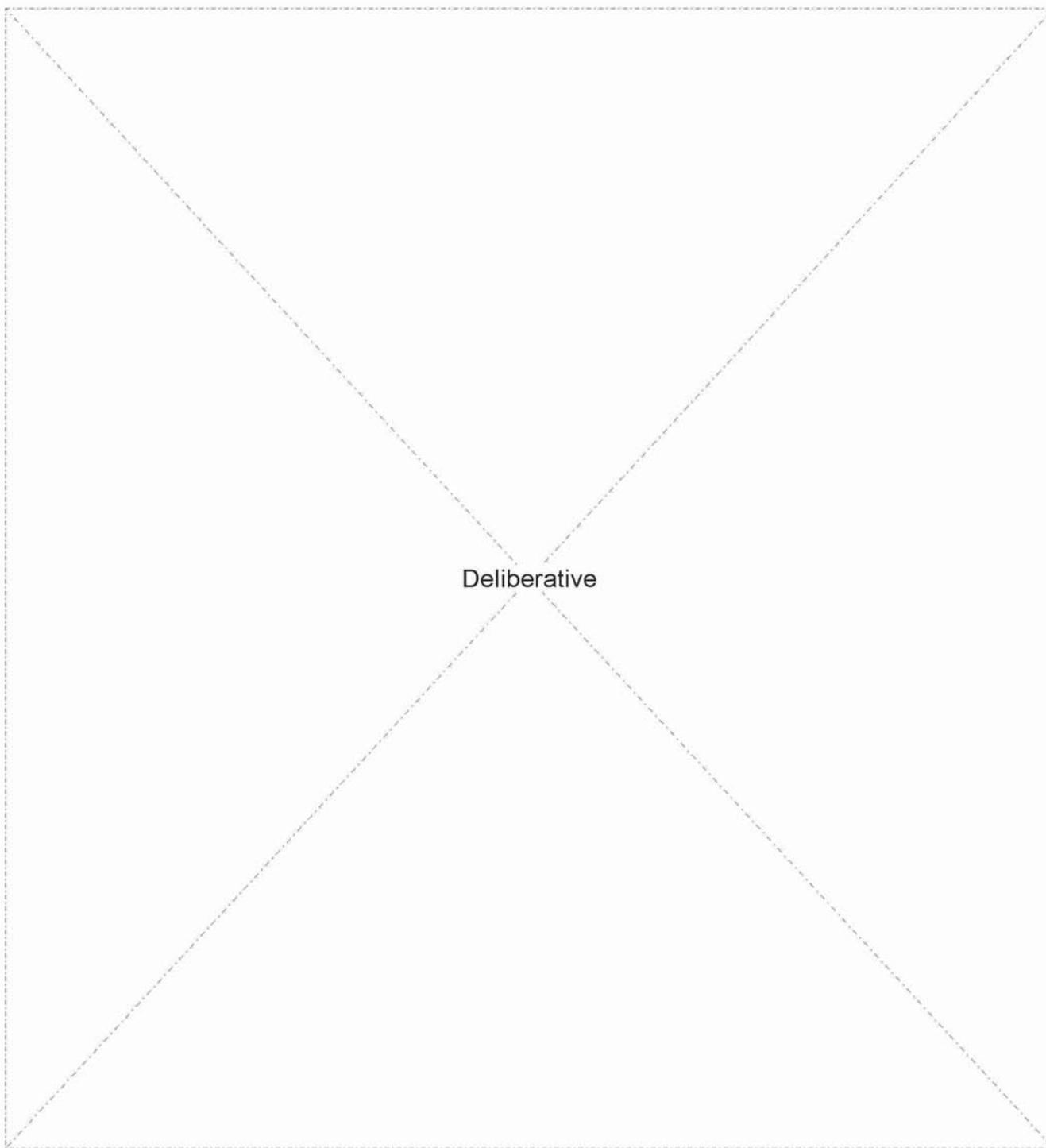
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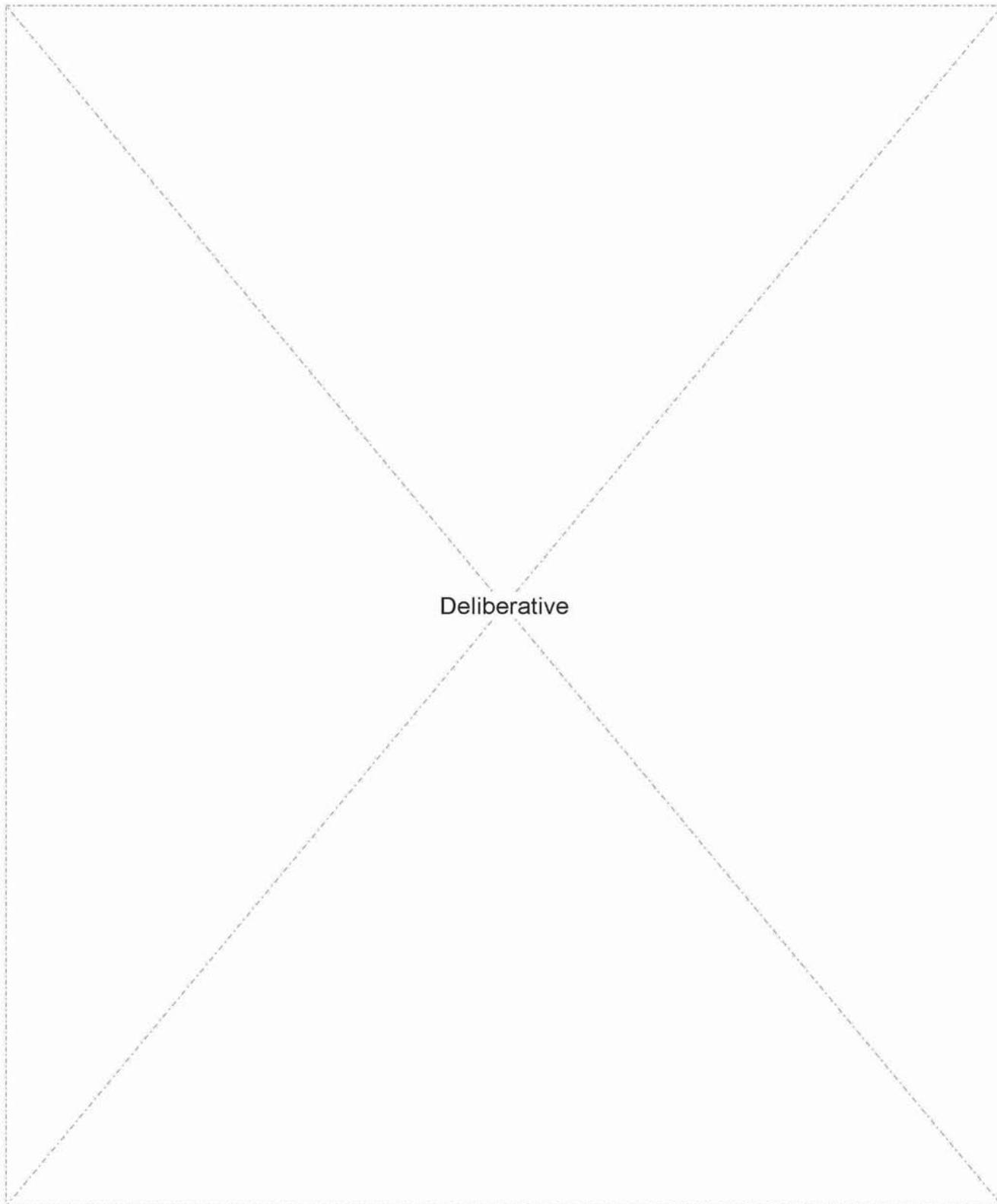
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Summary of