

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

REV. PAUL A. EKNES-TUCKER;  
BRIANNA BOE, individually and on  
behalf of her minor son, MICHAEL BOE;  
JAMES ZOE, individually and on behalf  
of his minor son, ZACHARY ZOE;  
MEGAN POE, individually and on behalf  
of her minor daughter, ALLISON POE;  
KATHY NOE, individually and on behalf  
of her minor son, CHRISTOPHER NOE;  
JANE MOE, Ph.D.; and RACHEL KOE,  
M.D.

Plaintiffs,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA; KAY IVEY, in  
her official capacity as Governor of the  
State of Alabama; STEVE MARSHALL,  
in his official capacity as Attorney General  
of the State of Alabama; DARYL D.  
BAILEY, in his official capacity as  
District Attorney for Montgomery County;  
C. WILSON BAYLOCK, in his official  
capacity as District Attorney for Cullman  
County; JESSICA VENTIERE, in her  
official capacity as District Attorney for  
Lee County; TOM ANDERSON, in his  
official capacity as District Attorney for

Case No.

2:22-cv-184-LCB-SRW

Honorable Liles C. Burke

Opposed

the 12th Judicial Circuit; and DANNY CARR, in his official capacity as District Attorney for Jefferson County.

Defendants.

**PLAINTIFF-INTERVENOR UNITED STATES'**  
**MOTION FOR LEAVE TO FILE EXCESS PAGES**

The United States of America (“United States”), as Plaintiff-Intervenor, respectfully submits this motion seeking leave from the Court to exceed its page limitation with respect to its Memorandum in Support of Plaintiff-Intervenor United States’ Motion for a Temporary Restraining Order and a Preliminary Injunction. Counsel for the United States has spoken to counsel in the Alabama Attorney General’s Office, who indicated that the Defendants oppose the relief requested in this motion.

In support of the instant motion, the United States provides as follows:

1. On April 29, 2022, the United States filed its motion to intervene and complaint in intervention in the above-captioned matter.
2. As Plaintiff-Intervenor, United States now seeks to file a Motion for a Temporary Restraining Order and Preliminary Injunction, as well as an accompanying Memorandum in Support of Plaintiff-Intervenor United States’ Motion for a Temporary Restraining Order and a Preliminary Injunction.

3. This Court requires that initial briefs be limited to 20 pages. *See* Initial Order Governing All Further Proceedings, at 11 (Feb. 11, 2020).<sup>1</sup>

4. The United States' motion seeks to temporarily enjoin the felony ban on effecting various forms of gender-affirming medical care for transgender minors contained in Section 4 of S.B. 184 on the grounds that it discriminates on the basis of sex and transgender status in violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.

5. The additional pages are needed so that the United States can adequately explain the factual and legal issues raised by these constitutional claims and the basis for its request to enjoin Section 4 of S.B. 184.

6. Defendants will not be prejudiced by this extension. The United States anticipates consenting to any motion for leave to file excess pages for any response brief from Defendants that is proportional to the relief sought here.

Accordingly, the United States respectfully requests an extension of the applicable page limitation for its Memorandum in Support of Plaintiff-Intervenor United States' Motion for a Temporary Restraining Order and a Preliminary Injunction. The United States requests permission to file a memorandum not to exceed 30 pages.

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<sup>1</sup> <https://www.alnd.uscourts.gov/sites/alnd/files/LCB%20Sample%20Initial%20Order.pdf>.

Dated: April 29, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record.

Respectfully submitted,

s/ Jason R. Cheek

Jason R. Cheek

Assistant U.S. Attorney