

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

Directions: Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

Appeal No. & Caption	No. 19-1952 - Gavin Grimm v. Gloucester County School Board
Originating No. & Caption	4:15-cv-54 - Gavin Grimm v. Gloucester County School Board
Originating Court/Agency	U.S. District Court, Eastern District of Virginia

Jurisdiction (answer any that apply)	
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. § 1291
Time allowed for filing in Court of Appeals	30 days
Date of entry of order or judgment appealed	August 9, 2019
Date notice of appeal or petition for review filed	August 30, 2019
If cross appeal, date first appeal filed	n/a
Date of filing any post-judgment motion	n/a
Date order entered disposing of any post-judgment motion	n/a
Date of filing any motion to extend appeal period	n/a
Time for filing appeal extended to	n/a
Is appeal from final judgment or order?	<input checked="" type="radio"/> Yes <input type="radio"/> No
If appeal is not from final judgment, why is order appealable?	

Settlement (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-731-9099.)	
Is settlement being discussed?	<input type="radio"/> Yes <input checked="" type="radio"/> No

Transcript (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has transcript been filed in district court?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Case Handling Requirements (answer any that apply)	
Case number of any prior appeal in same case	15-2056; 16-1733; 18-252
Case number of any pending appeal in same case	
Identification of any case pending in this Court or Supreme Court raising similar issue	Harris Funeral Homes, Sup. Ct. No. 18-107
	If abeyance or consolidation is warranted, counsel must file an appropriate motion.
Is expedited disposition necessary?	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If yes, motion to expedite must be filed.
Is oral argument necessary?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Does case involve question of first impression?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.

Nature of Case (Nature of case and disposition below. Attach additional page if necessary.)
<p>Plaintiff Gavin Grimm ("Grimm"), a transgender male who formerly attended public high school in Gloucester County, Virginia, challenges a Gloucester County School Board ("School Board") policy limiting use of the boys' and girls' restrooms to students of the corresponding "biological genders" or one of three single stall restrooms that are available for any student. Grimm brought claims under Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq. and the Equal Protection Clause of the Fourteenth Amendment. Grimm seeks the following relief: (1) a declaration that the School Board's policy violated Grimm's rights under the Fourteenth Amendment and Title IX on the day the policy was first issued and throughout the remainder of Grimm's time as a student at Gloucester High School; (2) a declaration that the School Board's refusal to update Grimm's official school transcript to match the "male" designation of his updated birth certificate violated, and continues to violate, Grimm's rights under the Fourteenth Amendment and Title IX; (3) nominal damages; (4) a permanent injunction requiring the School Board to update Grimm's official transcript to match the male designation of his updated birth certificate; and (5) Grimm's reasonable costs and attorney's fees pursuant to 42 U.S.C. § 1988. On August 9, 2019, Grimm was granted summary judgment, and the School Board's Motion for Summary Judgment was denied. Grimm was further granted all of the relief he seeks.</p>

Issues (Non-binding statement of issues on appeal. Attach additional page if necessary)

1. Whether the District Court erred in denying summary judgment to the School Board and in granting summary judgment to Grimm on Grimm's claim under Title IX of the Education Amendment of 1972.
2. Whether the District Court erred in denying summary judgment to the School Board and in granting summary judgment to Grimm on Grimm's claim under the Equal Protection Clause of the Fourteenth Amendment.
3. Whether the District Court erred in granting Grimm the following relief: (a) a delcaration that the School Board's policy violated Grimm's rights under the Fourteenth Amendment and Title IX on the day the policy was first issued and throughout the remainder of Grimm's time as a student at Gloucester High School; (b) a decalation that the School Board's refusal to update Grimm's official school transcript to match the "male" designation of his updated birth certificate violated, and continues to violate, Grimm's rights under the Fourteenth Amendment and Title IX; (c) nominal damages; (d) a permanent injunction requiring the School Board to update Grimm's official transcript to match the male designation of his updated birth certificate; and (e) Grimm's reasonable costs and attorney's fees pursuant to 42 U.S.C. § 1988.

Adverse Parties (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: Gavin Grimm

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Adverse Parties (continued)

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Appellant (Attach additional page if necessary.)	
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Appellant (continued)	
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Signature: <u>/s/ David P. Corrigan</u>	Date: <u>09/12/2019</u>
Counsel for: <u>Appellant Gloucester County School Board</u>	

Certificate of Service: I certify that on <u>09/12/2019</u> the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below (Attach additional page if necessary):	
Signature: <u>/s/ David P. Corrigan</u>	Date: <u>September 12, 2019</u>