Information Presented To the Panel



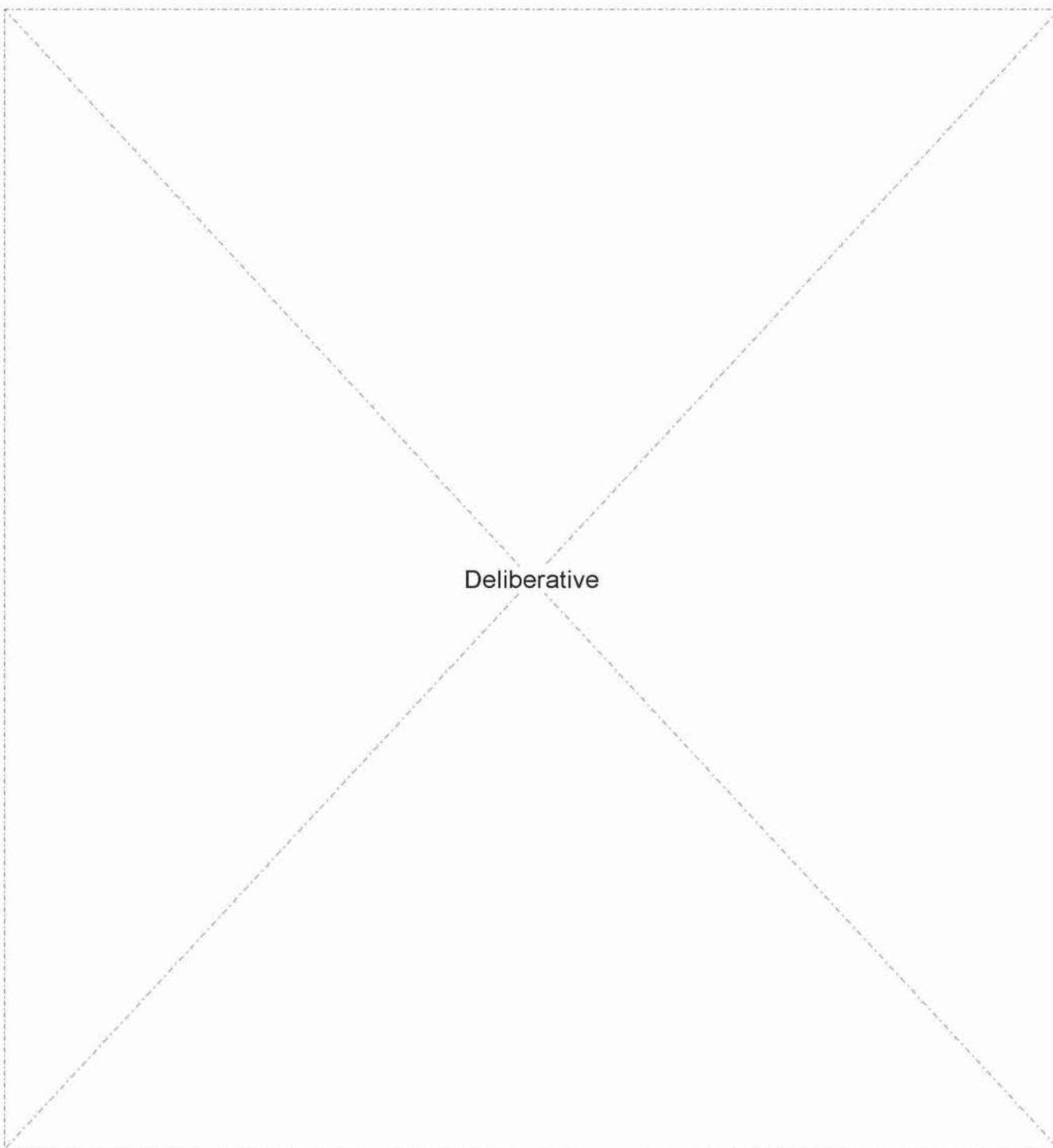
PERSONNEL AND READINESS

ADMIN DATA PRESENTED DURING PANEL MEETINGS

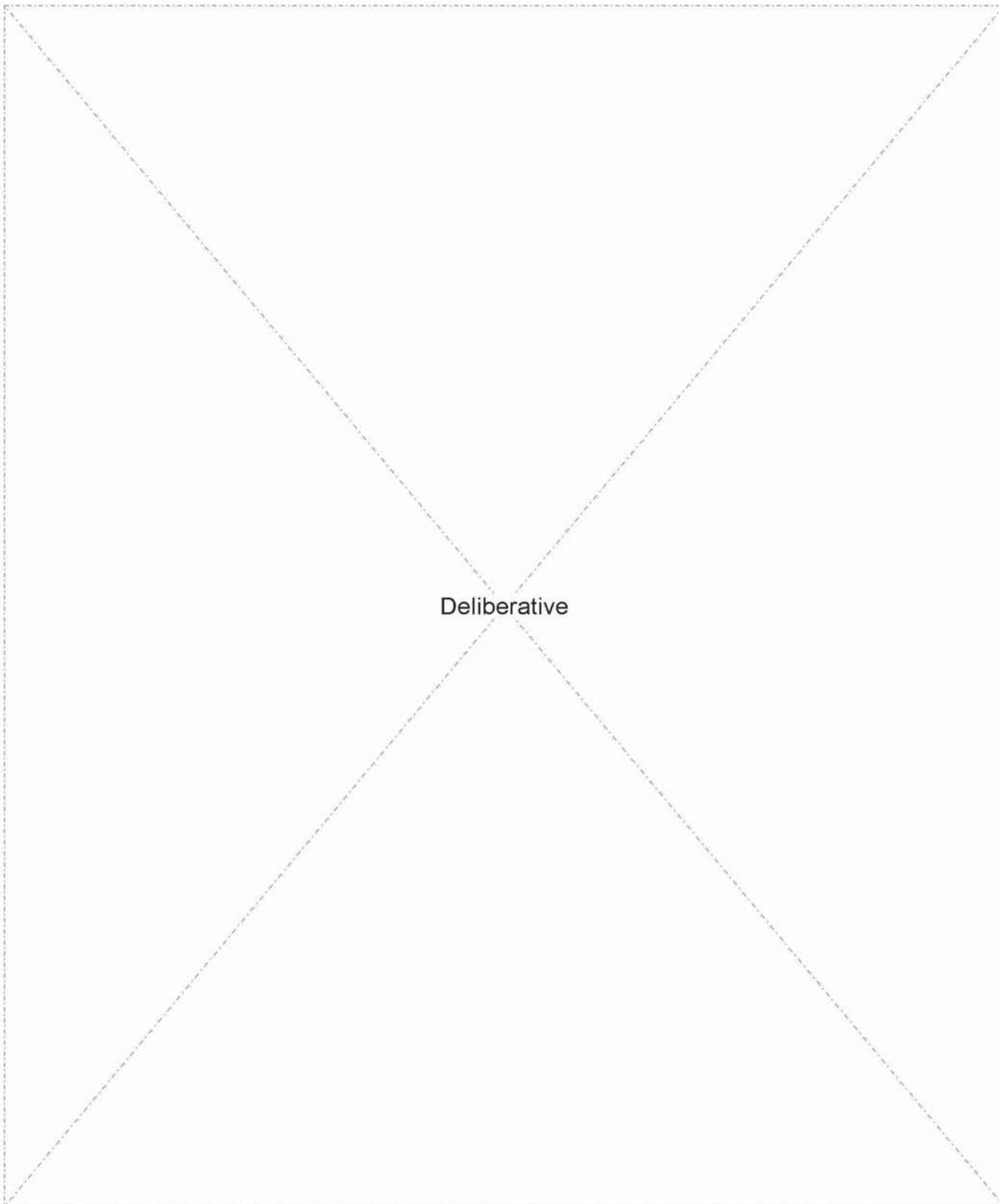


