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11 **UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF ARIZONA**
13 **TUCSON DIVISION**

14 Jane Doe, by her next friend and parents
15 Helen Doe and James Doe; and Megan Roe,
16 by her next friend and parents, Kate Roe and
17 Robert Roe,

18 Plaintiffs,

19 v.

20 Thomas C. Horne in his official capacity as
21 State Superintendent of Public Instruction;
22 Laura Toenjes, in her official capacity as
23 Superintendent of the Kyrene School
24 District; Kyrene School District; The
25 Gregory School; and Arizona Interscholastic
26 Association Inc.,

27 Defendants.

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

**PLAINTIFFS' UNOPPOSED MOTION FOR
LEAVE TO FILE CERTAIN EXHIBITS
UNDER SEAL**

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1 Plaintiffs respectfully move this Court unopposed for leave to file Exhibits 11–16
2 to their Exhibit List under seal, in accordance with the Local Rules of Civil Procedure for
3 the District of Arizona. *See* LRCiv 5.6(b). Exhibits 11 and 12 are photographs of
4 Plaintiffs Jane Doe and Megan Roe and their families. Exhibit 13 is a copy of an order
5 from the Superior Court of the State of Arizona in Maricopa County granting Plaintiff
6 Jane Doe’s legal name change in accordance with her gender identity. Exhibit 14 is a
7 copy of an order from the Superior Court of the State of Arizona in Pima County granting
8 Plaintiff Megan Roe’s legal name and gender marker change in accordance with her
9 gender identity. Exhibits 15 and 16 are copies of Plaintiffs’ passports reflecting their
10 female gender.

11 Plaintiffs Jane Doe and Megan Roe are transgender minors proceeding in this case
12 under pseudonym by their respective parents and next friends, Helen Doe, James Doe,
13 Kate Roe, and Robert Roe, also proceeding under pseudonym. As Plaintiffs detailed in
14 their Motion to Proceed via Pseudonym (Dkt. 2), Jane and Megan wish to maintain
15 agency over who knows that they are transgender and avoid any harassment against them
16 or their families that could arise if their participation in this case was made public. The
17 public disclosure of their photographs and photographs of their families, court orders
18 which contain Plaintiffs’ and their parents’ full names and personal identifying
19 information, or passports which contain personal identifying information, will only
20 exacerbate the risk of such harassment, as well as the emotional distress that Jane and
21 Megan already face. (Dkt. 6, J. Doe Decl. ¶¶ 12–13; Dkt. 8, M. Roe Decl. ¶¶ 10–11; Dkt.
22 7, H. Doe Decl. ¶ 17; Dkt. 9, K. Roe Decl. ¶ 12.)

23 On May 23, 2023, this Court granted Plaintiffs’ Motion to Proceed via Pseudonym
24 in this action, finding that “Plaintiffs reasonably fear severe harm in the form of lost
25 privacy, discrimination, and harassment if their names and gender identities are publicly
26 disclosed because they and their families are likely to face greater threats of retaliation
27 than the typical plaintiffs in civil litigation,” and that “the need for anonymity outweighs
28 any prejudice to Defendants and is in the public interest.” (Dkt. 44 at 1–2.) The public

1 disclosure of Plaintiffs’ and their families’ photographs, court orders which disclose
2 Plaintiffs’ names and gender identities, or Plaintiffs’ passports would be contrary to the
3 protection of these interests.

4 In accordance with LRCiv 5.6(b), a proposed order granting the motion is attached
5 hereto. Additionally, and consistent with this District’s Local Rules, these Exhibits will
6 be lodged with the Court in electronic form. *See* LRCiv 5.6(c).

7 WHEREFORE, Plaintiffs respectfully request that the Court enter an order
8 granting Plaintiffs leave to file Exhibits 11–16 to Plaintiffs’ Exhibit List under seal.

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10 Respectfully submitted this 29th day of June,
11 2023.

12 */s/ Colin M. Proksel*
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**Admitted pro hac vice.*

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**[PROPOSED] ORDER GRANTING
PLAINTIFFS' UNOPPOSED MOTION FOR
LEAVE TO FILE CERTAIN EXHIBITS
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