

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

L.W., *by and through her parents and next friends,*)
Samantha Williams and Brian Williams, et al.)
)
Plaintiffs,)
)
v.)
)
JONATHAN SKRMETTI, *in his official capacity*)
as the Tennessee Attorney General and Reporter, et)
al.,)
)
Defendants.)

No. 3:23-cv-00376
JUDGE RICHARDSON
JUDGE NEWBERN

DEFENDANTS' NOTICE OF FILING

Defendants Jonathan Skrmetti, in his official capacity as Tennessee Attorney General and Reporter, Tennessee Department of Health (“TDH”), Ralph Alvarado, in his official capacity as Commissioner of TDH, Tennessee Board of Medical Examiners (“BME”), Melanie Blake, in her official capacity as President of BME, Stephen Lloyd, in his official capacity as Vice President of BME, Randall E. Pearson, Phyllis E. Miller, Samantha McLerran, Keith G. Anderson, Deborah Christiansen, John W. Hale, John J. McGraw, Robert Ellis, James Diaz-Barriga, and Jennifer Claxton, all in their official capacities as members of BME, and Logan Grant, in his official capacity as Executive Director of the Tennessee Health Facilities Commission (collectively “Defendants”) file the attached documents in support of their Response in Opposition to Plaintiffs’ Motion for Preliminary Injunction:

Exhibit 1 Records regarding Vanderbilt University Medical Center

The exhibit is comprised of the following subparts:

- A. Kruesi, K., *Social media posts spark calls to investigate Tenn.'s VUMC*, Associate Press, September 21, 2022, <https://apnews.com/article/health-social-media-tennessee-nashville-730906b47882692645463fe9546a8695>;
- B. Brady, C., Cyperski, M., Romano, M., *PATH to Affirmative Medical Care for Transgender/Gender Diverse (TGD) Youth*, previously available at www.youtube.com/%20watch?v=HzLYai7QQ0A*1;
- C. Brady, C., Cyperski, M., Romano, M., *PATH to Affirmative Medical Care for Transgender/Gender Diverse (TGD) Youth*, presentation dated July 14, 2021, www.seaetc.com/wp-content/uploads/2021/07/20210714-PATH-to-Affirmative-Medical-Care-for-Transgender-gender-Diverse-TDG-Youth.pdf;
- D. Video of Shayne Sebold Taylor, M.D., Medicine Grand Rounds lecture, 2018, https://twitter.com/%20MattWalshBlog/status/1572313523232931840*;
- E. Video of Ellen W. Clayton, M.D., https://twitter.com/%20MattWalshBlog/status/1572313566589468672*;
- F. Taylor, Shayne S., *A Primer for Transgender Health*, Southeast/TN AIDS Education and Training Center, January 1, 2019, www.seaetc.com/wp-content/uploads/2019/01/A-Primer-for-Transgender-Health.pdf;
- G. Taylor, Shayne S., *Caring for the Transgender Patient: With little evidence; but a lot of love.*, https://slidespiel.com/view/gepy*;
- H. Declaration of Shayne Sebold Taylor, MD, filed in *Bongo Productions, LLC et al. v. Carter Lawrence et al.*, No. 3:21-cv-00490 [Doc. No. 7-3];
- I. Robbins Plastic Surgery, Before-and-After Photographs, obtained through digital archive www.wayback.archive.org;
- J. Declaration of C. Wright Pinson, MBA, MD
- K. Declaration of Cassandra C. Brady, MD; and
- L. VUMC letter to Honorable Representative Jason Zachary, October 7, 2020.

- Exhibit 2 Landén et al., *A systematic review of hormone treatment for children with gender dysphoria and recommendations for research*, *Acta Paediatrica*, 2023;00:1,12 (April 18, 2023).
- Exhibit 3 Expert Declaration of James Cantor, PhD with Curriculum Vitae
- Exhibit 4 Expert Declaration of Paul W. Hruz, M.D., PH.D with Curriculum Vitae
- Exhibit 5 Expert Declaration of Stephen B. Levine, M.D. with Curriculum Vitae
- Exhibit 6 Expert Declaration of Dr. Sven Román with Curriculum Vitae

¹ * Video exhibit filed in-person pursuant to Administrative Order No. 205 and provided to counsels of record via an online file sharing platform.

- Exhibit 7 Expert Declaration of Michael K. Laidlaw, MD. with Curriculum Vitae (FILED UNDER SEAL)
- Exhibit 8 Expert Declaration of Geeta Nangia, M.D. with Curriculum Vitae
- Exhibit 9 Coleman, E., Radix, A. E., Bouman, W. P., et al., *Standards of Care for the Health of Transgender and Gender Diverse People*, Version 8, International Journal of Transgender Health, 23:sup1, S1-S259, DOI: 10.1080/26895269.2022.2100644
- Exhibit 10 Hembree, W. C., et al., *Endocrine Treatment of Gender-Dysphoric / Gender-Incongruent Persons: An Endocrine Society* Clinical Practice Guideline*, J. Clin Endocrinol Metlab, November 2017, 102(11):3869-3903, DOI: 10.1210/c.2017-01658
- Exhibit 11 Declaration of Chloe Cole
- Exhibit 12 Declaration of Helena Kerschner
- Exhibit 13 Declaration of Prisha Mosley
- Exhibit 14 Declaration of Barbara F.
- Exhibit 15 Declaration of John Stiles
- Exhibit 16 Declaration of Kellie C.
- Exhibit 17 Declaration of Robert Roe
- Exhibit 18 Declaration of Yvonne Yoe
- Exhibit 19 Declaration of John Noakes
- Exhibit 20 Declaration of Jamie Reed