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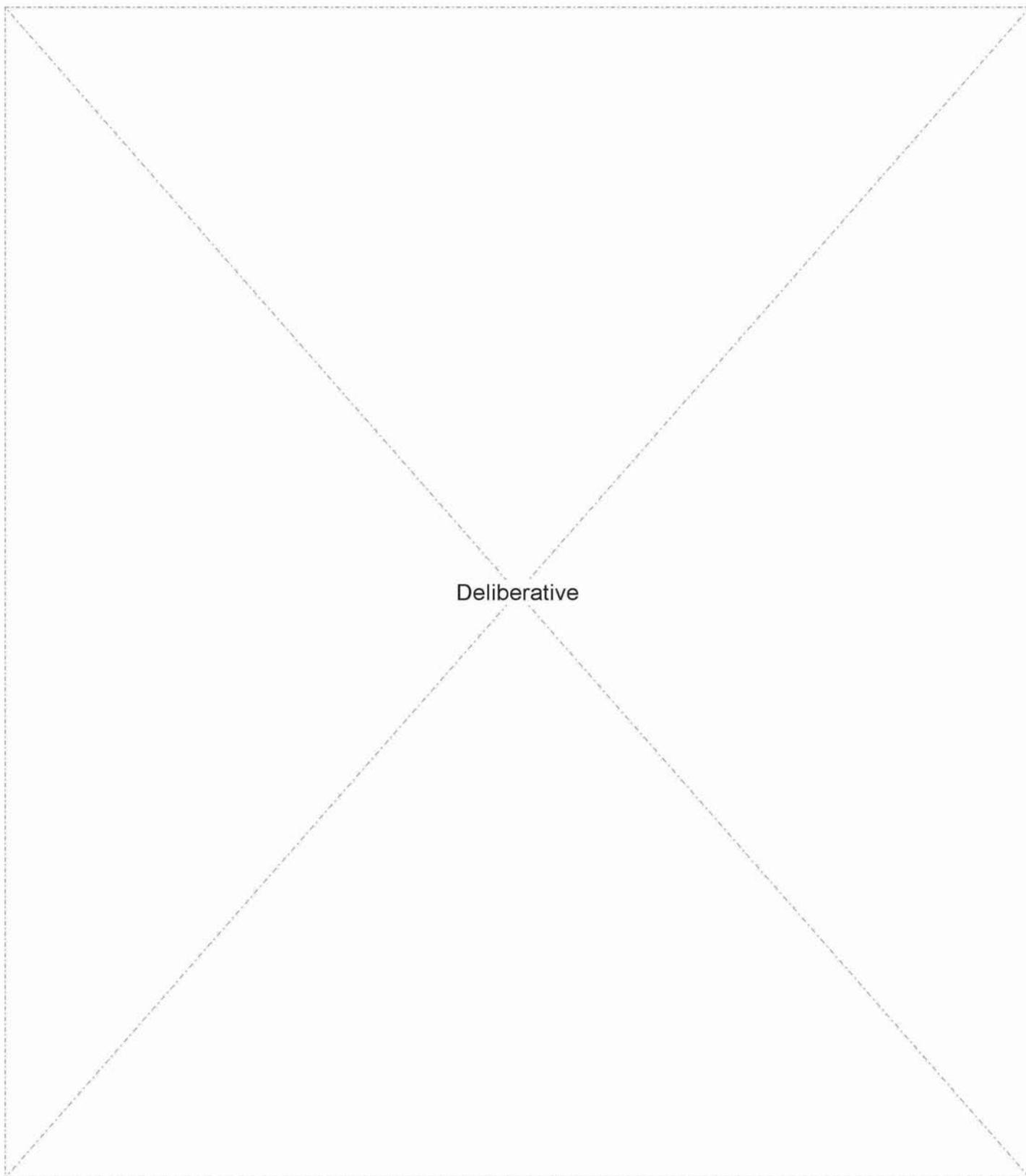


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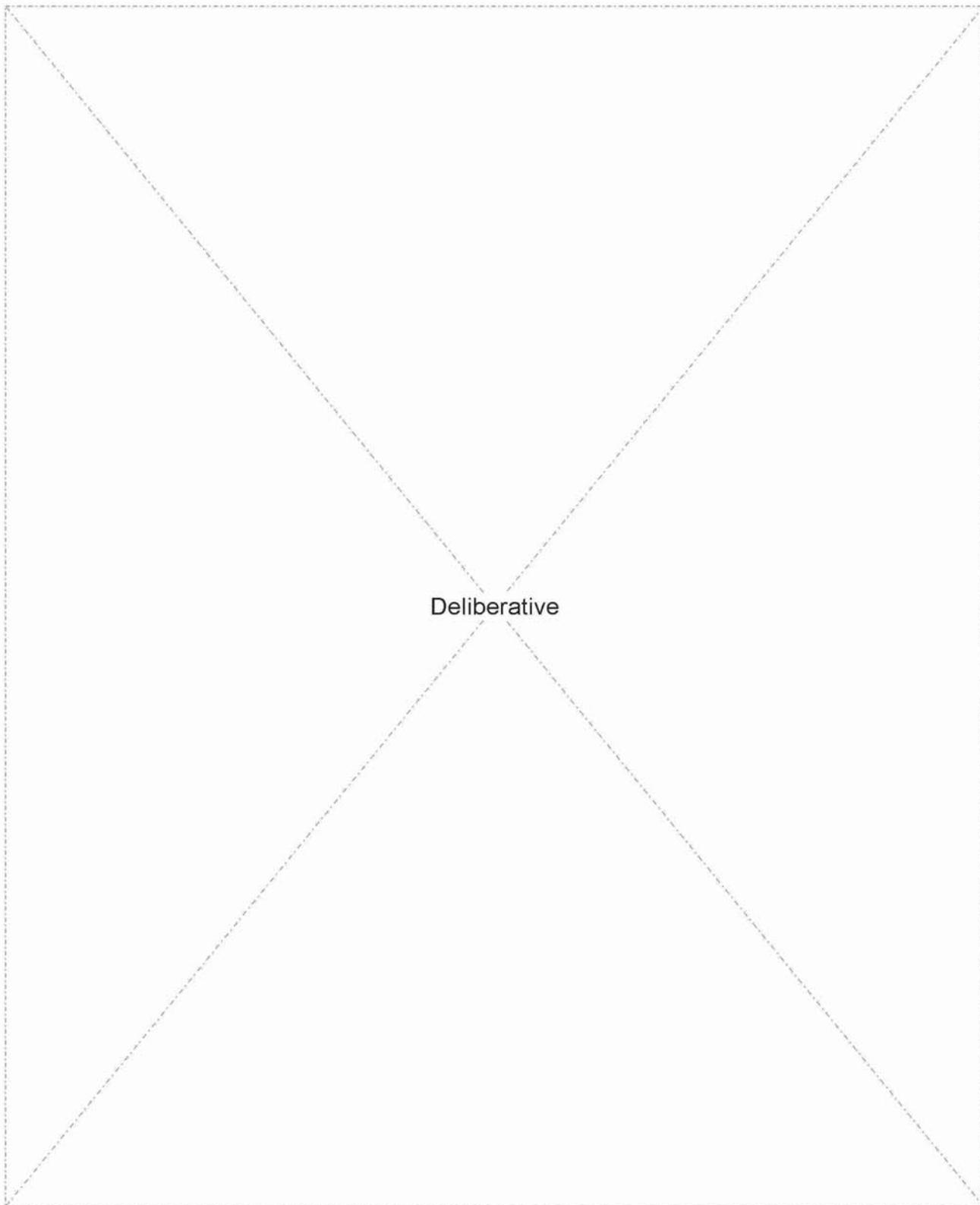
