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March 17, 2020

Judge Robert N. Chatigny
Abraham Ribicoff Federal Building
United States Courthouse
450 Main Street
Hartford, CT 06103

Via Electronic Filing

Re: *Selina Soule, et al., v. Connecticut Association of Schools, Inc., et al.*
Letter to the Court re: Use of name of T.M.
Case No. 3:20-cv-00201-RNC

Your Honor:

The Court asked that Plaintiffs submit a letter stating their view regarding the propriety of using, or masking, the name of transgender athlete T.M. in court filings.

Plaintiffs respectfully submit that masking T.M.'s full name in filings would be a pointless fiction, and inconsistent with publicity choices that T.M.'s counsel the ACLU made well before this lawsuit was filed. In fact, the events described in the Complaint, and the full names of both transgender athletes, have been in local and national news repeatedly, for many

months, and will instantly become known to anyone who devotes the slightest attention to this case and this controversy.

Notably, long before this lawsuit was filed, Proposed Intervenor's counsel the ACLU posted a "Statement of Terry Miller," which remains posted at: <https://www.acluct.org/en/press-releases/aclu-and-student-athlete-statement-complaint-against-transgender-student-athlete>

In their public filing (ECF 36 at 4 n.1), Proposed Intervenor themselves provided a link to a June 20, 2019, Hartford Courant article entitled "Connecticut high school transgender athletes 'no longer want to remain silent' following Title IX complaint," which identifies T.M. by full name, and includes a photograph of T.M. and quotations from an interview given by T.M. to a reporter. <https://www.courant.com/sports/high-schools/hc-sp-transgender-policy-runners-respond-20190619-20190620-5x2c7s2f5jb6dnw2dwpftiw6ru-story.html>

A copy of that article is submitted herewith as exemplary of many such disclosures made by T.M. in and to the media. Numerous other Hartford Courant articles since June of 2019 have likewise included the names and photographs of both Proposed Intervenor, and discussed their transgender status.

More broadly, a Google search of "Connecticut transgender athletes" (that is, a search that does *not* include T.M.'s name) turns up innumerable articles about, and video interviews of, T.M. that include both photographs and the full name of T.M., including, among many others:

- A Boston.com article that includes quotes from and a photograph of T.M., a photograph caption stating "Andraya Yearwood and Terry Miller attend the "Changing The Game" screening during the 2019 Tribeca Film Festival," and a link to a live video interview given by T.M. to the Good Morning America TV program. <https://www.boston.com/news/high-school-sports/2019/06/20/connecticut-high-school-track-transgender-athletes-respond-discrimination-complaint>
- An ABC News article that repeatedly identifies T.M. by name, includes multiple close-up photographs of T.M., and links to the same Good Morning America video segment that includes both T.M.'s name and an on-camera interview of T.M. <https://abcnews.go.com/GMA/News/transgender-athletes-speak-parents-petition-change-policy-compete/story?id=56071191>
- An NPR radio segment that opens with T.M.'s name, and continues with an in-person interview of T.M. <https://www.npr.org/2020/03/03/811504625/should-transgender-students-be-allowed-to-compete-in-womens-athletics>

Separately, Plaintiffs note that, while they do not know T.M.'s birth date, it is their understanding that if T.M. has not yet turned 18, that will occur in the near future, thus mooting the issue.

Plaintiffs believe that fictitious anonymity serves no purpose where a mature minor has already chosen to speak to, be photographed by, and be extensively identified in the media in connection with the dispute at issue. That said, Plaintiffs assert no claim against T.M., and the use of T.M.'s full name is entirely inconsequential to Plaintiffs lawsuit. Obviously, Plaintiffs will proceed in whatever manner the Court prefers.

Respectfully submitted this 17th day of March, 2020.

By: s/ Howard M. Wood II

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CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2020, a copy of the foregoing letter to the Court was filed electronically with the Clerk of Court. Service on all parties will be accomplished by operation of the court's electronic filing system.

s/ Howard M. Wood II
Attorney for Plaintiffs