

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MAXWELL KADEL, *et al.*,

Plaintiffs,

v.

DALE FOLWELL, in his official capacity as
State Treasurer of North Carolina, *et al.*,

Defendants.

Case No. 1:19-cv-00272-LCB-LPA

**PLAINTIFFS' MOTION *IN LIMINE* #1,
TO EXCLUDE THE TESTIMONY OF WAYNE GOODWIN**

Pursuant to Federal Rule of Evidence 702, and for reasons set forth in the accompanying memorandum of law, Plaintiffs respectfully move this Court to exclude the expert testimony of Mr. George Wayne Goodwin, an expert originally retained by the now-settled University Defendants, and whose opinions were subsequently adopted by the North Carolina Department of Public Safety ("NCDPS"). On February 2, 2022, Plaintiffs filed *Daubert* motions related to Defendants' experts Drs. Hruz (ECF No. 204), Levine (ECF No. 212), McHugh (ECF No. 206), Lappert (ECF No. 208), and Robie (ECF No. 202). At that time, Plaintiffs did not seek to exclude Mr. Goodwin, since it was unclear whether any Defendant would call Mr. Goodwin at trial. Based on NCDPS's Pre-Trial Disclosure, Plaintiffs now move to exclude Mr. Goodwin for the reasons set forth in their motion and memorandum, and renew their previously-filed *Daubert* motions. A supporting memorandum of law is filed contemporaneously herewith.

Dated: June 10, 2022

/s/ Amy E. Richardson

Amy E. Richardson
(N.C. Bar No. 28768)
Lauren E. Snyder
(N.C. Bar No. 54150)
HARRIS, WILTSHIRE & GRANNIS LLP
1033 Wade Avenue, Suite 100
Raleigh, NC 27605-1155
Phone: 919-429-7386 | Fax: 202-730-1301
arichardson@hwglaw.com
lsnyder@hwglaw.com

Deepika H. Ravi*
HARRIS, WILTSHIRE & GRANNIS LLP
1919 M Street N.W., 8th Floor,
Washington, D.C. 20036
Phone: 202-730-1300 | Fax: 202-730-1301
dravi@hwglaw.com

Michael W. Weaver*
Adam M. Safer*
MCDERMOTT WILL & EMERY
444 W. Lake St., Suite 4000
Chicago, IL 60606
Phone: 312-984-5820 | Fax: 312-984-7700
mweaver@mwe.com

Lauren H. Evans*
MCDERMOTT WILL & EMERY
500 N. Capitol St., NW
Washington, D.C. 20001
Phone: 202-756-8864 | Fax: 202-591-2900
levans@mwe.com

Respectfully submitted,

/s/ Dmitriy Tishyevich

Dmitriy Tishyevich*
Warren Haskel*
MCDERMOTT WILL & EMERY LLP
One Vanderbilt Avenue
New York, NY 10017-3852
Phone: 212-547-5534
Fax: 646-417-7668
dtishyevich@mwe.com

Tara Borelli*
Carl S. Charles*
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
1 West Court Square, Ste. 105
Decatur, GA 30030
Telephone: 404-897-1880
Facsimile: 404-506-9320
tborelli@lambdalegal.org

Omar Gonzalez-Pagan*
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
120 Wall Street, 19th Floor
New York, NY 10005
Telephone: 212-809-8585
Facsimile: 212-809-0055
ogonzalez-pagan@lambdalegal.org

David Brown*
TRANSGENDER LEGAL DEFENSE AND
EDUCATION FUND, INC.
520 8th Ave, Ste. 2204
New York, NY 10018
Telephone: 646-993-1680
Facsimile: 646-993-1686
dbrown@transgenderlegal.org

Counsel for Plaintiffs

* Appearing by special appearance pursuant to L.R. 83.1(d).

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all registered users.

Dated: June 10, 2022

/s/ Amy E. Richardson

Amy E. Richardson

(N.C. Bar No. 28768)

HARRIS, WILTSHIRE & GRANNIS LLP

1033 Wade Avenue, Suite 100

Raleigh, NC 27605-1155

Phone: 919-429-7386 | Fax: 202-730-1301

arichardson@hwglaw.com