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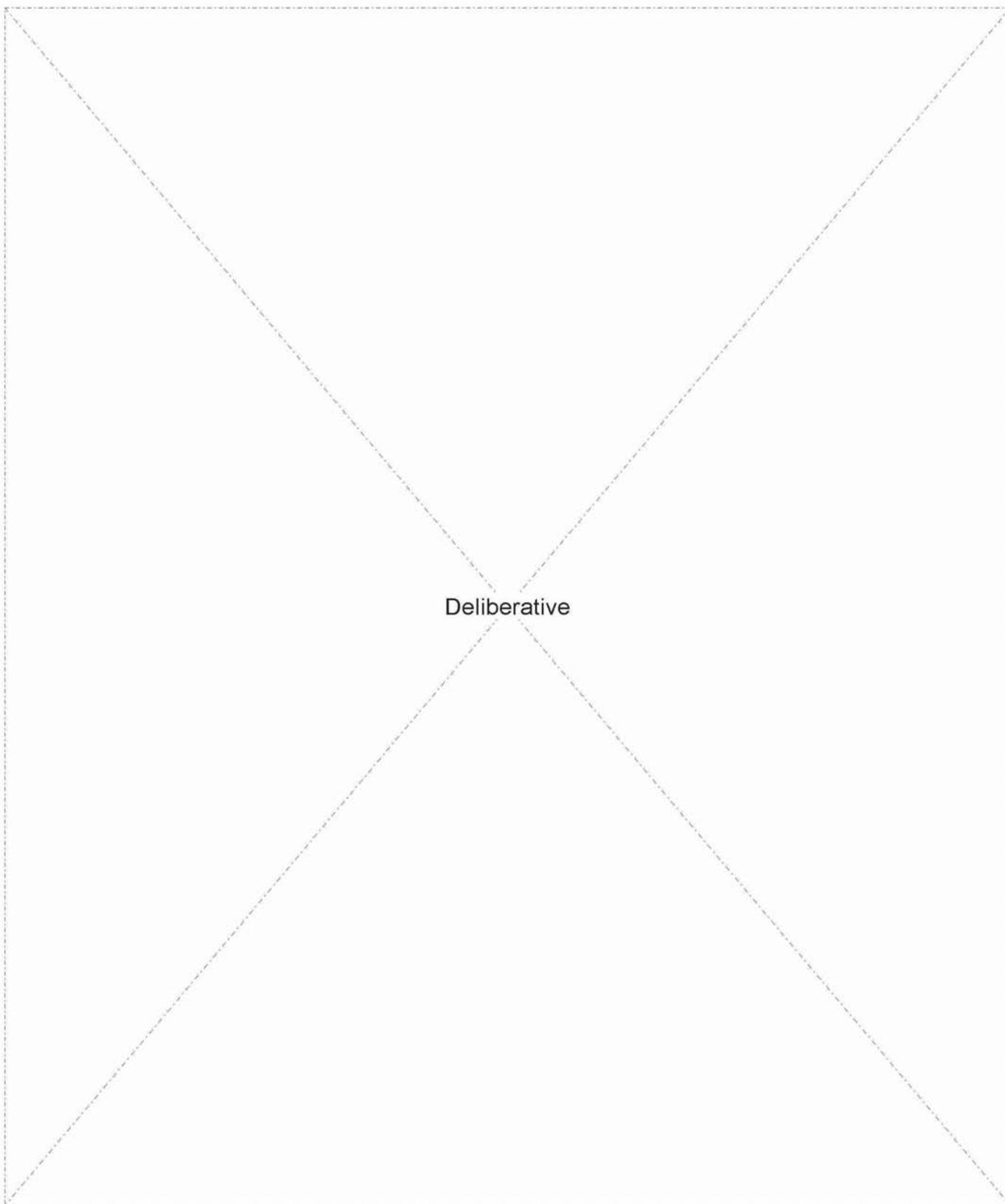
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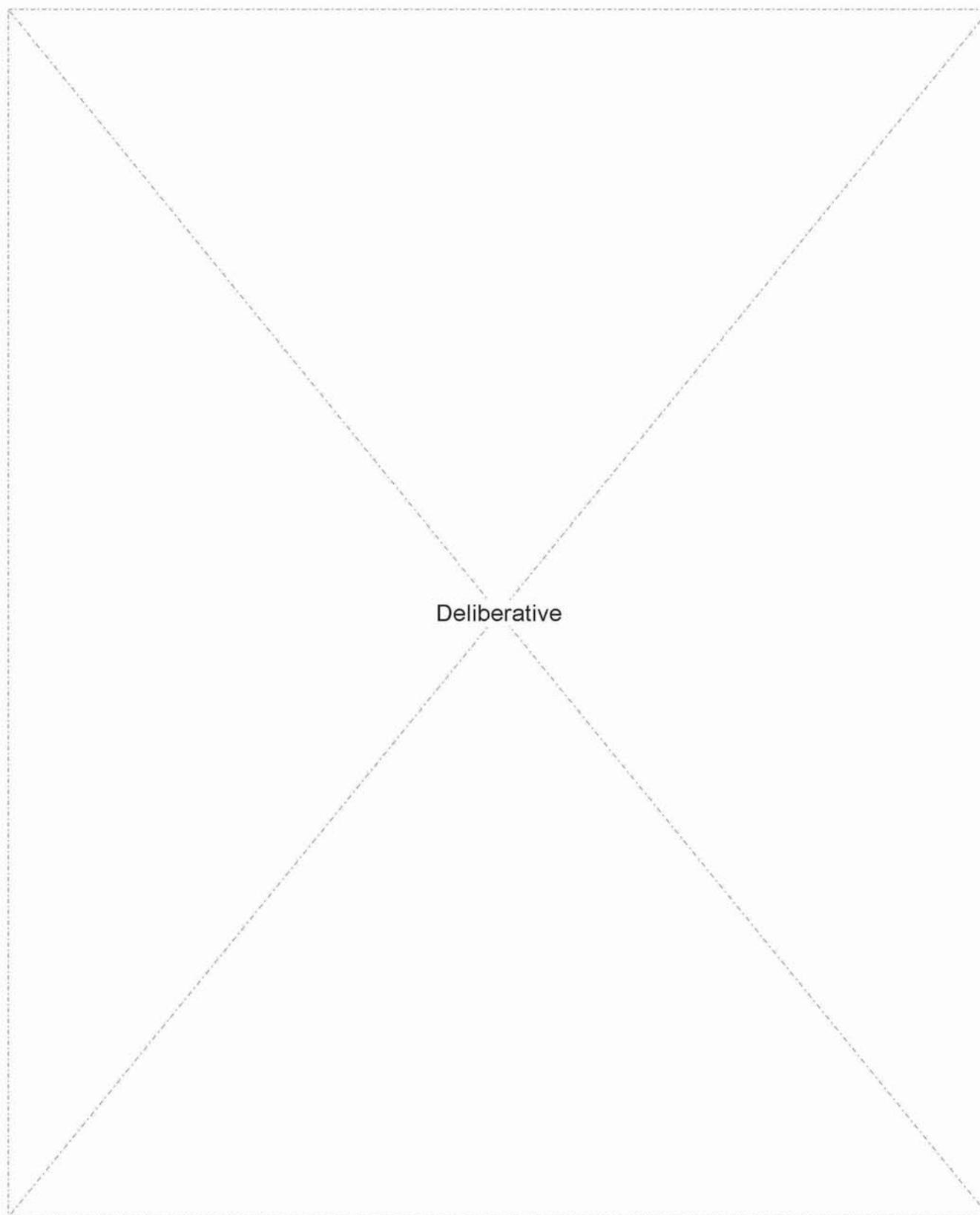