Dated: May 19, 2023

Respectfully submitted,

ADAM K. MORTARA (BPR# 40089)
Lawfair LLC
40 Burton Hills Blvd., Suite 200
Nashville, TN 37215
(773) 750-7154
mortara@lawfairllc.com

CAMERON T. NORRIS (BPR# 33467)
TIFFANY H. BATES (pro hac vice)
Consovoy McCarthy PLLC
1600 Wilson Blvd., Suite 700
Arlington, VA 22209
(703) 243-9423
cam@consovoymccarthy.com
tiffany@consovoymccarthy.com

Counsel for Defendants

/s/ Steven J. Griffin
STEVEN J. GRIFFIN (BPR# 40708)
Assistant Attorney General
CLARK L. HILDABRAND (BPR# 38199)
Deputy Chief of Staff & Senior Counsel
TRENTON MERIWETHER (BPR# 38577)
Assistant Attorney General
RYAN N. HENRY (BPR# 40028)
Assistant Attorney General
BROOKE A. HUPPENTHAL (BPR# 40276)
Assistant Attorney General
Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, Tennessee 37202
(615) 741-959
steven.griffin@ag.tn.gov
clark.hildabrand@ag.tn.gov
trenton.meriwether@ag.tn.gov
ryan.henry@ag.tn.gov
brooke.huppenthal@ag.tn.gov

CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2023, the undersigned filed the foregoing documents via this Court's electronic filing system or in person pursuant to Administrative Order No. 205. Notice of such filing has been sent to the following counsel of record:

COUNSEL OF RECORD	PARTY REPRESENTED
<p>Stella Yarbrough Lucas Cameron-Vaughn Jeff Preptit ACLU Foundation of Tennessee P.O. Box 120160 Nashville, TN 37212 Tel.: 615-320-7142 syarbrough@aclu-tn.org lucas@aclu-tn.org jpreptit@aclu-tn.org</p> <p>Joshua A. Block Chase Strangio American Civil Liberties Union Foundation 125 Broad Street, Floor 18 New York, NY 10004 Tel.: 212-549-2593 jblock@aclu.org cstrangio@aclu.org</p> <p>Sruti J. Swaminathan Lambda Legal Defense and Education Fund, Inc. 120 Wall Street, 19th Floor New York, NY 10005 Tel.: 212-809-8585 sswaminathan@lambdalegal.org</p> <p>Avatara A. Smith-Carrington Lambda Legal Defense and Education Fund, Inc. 1776 K Street N.W., 8th Floor Washington DC 20006 Tel.: 202-804-6245 asmithcarrington@lambdalegal.org</p> <p>Tara Borelli Lambda Legal Defense and Education Fund, Inc.</p>	<p>Plaintiffs L.W., Samantha Williams, Brian Williams, John Doe, Jane Doe, James Doe, Ryan Doe, Rebecca Doe, and Susan N. Lacy</p>

<p>1 West Court Square, Ste. 105 Decatur, GA 30030 Tel.: 404-897-1880 tborelli@lambdalegal.org</p> <p>Joseph L. Sorkin Dean L. Chapman, Jr. Kristen W. Chin Richard J. D'Amato Theodore James Salwen Akin Gump Strauss Hauer & Feld LLP One Bryant Park New York, NY 10036 Tel.: 212-872-1000 jsorkin@akingump.com dchapman@akingump.com kristen.chin@akingump.com rdamato@akingump.com jsalwen@akingump.com Elizabeth D. Scott Akin Gump Strauss Hauer & Feld LLP 2300 N. Field Street, Suite 1800 Dallas, TX 75201 Tel.: 214-969-2800 edscott@akingump.com</p> <p>Christopher J. Gessner David Bethea Akin Gump Strauss Hauer & Feld LLP Robert S. Strauss Tower 2001 K Street N.W. Washington, DC 20006 Tel.: 202-887-4000 cgessner@akingump.com dbethea@akingump.com</p>	
<p>Ellen B. McIntyre U.S. Attorney's Office for the Middle District of Tennessee 719 Church Street, Suite 300 Nashville, TN 37203 ellen.bowden2@usdoj.gov</p> <p>Rascoe S. Dean Assistant United States Attorney 719 Church Street, Suite 33 Nashville, TN 37203 (615) 736-5151</p>	<p>Proposed Intervenor-Plaintiff United States of America</p>

rascoe.dean@usdoj.gov

Alyssa C. Lareau
United States Department of Justice
Federal Coordination and Compliance Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 305-2994
Alyssa.Lareau@usdoj.gov

Coty Montag
United States Department of Justice
Federal Coordination and Compliance Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 305-2222
Coty.Montag@usdoj.gov

Gloria Yi
United States Department of Justice
Federal Coordination and Compliance Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 616-3975
Gloria.Yi@usdoj.gov

Tamica Daniel
United States Department of Justice
Housing and Civil Enforcement Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 598-9636
Tamica.Daniel@usdoj.gov

/s/ Steven Griffin
STEVEN J. GRIFFIN (BPR #40708)
Assistant Attorney General