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**UNITED STATES DISTRICT COURT**

**DISTRICT OF ARIZONA**

**Jane Doe, by her next friends and parents  
Helen Doe and James Doe; and Megan Roe,  
by her next friends and parents, Kate Roe  
and Robert Roe,**

**Plaintiffs,**

**v.**

**Thomas C. Horne, in his official capacity as  
State Superintendent of Public Instruction;  
Laura Toenjes, in her official capacity as  
Superintendent of the Kyrene School  
District; Kyrene school District; the Gregory  
School; and Arizona Interscholastic  
Association, Inc.,**

**Defendants.**

**Case No. 4:23-cv-00185-JGZ**

**SUPPLEMENT TO DEFENDANT  
HORNE'S RESPONSE TO PLAINTIFFS'  
MOTION FOR A PRELIMINARY  
INJUNCTION**

1 The day following the filing of Defendant Thomas C. Horne’s Response to Plaintiffs’  
2 Motion for a Preliminary Injunction (the “Response”), a relevant news article was published.  
3 Defendant Horne therefore supplements his Response with the attached news article. Ex. A (Greg  
4 Norman, Alexandria Hoff, *Republicans demand answers from NIH director after 2 involved in*  
5 *transgender youth study ‘died by suicide’*, foxnews.com (May 19, 2023)  
6 [https://www.foxnews.com/politics/republicans-demand-answers-nih-director-2-involved-](https://www.foxnews.com/politics/republicans-demand-answers-nih-director-2-involved-transgender-youth-study-died-suicide)  
7 [transgender-youth-study-died-suicide](https://www.foxnews.com/politics/republicans-demand-answers-nih-director-2-involved-transgender-youth-study-died-suicide)). The article addresses a study funded by the National  
8 Institutes of Health titled “Psychosocial Functioning in Transgender Youth after 2 Years of  
9 Hormones.” During the study, two of the young participants died by suicide and eleven reported  
10 suicidal ideation. The article therefore timely raises the issue of the safety—or lack of safety—in  
11 placing adolescents on cross-sex hormones in the process of transitioning to a transgender status  
12 which should be considered at any preliminary injunction hearing as evidence.

13 **RESPECTFULLY SUBMITTED** on May 19, 2023.

14 **WILENCHIK & BARTNESS, P.C.**

15 /s/ Dennis I. Wilenchik

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CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2023, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the CM/ECF registrants.

*By: /s/ Hilary Myers* \_\_\_\_\_



# EXHIBIT A



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# Republicans demand answers from NIH director after 2 involved in transgender youth study ‘died by suicide’

## Five senators, 10 House representatives write letter to Dr. Lawrence Tabak

More than a dozen [House and Senate Republicans](#) have penned a letter to the director of the National Institutes of Health demanding answers over a study it funded titled "Psychosocial Functioning in Transgender Youth after 2 Years of Hormones," during which "two young people tragically died by suicide."

The message to Dr. Lawrence Tabak, co-signed by Senators Marco Rubio and Rand Paul and Reps. Josh Breechen, Lauren Boebert and Andy Biggs, among others, highlights "grave concerns" from the lawmakers over the study in which researchers examined 315 subjects "between the ages of 12 and 20 who identify as transgender and were given cross-sex hormones," 240 of whom were minors.

"During this study, two young people died by suicide and eleven reported suicidal ideation," the letter read. "Rather than shutting the study down after such serious adverse events, the researchers published their paper, concluding that the study was a success because cross-sex hormones had altered subjects' physical appearance and improved psychosocial functioning."

The researchers have been "in search of an agenda and justifying an agenda, they're not really about children's safety as we've seen from the suicides," North Carolina Republican Sen. Ted Budd, who co-led the GOP letter, told Fox News. He described the study as "absolutely tragic."

A summary published by the New England Journal of Medicine read, "Participants were enrolled in a four-site prospective, observational study of physical and psychosocial outcomes. "

**[SPORTS ILLUSTRATED FACES BACKLASH FOR NAMING TRANSGENDER FEMALE POP STAR KIM PETRAS AS SWIMSUIT COVER MODEL](#)**



"Participants completed the Transgender Congruence Scale, the Beck Depression Inventory–II, the Revised Children’s Manifest Anxiety Scale (Second Edition), and the Positive Affect and Life Satisfaction measures from the NIH ([National Institutes of Health](#)) Toolbox Emotion Battery at baseline and at 6, 12, 18, and 24 months after gender-affirming hormones initiation," it said.

"During the study period, appearance congruence, positive affect, and life satisfaction increased, and depression and anxiety symptoms decreased," the summary concluded. "Increases in appearance congruence were associated with concurrent increases in positive affect and life satisfaction and decreases in depression and anxiety symptoms. The most common adverse event was suicidal ideation (in 11 participants [3.5%]); death by suicide occurred in 2 participants."

### **WYOMING SORORITY SISTERS SPEAK OUT AFTER LAWSUIT LAUNCHED OVER TRANSGENDER MEMBER**



But, the Republicans argued that "the four clinics and some of the researchers who conducted this experiment are outspoken advocates for conducting gender transition interventions on children."

"In a video it later removed from its YouTube channel, Boston Children's Hospital, one of the clinics involved, went as far as to claim that children can know their gender identity 'from the womb,'" the letter read.



"Despite glaring shortfalls, this [government-funded research](#) is already being used to further the fallacy that chemically transitioning children is safe and effective," the Republicans also argued, adding, "It is alarming that vulnerable young people died by suicide while participating in a taxpayer-funded study that will almost certainly inflict devastating physical harm on those who participated."

**[CLICK HERE TO GET THE FOX NEWS APP](#)**

The letter asked Tabak, by June 9, to provide responses to questions such as, "Were the individuals who tragically died by suicide while participating in this study minors?" and "Were participants and their parents given the opportunity to reconsider their consent and withdraw from this research in light of the suicides?"

The Food and Drug Administration told Fox News, when asked if the agency is seeking to expand clinical trials involving children: "Increasing the availability of safe and effective medicines for children is a key priority for the FDA. The best way to provide children with safe and effective treatment options is by including them in clinical research and providing additional safeguards to protect them during clinical trials."