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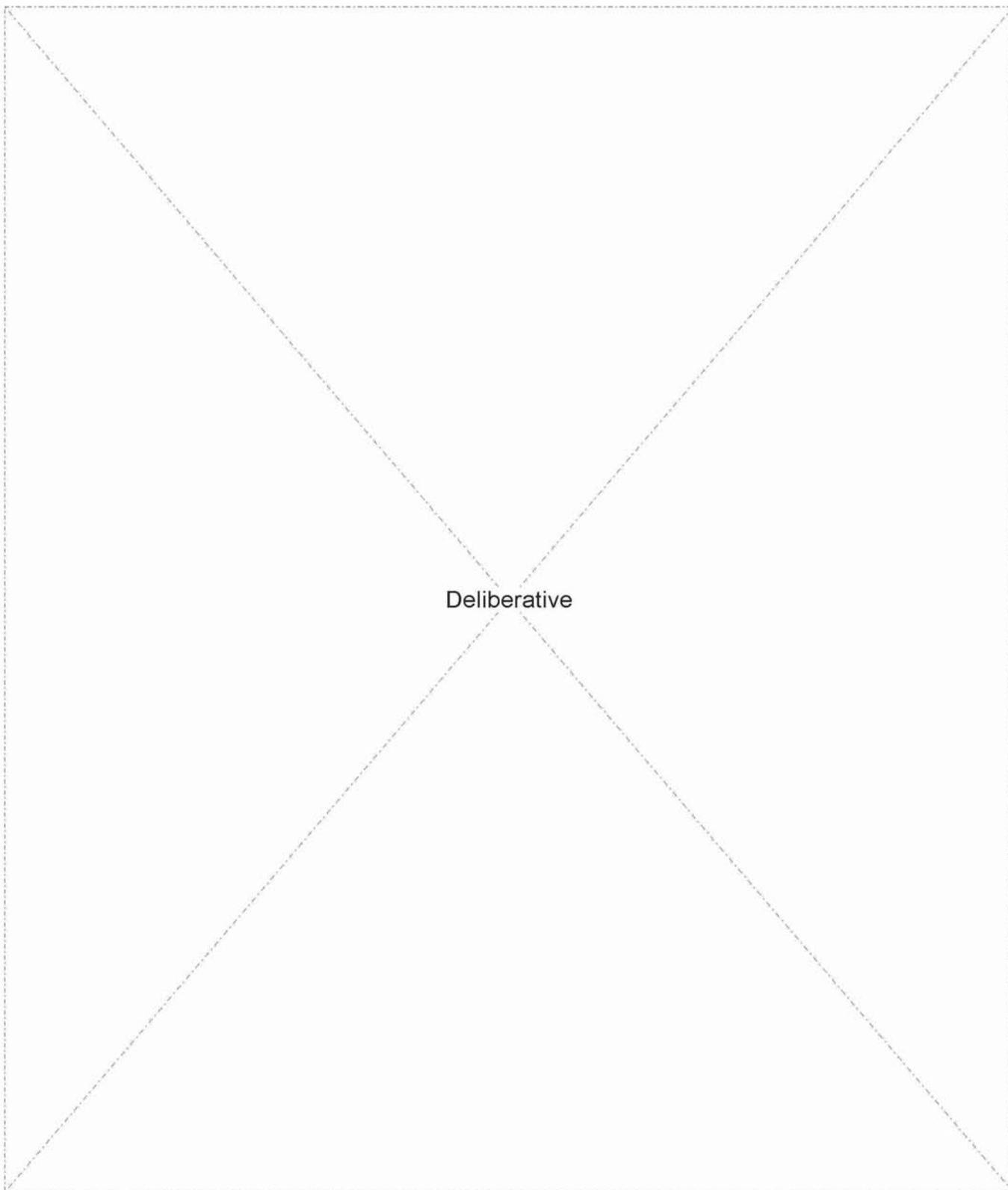
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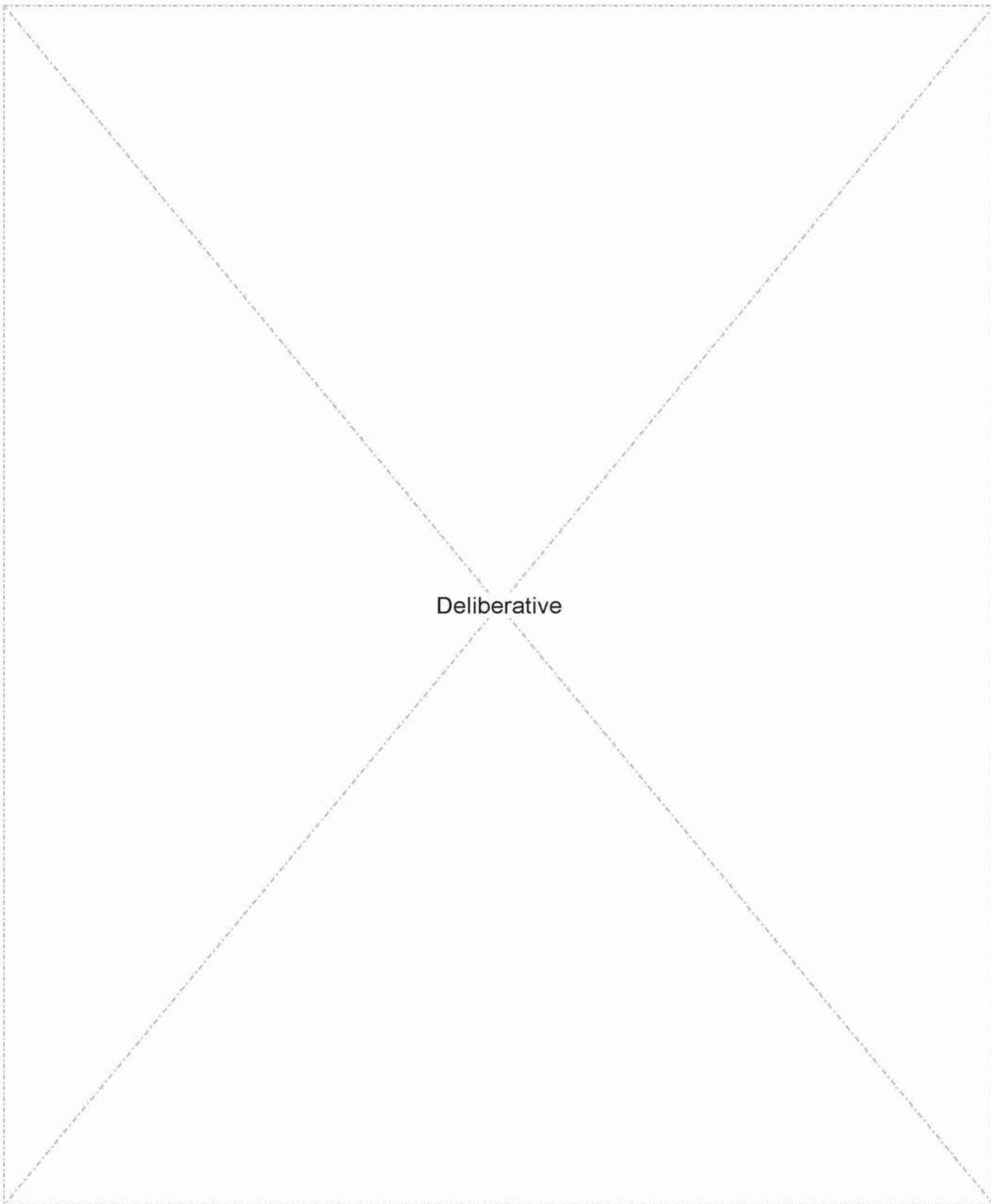
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