

**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,*

v.

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

*Defendants.*

Civil Action No.  
2:22-cv-00184-184-LCB

Hon. Liles C. Burke

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE  
TO FILE EXHIBIT UNDER SEAL**

Plaintiffs respectfully move this Court for leave to file Exhibit 40 to their Exhibit List (Doc. 78) under seal. As grounds for this motion, Plaintiffs state that Exhibit 40 is a compilation of photographs of Plaintiff Allison Poe, a minor traveling under pseudonym in this litigation, with members of her family, including her mother Plaintiff Megan Poe, who also is traveling under pseudonym in this litigation. On May 3, 2022, this Court granted Plaintiffs' Motion to Proceed Pseudonymously (Doc. 83), which permits Megan and Allison Poe<sup>1</sup> to continue proceeding pseudonymously in this action. To protect Megan and Allison's identities from disclosure to the public, Plaintiffs desire to file the collection of family photos listed in Plaintiffs' Exhibit List as Exhibit 40 (Doc. 78-40) under seal.

Counsel for Plaintiffs has conferred with Defendants' counsel, and Defendants do not oppose this motion. A proposed order is attached hereto for the convenience of the Court.

Consistent with this Court's Administrative Procedures Manual, Civil, Section III, A, a copy of this motion along with Exhibit 40 has been placed in a sealed envelope and will be delivered to the Clerk's Office for conventional filing upon entry of an order from the Court granting the motion to seal.

---

<sup>1</sup> The Order also granted Plaintiffs' request to proceed pseudonymously for Briana Boe, Michael Boe, James Zoe, Zachary Zoe, Kathy Noe, Christopher Noe, and Rachel Koe, MD. *See* Doc. 83.

WHEREFORE, Plaintiffs respectfully request that the Court enter an order granting Plaintiffs' leave to file Exhibit 40 (Doc. 78-40) to Plaintiffs' Exhibit List under seal.

/s/ Melody H. Eagan

Melody H. Eagan (ASB-9780-D38M)  
Jeffrey P. Doss (ASB-4212-R62D)  
Amie A. Vague (ASB-4113-Q46I)  
LIGHTFOOT, FRANKLIN & WHITE LLC  
The Clark Building  
400 20th Street North  
Birmingham, AL 35203  
205.581.0700  
meagan@lightfootlaw.com  
jdoss@lightfootlaw.com  
avague@lightfootlaw.com

J. Andrew Pratt (ASB-3507-J56P)  
Misty L. Peterson (GA Bar No. 243715) (*pro hac vice*)  
Adam Reinke (GA Bar No. 510426) (*pro hac vice*)  
Gilbert Oladeinbo (GA Bar No. 669340) (*pro hac vice*)  
KING & SPALDING LLP  
1180 Peachtree Street Northeast, Suite 1600  
Atlanta, GA 30309  
404.572.4600  
apratt@kslaw.com  
mpeterson@kslaw.com  
areinke@kslaw.com  
goladeinbo@kslaw.com

Brent P. Ray (IL Bar No. 6291911) (*pro hac vice*)

Abigail Hoverman Terry (IL Bar No. 6327057)  
(*pro hac vice*)

KING & SPALDING LLP  
110 North Wacker Drive, Suite 3800  
Chicago, IL 60606  
312.995.6333  
bray@kslaw.com  
ahoverman@kslaw.com

Michael B. Shortnacy (CA Bar No. 277035) (*pro hac vice*)

KING & SPALDING LLP  
633 West Fifth Street, Suite 1600  
Los Angeles, CA 90071  
213.443.4355  
mshortnacy@kslaw.com

Asaf Orr (CA Bar No. 261650) (*pro hac vice*)

NATIONAL CENTER FOR LESBIAN RIGHTS  
870 Market Street, Suite 370  
San Francisco, CA 94102  
415.392.6257  
aorr@nclrights.org

Jennifer L. Levi (MA Bar No. 562298) (*pro hac vice*)

GLBTQ LEGAL ADVOCATES & DEFENDERS  
18 Tremont, Suite 950  
Boston, MA 02108  
617.426.1350  
jlevi@glad.org

Scott D. McCoy (FL Bar No. 1004965) (*pro hac vice*)

SOUTHERN POVERTY LAW CENTER

P.O. Box 12463  
Miami, FL 33101  
334.224.4309  
scott.mccoy@splcenter.org

Diego A. Soto (ASB-3626-Y61S)  
SOUTHERN POVERTY LAW CENTER  
400 Washington Avenue  
Montgomery, AL 36104  
334.604.1414  
diego.soto@splcenter.org

Jessica L. Stone (GA Bar No. 275567) (*pro hac vice*)  
SOUTHERN POVERTY LAW CENTER  
150 E. Ponce de Leon Ave., Suite 340  
Decatur, GA 30030  
404.221.5837  
jessica.stone@splcenter.org

Sarah Warbelow (MI Bar No. P66690) (*pro hac vice*)  
Cynthia Weaver (NY Bar No. 5091848) (*pro hac vice*)  
HUMAN RIGHTS CAMPAIGN FOUNDATION  
1640 Rhode Island Ave., NW  
Washington, DC 20036  
202.628.4160  
sarah.warbelow@hrc.org  
cynthia.weaver@hrc.org

***Counsel for Plaintiffs***

**CERTIFICATE OF SERVICE**

I certify that on May 3, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF filing system, which will provide notice of such filing to all counsel of record.

*/s/ Melody H. Eagan*  
\_\_\_\_\_  
*Attorney for Plaintiffs*

**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,*

v.

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

*Defendants.*

Civil Action No.  
2:22-cv-00184-184-LCB

Hon. Liles C. Burke

**[PROPOSED] ORDER**

Plaintiffs' Unopposed Motion for Leave to File Exhibit Under Seal is hereby GRANTED. The Clerk of Court is hereby directed to file under seal Exhibit 40 to Plaintiffs' Exhibit List (Doc. 78).

**DONE and ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2022.**

---

UNITED STATES DISTRICT COURT JUDGE