

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

B.P.J., by her next friend and mother, HEATHER JACKSON,

Plaintiff,

v.

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as State Superintendent, DORA STUTLER in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

Defendants,

and

LAINY ARMISTEAD,

Defendant-Intervenor.

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin

PLAINTIFF'S RESPONSE TO DEFENDANTS HARRISON COUNTY BOARD OF EDUCATION AND DORA STUTLER'S NOTICE OF SUPPLEMENTAL AUTHORITY (DKT. NO. 480)

Plaintiff B.P.J., a minor, by and through her next friend and mother, Heather Jackson, respectfully submits this response to Defendants Harrison County Board of Education and Dora Stutler's (the "County") Notice of Supplemental Authority regarding *Tennessee v. United States Department of Education*, No. 21-CV-308, 2022 WL 2791450 (E.D. Tenn. July 15, 2022). As B.P.J. explained in her response to the State of West Virginia's notice of supplemental authority regarding the same case, this case does not help Defendants, and B.P.J.'s motion for summary

judgment should be granted. (See Dkt. No. 478.) The County makes no new or persuasive argument regarding this case.

Dated: August 10, 2022

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Respectfully Submitted,
/s/ Loree Stark

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CERTIFICATE OF SERVICE

I, Loree Stark, do hereby certify that on this 10th day of August, 2022, I electronically filed a true and exact copy of the ***Plaintiff's Response to Harrison County Board of Education and Dora Stutler's Notice of Supplemental Authority*** with the Clerk of Court and all parties using the CM/ECF System.

/s/ Loree Stark
Loree Stark
West Virginia Bar No. 12936