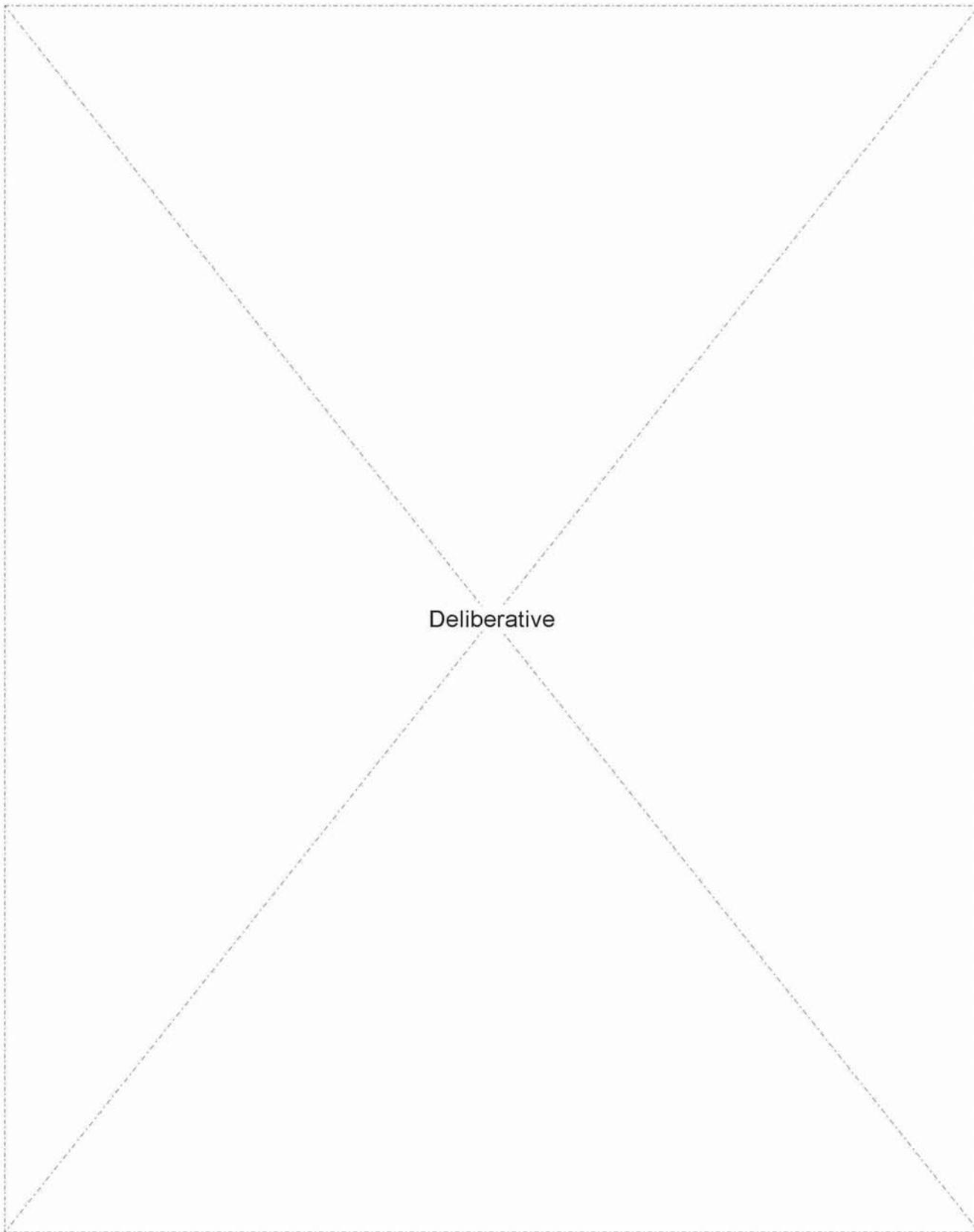
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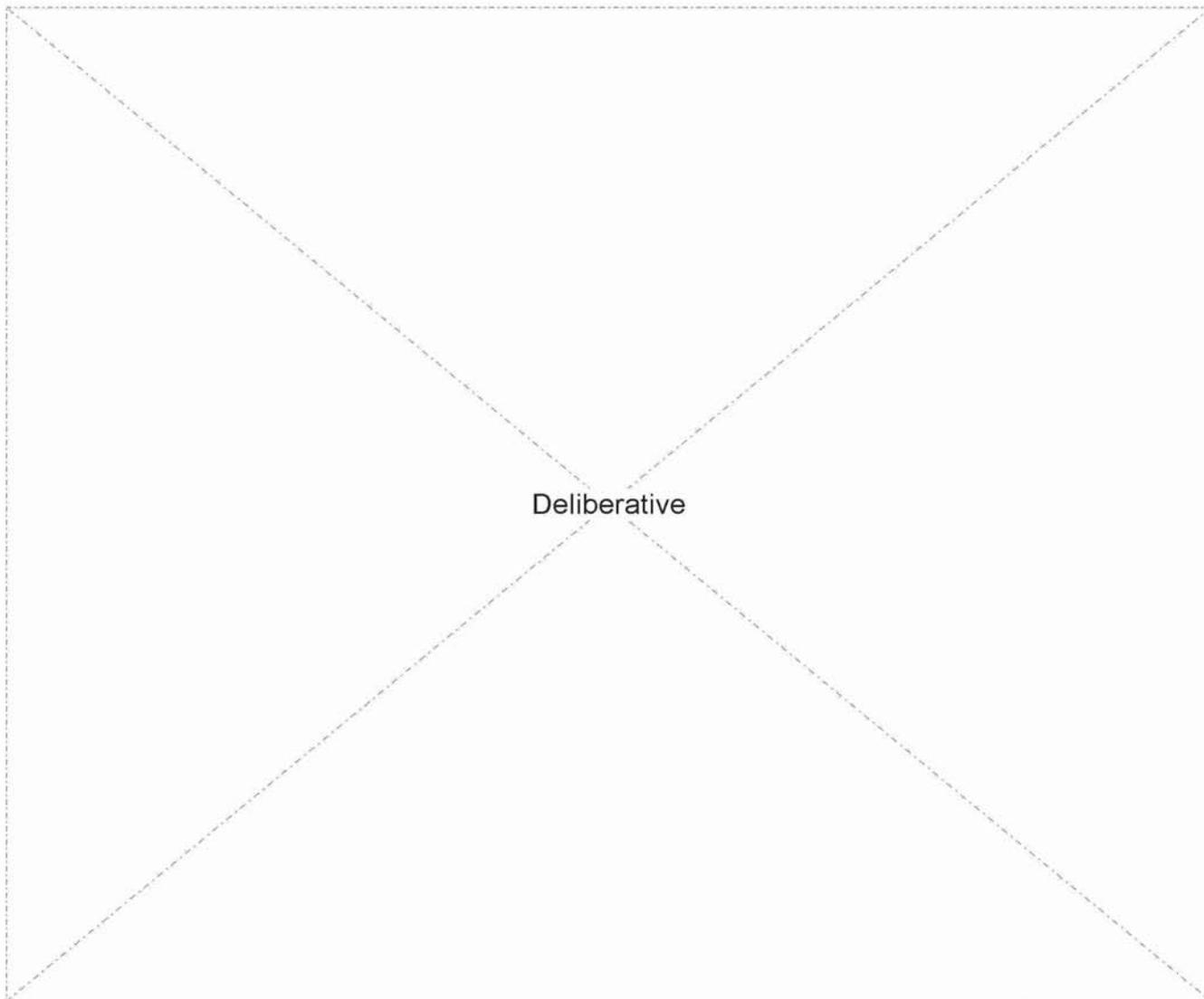
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