



Via CM/ECF

Ms. Deborah S. Hunt
Clerk of Court
U.S. Court of Appeals for the Sixth Circuit
Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, OH 45202

Re: No. 23-5600, *L.W. et al. v. Skrmetti*

Dear Ms. Hunt:

Amicus Family Research Council's recent submission (Dkt. 110) regarding the American Academy of Pediatrics' decision to affirm their existing policy regarding treatment of transgender adolescents is an improper use of Federal Rule of Appellate Procedure 28(j) and should be disregarded.

The rules are clear that "[i]f pertinent and significant authorities come to a *party's* attention after the party's brief has been filed," then "*a party* may promptly advise the circuit clerk by letter." F.R.A.P. 28(j) (emphasis added). Amicus is not a party in the above-referenced actions, and the rule is therefore not properly invoked.

Even if the underlying document from the American Academy of Pediatrics were properly before the Court, it does not support Family Research Council's claims. To the contrary, the document is further evidence of the methodical approach taken by mainstream U.S. medical associations to study treatment for gender dysphoria and update guidance accordingly. The American Academy of Pediatrics' Board of Directors voted to affirm their existing 2018 policy regarding treatment of adolescents with gender dysphoria and announced that they would also conduct a systematic review to "reflect data and research on gender-affirming care since the original policy was released and offer updated guidance."¹

¹ Alyson Sulaski Wyckoff, AAP reaffirms gender-affirming care policy, authorizes systematic review of evidence to guide update, American Academy of Pediatrics (Aug. 4, 2023), <https://publications.aap.org/aapnews/news/25340/AAP-reaffirms-gender-affirming-care-policy?autologincheck=redirected>.



Sincerely,

/s/Joshua A. Block

Joshua A. Block

Counsel for Plaintiffs-Appellees