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13 **UNITED STATES DISTRICT COURT**  
14 **FOR THE DISTRICT OF ARIZONA**

15 D.T., a minor, by and through his parent  
16 and next friend Lizette Trujillo; Jane Doe, a  
17 minor, by and through her parent and next  
18 friend Susan Doe; and Helen Roe, a minor,  
by and through her parent and next friend  
Megan Roe,

19 Plaintiffs,

20 v.

21 Dr. Cara M. Christ, in her official capacity  
as State Registrar of Vital Records and  
22 Director of the State of Arizona’s  
Department of Health Services; Thomas  
23 Salow, in his official capacity as Branch  
Chief of the State of Arizona’s Division of  
24 Public Health Licensing Services at the  
Department of Health Services; and Krystal  
25 Colburn, in her official capacity as Bureau  
Chief and Assistant State Registrar of the  
26 State of Arizona’s Bureau of Vital Records,

27 Defendants.  
28

Case No. 4:20-cv-484-JAS

**STIPULATED NOTICE OF THE PARTIES’  
AGREEMENT CONCERNING JANE  
DOE’S MOTION FOR PRELIMINARY  
INJUNCTION AND JANE DOE’S  
PETITION FOR AN A.R.S. § 36-  
337(A)(4) COURT ORDER TO AMEND  
HER BIRTH CERTIFICATE**

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1 Plaintiffs D.T., Jane Doe, and Helen Roe (“Plaintiffs”) and Defendants Dr. Cara  
2 Christ, Thomas Salow, and Krystal Colburn (“Defendants”) (collectively, “Parties”), by and  
3 through their respective counsel, provide notice of their agreement concerning Jane Doe’s  
4 Motion for Preliminary Injunction (Doc. 3), as follows:

5 1. Jane Doe is a transgender girl residing in Arizona.

6 2. The sex/gender field on Jane Doe’s current birth certificate identifies her as  
7 male.

8 3. Jane Doe seeks an A.R.S. § 36-337(A)(4) order from this Court ordering  
9 Defendants to change the sex/gender field on her birth certificate from male to female.

10 4. Jane Doe makes this request so that she may obtain a birth certificate that  
11 matches her gender identity. It is important for Jane Doe to have an identity document that  
12 matches her gender identity to help prevent bullying and harassment against her.

13 5. Jane Doe has experienced bullying and harassment at her school when  
14 attending classes in-person because her birth certificate, which indicates her transgender  
15 status has been disclosed to school staff and other students against her wishes.

16 6. Jane Doe needs an amended birth certificate no later than December 15, 2020,  
17 so that she may enroll in a new school with a birth certificate that identifies her as female  
18 before in-person classes start on January 4, 2021. Jane Doe seeks a fresh start in a new  
19 learning environment where school staff and her peers are not aware that she is transgender.

20 7. Jane Doe has provided evidence, through declarations and exhibits attached  
21 to her Motion for Preliminary Injunction (Doc. 3-1 to 3-7), that she has been diagnosed with  
22 gender dysphoria and has undergone clinically appropriate treatment for the purpose of a  
23 gender transition.

24 8. Defendants take no position on whether Jane Doe has gender dysphoria, has  
25 undergone clinically appropriate treatment for the purpose of a gender transition, or has met  
26 the standards necessary to obtain an A.R.S. § 36-337(A)(4) order ordering Defendants to  
27 amend the sex/gender field on Jane Doe’s birth certificate.  
28

1           9.       Exhibit A attached to this stipulation is a proposed order to correct Jane Doe’s  
2 birth certificate pursuant to A.R.S. § 36-337(A)(4). Because Exhibit A contains  
3 information that would reveal Jane Doe’s identity, the Parties agree that there are thus  
4 compelling reasons for the Court to seal both Exhibit A and the resulting order that outweigh  
5 the public’s ordinary right of access to court records, and request that the Court file both  
6 Exhibit A and the order under seal. *See, e.g., Lombardi v. Tri West Healthcare Alliance*  
7 *Corp.*, No. 08-cv-02381, 2009 WL 1212170, at \*1 (D. Ariz. May 4, 2009) (granting motion  
8 to seal documents containing “sensitive personal and medical information”) (citing  
9 *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

10           10.       The Parties agree that, when the Court issues an order to correct Jane Doe’s  
11 birth certificate, Jane Doe’s Motion for Preliminary Injunction (Doc. 3) will be moot and  
12 there will be no need for the evidentiary hearing currently scheduled before the Court on  
13 December 3–4, 2020 (Doc. 20). The Parties therefore request that the Court vacate those  
14 hearing dates.

15           For all the foregoing reasons, Jane Doe respectfully requests that the Court seal  
16 Exhibit A to this Stipulation and enter a sealed order under A.R.S. § 36-337(A)(4) ordering  
17 Defendants to change the sex/gender field on her birth certificate from male to female.  
18 Defendants also request that the Court seal Exhibit A and enter a sealed order regarding the  
19 amendment of the sex/gender field on Jane Doe’s birth certificate, but take no position on  
20 Jane Doe’s request for an A.R.S. § 36-337(A)(4) order to amend her birth certificate. Both  
21 Parties request that the Court vacate the evidentiary hearing dates currently scheduled for  
22 December 3–4, 2020.

23  
24  
25 Dated: November 27, 2020

Respectfully submitted,

OSBORN MALEDON, P.A.

/s/Colin M. Proksel

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Colin Proksel (034133)

Payslie Bowman (035418)

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*Attorneys for Plaintiffs*

*The filer, Colin Proksel, attests that the other signatory listed, on whose behalf the filing is submitted, concurs in the filing's content and has authorized the filing.*

Dated: November 27, 2020

MARK BRNOVICH  
Attorney General  
Firm Bar No. 14000

/s/Patricia LaMagna (with permission)  
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*Attorneys for Defendants*

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

D.T., a minor, by and through his parent and next friend Lizette Trujillo; Jane Doe, a minor, by and through her parent and next friend Susan Doe; and Helen Roe, a minor, by and through her parent and next friend Megan Roe,

Plaintiffs,

v.

Dr. Cara M. Christ, in her official capacity as State Registrar of Vital Records and Director of the Arizona Department of Health Services; Thomas Salow, in his official capacity as Branch Chief of the Division of Public Health Licensing Services at the Arizona Department of Health Services; and Krystal Colburn, in her official capacity as Bureau Chief and Assistant State Registrar of the Bureau of Vital Records at the Arizona Department of Health Services,

Defendants.

Case No. 4:20-cv-484-JAS

**PROPOSED ORDER SEALING  
DOCUMENTS RELATED TO THE  
STIPULATED NOTICE OF THE PARTIES’  
AGREEMENT CONCERNING JANE  
DOE’S MOTION FOR PRELIMINARY  
INJUNCTION**

Having considered the Stipulated Notice Concerning Jane Doe’s Motion for Preliminary Injunction (“Stipulation”) (Doc. 39),

**IT IS HEREBY ORDERED:**

- 1. Exhibit A to the Stipulation (Doc. 39-1), which has been lodged with the Court, shall be sealed in its entirety.

1           2.       The Order to Amend Jane Doe’s Birth Certificate issued by this Court shall  
2 be sealed in its entirety.

3           3.       The Clerk’s Office shall file this Order to Seal and secure the lodged versions  
4 of the foregoing documents from public access.

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6           **IT IS SO ORDERED.**  
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