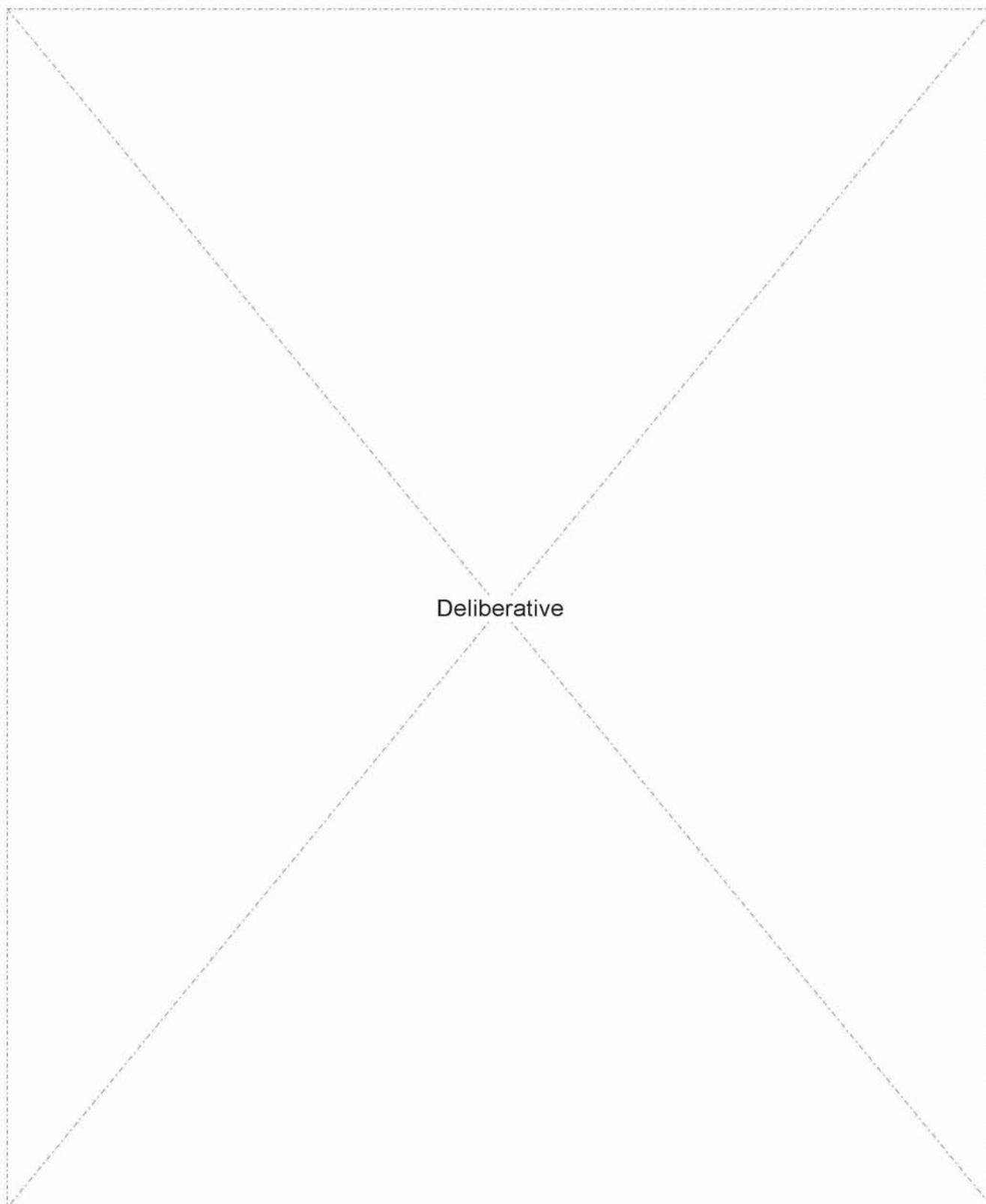


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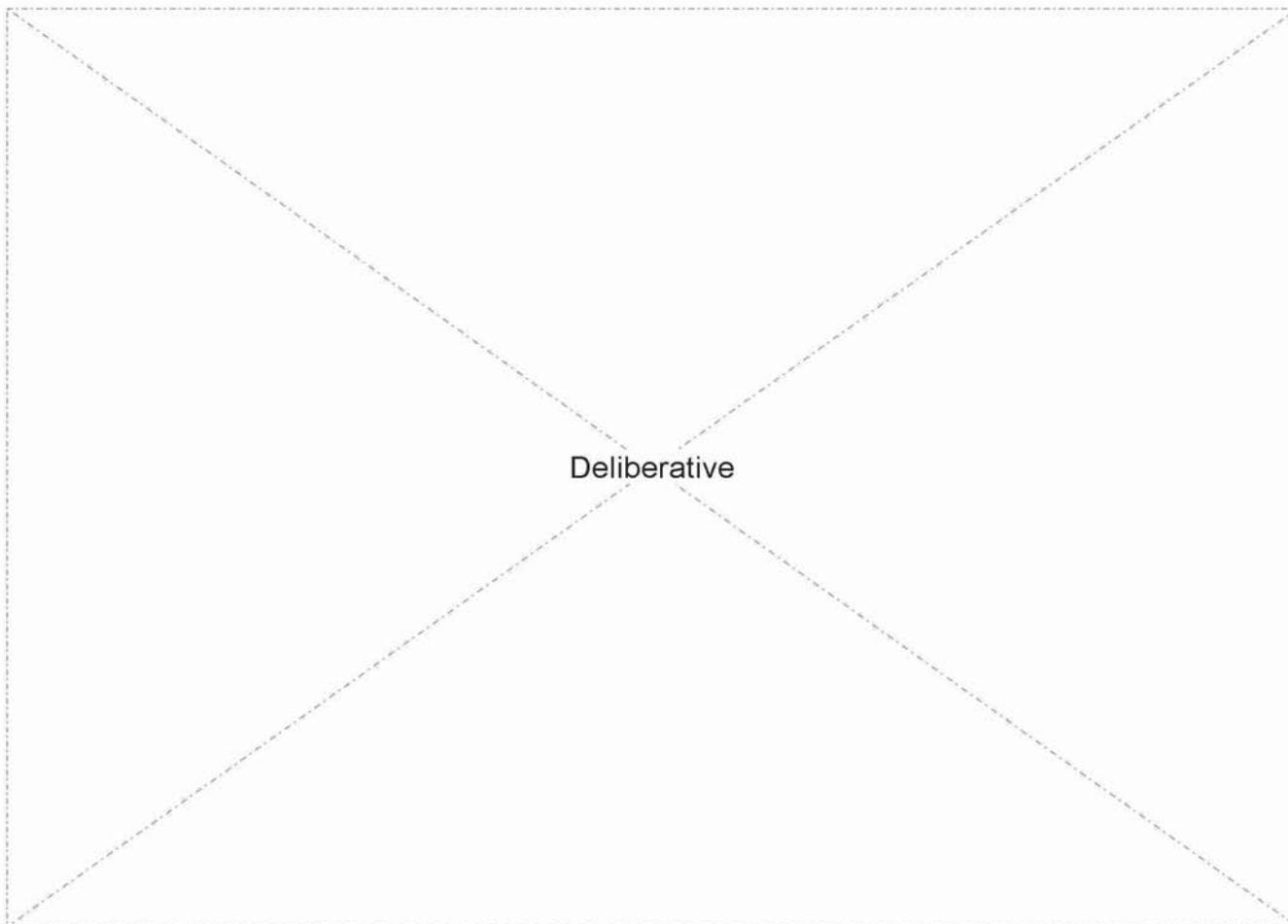


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