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

DARCY CORBITT, et al,

Plaintiff,

Vs.

CASE NO.: 2:18cv91-MHT

HAL TAYLOR, et al.,

Defendants.

\* \* \* \* \*

TELEPHONE CONFERENCE

\* \* \* \* \*

BEFORE THE HONORABLE MYRON H. THOMPSON, UNITED STATES  
DISTRICT JUDGE, at Montgomery, Alabama, on Thursday, March 29,  
2018, commencing at 2:50 p.m.

APPEARANCES

FOR THE PLAINTIFFS:

Mr. Garbriel Arkles  
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TRANSGENDER LEGAL DEFENSE  
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APPEARANCES, Continued:

FOR THE PLAINTIFFS: Mr. Brock Boone  
Attorney at Law  
SOUTHERN POVERTY LAW CENTER  
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Ms. Rose Saxe  
Attorney at Law  
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FOR THE DEFENDANTS: Mr. Brad A. Chynoweth  
Attorney at Law  
OFFICE OF THE ATTORNEY GENERAL  
501 Washington Avenue  
Montgomery, Alabama 36104

Mr. Michael W. Robinson  
Attorney at Law  
ALABAMA LAW ENFORCEMENT AGENCY  
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Proceedings recorded by digital sound recording;  
transcript produced by stenography and computer.  
(The following proceedings were heard before the Honorable  
Myron H. Thompson, United States District Judge, at  
Montgomery, Alabama, on Thursday, March 29, 2018,  
commencing at 2:50 p.m.):

THE COURT: ...Corbitt versus Taylor, civil action  
number 18cv91. I'm going to call the roll because this is being  
recorded.

I have -- is that Mr. Arkles, Gabriel Arkles?

MR. ARKLES: Yes.

1 THE COURT: Ms. Saxe? I'm not sure how you pronounce  
2 that name.

3 MS. SAXE: It's Saxe. Thank you.

4 THE COURT: Saxe. Okay. Mr. Marshall?

5 MR. MARSHALL: Yes, Your Honor.

6 THE COURT: Mr. Boone?

7 MR. BOONE: Yes, Your Honor.

8 THE COURT: Mr. Robinson?

9 MR. ROBINSON: Yes, Your Honor.

10 THE COURT: And Mr. Chynoweth?

11 MR. CHYNOWETH: Here, Your Honor.

12 THE COURT: How do you pronounce your last name? Is  
13 that right? Is it --

14 MR. CHYNOWETH: Chynoweth.

15 THE COURT: Chynoweth. Okay. Very good.

16 I have the motion for extension of time to answer, and  
17 I just wanted to know where the parties were with regard to  
18 getting this case moving and so forth. Who will speak for the  
19 plaintiffs?

20 MR. ARKLES: Your Honor, this is Gabriel Arkles. I  
21 haven't yet entered my notice of appearance in this case. I'm  
22 awaiting my swearing-in ceremony in the Southern District of New  
23 York and then would move for pro hac vice. With your  
24 permission, I'd like to speak for plaintiffs.

25 THE COURT: Go ahead.

1 MR. ARKLES: Thank you.

2 Your Honor, the state reached out to us about the  
3 possibility of reaching some fact stipulations that could reduce  
4 or possibly even eliminate the need for discovery. We have  
5 engaged in dialogue with them about that and consented to the  
6 extensions while we have discussed.

7 We've been candid with counsel for the state that we  
8 think it's unlikely that we could actually proceed without any  
9 discovery, but we do think it's possible to at least arrive at  
10 some stipulations that could limit the scope of discovery and  
11 save us all some time.

12 We had sent them a proposal of some proposed fact  
13 stipulations around 10 days ago in which we also asked for some  
14 additional information, depending on which we might need to make  
15 some further proposals, and we are waiting to hear back from  
16 them.

17 THE COURT: Okay. Who will speak for the defendants?

18 MR. CHYNOWETH: This is Brad Chynoweth, Your Honor.

19 Yes. When we first met, we presented plaintiffs'  
20 counsel with our initial list of proposed facts, and we have  
21 received their response, and we've looked at what they did. And  
22 without going into details -- I don't want to ambush anyone on  
23 the telephone conference here -- we agree that at this point it  
24 is probably unlikely that we will be able to stipulate to what  
25 the parties would agree are all relevant and material facts, but

1 I do agree that there is a lot that we can agree to and we think  
2 that this will narrow the scope of discovery. I don't -- there  
3 will be many things we can stipulate to, but we think that  
4 conducting discovery will still be necessary in this case.

5 THE COURT: Who --

6 MR. CHYNOWETH: But defendants have asked for --

7 THE COURT: Go ahead.

8 MR. CHYNOWETH: Yes.

9 THE COURT: Go ahead.

10 MR. CHYNOWETH: The defendants had asked for an  
11 extension of time to answer until April 3rd, and so --

12 THE COURT: Now, is that adequate, or will you be  
13 asking again?

14 MR. CHYNOWETH: That will be adequate.

15 THE COURT: Okay. So April 3rd, I can expect some type  
16 of response to the complaint?

17 MR. CHYNOWETH: Correct, Your Honor.

18 THE COURT: Okay. Any possibility of resolving this  
19 litigation?

20 MR. CHYNOWETH: Well, we had discussions to that  
21 effect, Your Honor, and we are not -- the answer is no. We're  
22 going to stand by our policy. We think it is constitutional and  
23 important to the state.

24 THE COURT: Okay. So mediation would not help before a  
25 magistrate judge, let's say.

1 Who is the magistrate judge on this case? Let's see.  
2 Who is it? Judge Borden.

3 Mediation before Judge Borden would not be helpful,  
4 then, huh?

5 MR. ARKLES: Your Honor, at this stage, given the  
6 state's position, it doesn't seem like it would, but, of course,  
7 we're open for further discussion.

8 THE COURT: Very good, then. That's up to you-all.  
9 That's voluntary. We do not have compulsory mediation here.

10 Very good. Well, then, I will give defendants until  
11 April 3rd to file a response to the complaint.

12 Thank you all very much. Have a good day. Good-bye.

13 (Proceedings concluded at 2:55 p.m.)

14 \* \* \* \* \*

15 COURT REPORTER'S CERTIFICATE

16 I certify that the foregoing is a correct transcript  
17 to the best of my ability from the official sound recording of  
18 the proceedings in the above-entitled matter.

19 This 19th day of March, 2021.

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/s/ Patricia G. Starkie  
Registered Diplomate Reporter  
Certified Realtime Reporter  
Official Court Reporter