

21-1365

Selina Soule et al. v. Connecticut Association of Schools et al.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

ORDER

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 21st day of February, two thousand twenty-three.

Selina Soule, a minor, by Bianca Stanescu, her mother; Chelsea Mitchell, a minor, by Christina Mitchell, her mother; Alanna Smith, a minor, by Cheryl Radachowsky, her mother; Ashley Nicoletti, a minor, by Jennifer Nicoletti, her mother,

Plaintiffs-Appellants,

v.

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Connecticut Association of Schools, Inc. d/b/a Connecticut Interscholastic Athletic Conference; Bloomfield Public Schools Board of Education; Cromwell Public Schools Board of Education; Glastonbury Public Schools Board of Education; Canton Public Schools Board of Education; Danbury Public Schools Board of Education,

Defendants-Appellees,

and

Andraya Yearwood; Thania Edwards, on behalf of her daughter, T.M.; Commission on Human Rights and Opportunities,

Intervenor-Defendants-Appellees.

Pursuant to the Order filed on February 13, 2023, appellants' brief and appendix shall be filed by March 23, 2023. Appellees' brief and appendix shall be filed by April 24, 2023. Appellants' reply brief shall be filed by May 4, 2023.

The parties are instructed to brief the following issues:

1. Whether Plaintiffs-Appellants have alleged an injury-in-fact resulting from Defendants-Appellees' "Transgender Participation" policy.
2. Whether Plaintiffs-Appellants have alleged an injury-in-fact redressable by ordering the alteration of athletic records.
3. Whether Plaintiffs-Appellants are barred by the *Pennhurst* doctrine from seeking monetary damages in relation to their claim brought pursuant to Title IX of the Education Amendments Act of 1972.

We invite *amicus curiae* briefs from interested parties. Any *amicus curiae* must file its brief no later than 7 days after the principal brief of the party being supported is filed. An *amicus curiae* that does not support either party must file its brief no later than 7 days after the appellant's principal brief is filed.

Oral argument will be held on June 6, 2023 at 2:00 PM the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk


Catherine O'Hagan Wolfe

The seal of the United States Court of Appeals for the Second Circuit is circular. It features the text "UNITED STATES" at the top, "SECOND CIRCUIT" in the center, and "COURT OF APPEALS" at the bottom. There are small stars on either side of the central text.