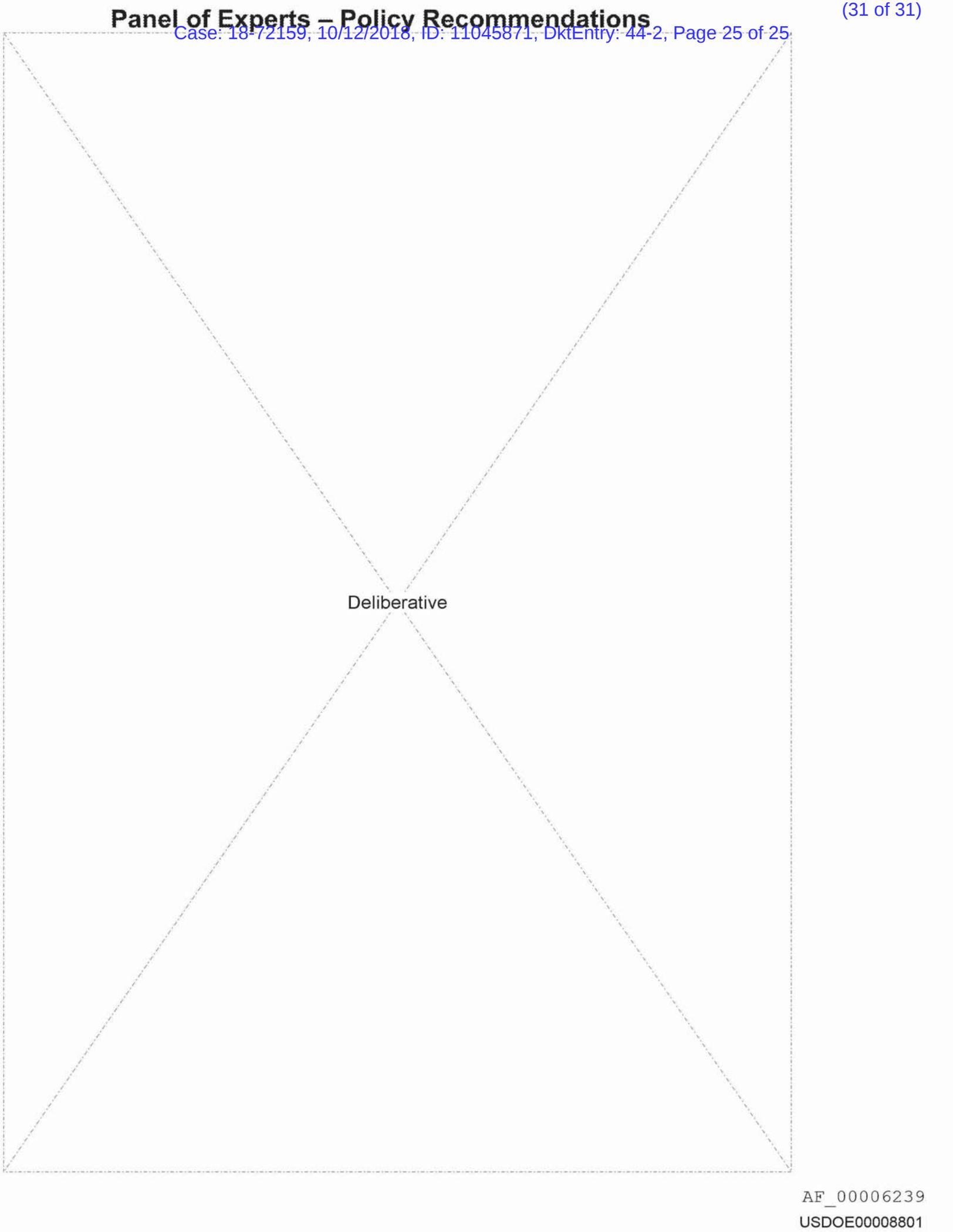
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Range of Options Considered



PERSONNEL AND READINESS



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