

**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;  
SAMANTHA WILLIAMS; BRIAN WILLIAMS;  
JOHN DOE, by and through his parents and next  
friends, Jane Doe and James Doe; JANE DOE;  
JAMES DOE; RYAN ROE, by and through his  
parent and next friend, Rebecca Roe; REBECCA  
ROE; and SUSAN N. LACY, on behalf of herself  
and her patients,

Plaintiffs,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

JONATHAN SKRMETTI, in his official capacity as  
the Tennessee Attorney General and Reporter;  
TENNESSEE DEPARTMENT OF HEALTH;  
RALPH ALVARADO, in his official capacity as the  
Commissioner of the Tennessee Department of  
Health; TENNESSEE BOARD OF MEDICAL  
EXAMINERS; MELANIE BLAKE, in her official  
capacity as the President of the Tennessee Board of  
Medical Examiners; STEPHEN LOYD, in his official  
capacity as Vice President of the Tennessee Board of  
Medical Examiners; 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, in their  
official capacities as members of the Tennessee  
Board of Medical Examiners; and LOGAN GRANT,  
in his official capacity as the Executive Director of  
the Tennessee Health Facilities Commission,

Defendants.

Case No.  
3:23-cv-00376

District Judge Richardson

Magistrate Judge Newbern

**PLAINTIFF-INTERVENOR UNITED STATES' MOTION FOR A PRELIMINARY  
INJUNCTION**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiff-Intervenor the United States of America (“United States”) hereby moves for a preliminary injunction to enjoin Defendants’ enforcement of Tennessee Senate Bill (“SB”) 1. Counsel for the United States reached out to the Tennessee Attorney General’s Office to notify them of this motion but were not able to reach counsel. The receptionist for the Attorney General’s office stated that the attorney handling this case, who has not yet entered an appearance, is traveling and unavailable to speak with counsel for the United States today. Private Plaintiffs have indicated they do not oppose the motion.

The ban on various forms of gender-affirming medical care for transgender minors contained in SB 1 discriminates on the basis of sex and transgender status in violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. The factual and legal bases for the United States’ motion are set forth in the accompanying Memorandum in Support of Plaintiff-Intervenor United States’ Motion for a Preliminary Injunction. The United States acknowledges that its Motion to Intervene is still pending and has not been ruled on by the Court.

In filing this motion, the United States does not seek to delay the case or the already-scheduled proceedings. The United States recognizes that SB 1 will go into effect on July 1, 2023 and that the *L.W.* Plaintiffs filed a motion for a preliminary injunction. The United States’ complaint in intervention and this motion do not raise any new claims.

Dated: April 26, 2023

HENRY C. LEVENTIS  
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Middle District of Tennessee

s/Ellen Bowden McIntyre  
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Respectfully submitted,

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Chief  
Federal Coordination and  
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*Attorneys for Plaintiff-Intervenor United  
States of America*

*\*Pro hac vice motions pending*

**CERTIFICATE OF SERVICE**

I certify that on April 26, 2023, a true and correct copy of the foregoing was served via the Court's CM/ECF system, if registered. A service copy also was served via both certified mail and personal service on the parties listed below.

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<p>Sruti J. Swaminathan, Esq.  Lambda Legal Defense and Education Fund, Inc.  120 Wall Street, 19<sup>th</sup> Floor  New York, NY 10005  Email: sswaminathan@lamblegal.org</p>	<p>Jonathan Skrmetti, in his official capacity as the  Tennessee Attorney General and Reporter  General Reporter Attorney and Reporter  Office of the Tennessee Attorney General  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i>  Office of the Tennessee Attorney General  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>
<p>Tennessee Department of Health  c/o General Reporter Attorney and Reporter  Office of the Tennessee Attorney General  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i>  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>	<p>Ralph Alvarado, in his capacity as the  Commissioner of the Tennessee Department of  Health  c/o General Reporter Attorney and Reporter  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i>  Office of the Tennessee Attorney General  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>
<p>Tennessee Board of Medical Examiners  c/o General Reporter Attorney and Reporter  Office of the Tennessee Attorney General  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i>  Office of the Tennessee Attorney General  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>	<p>Melanie Blake, in her official capacity as the  President of the Tennessee Board of Medical  Examiners  c/o General Reporter Attorney and Reporter  Office of the Tennessee Attorney General  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i>  Office of the Tennessee Attorney General  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>
<p>Stephen Loyd, in his capacity as Vice President  of the Tennessee Board of Medical Examiners  c/o General Reporter Attorney and Reporter  Office of the Tennessee Attorney General  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i></p>	<p>Phyllis E. Miller, Samantha McLerran,  Deborah Christiansen, John W. Hale, Robert  Ellis, James Diaz-Barriga, and Jennifer  Claxton, in their official capacities as members  of the Tennessee Board of Medical Examiners</p>

<p>Office of the Tennessee Attorney General  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>	<p>c/o General Reporter Attorney and Reporter  Office of the Tennessee Attorney General  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i>  Office of the Tennessee Attorney General  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>
<p>Logan Grant, in his official capacity as the  Executive Director of the Tennessee Health  Facilities Commission  c/o General Reporter Attorney and Reporter  Office of the Tennessee Attorney General  P.O. Box 20207  Nashville, TN 37202-0207  <i>and</i>  Office of the Tennessee Attorney General  John Sevier Building, 4<sup>th</sup> Floor  500 Dr. Martin L. King, Jr. Blvd.,  Nashville, TN 37243</p>	

*s/Ellen Bowden McIntyre* \_\_\_\_\_  
Ellen Bowden McIntyre  
Assistant United States Attorney

**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;  
SAMANTHA WILLIAMS; BRIAN WILLIAMS;  
JOHN DOE, by and through his parents and next  
friends, Jane Doe and James Doe; JANE DOE;  
JAMES DOE; RYAN ROE, by and through his  
parent and next friend, Rebecca Roe; REBECCA  
ROE; and SUSAN N. LACY, on behalf of herself  
and her patients,

Plaintiffs,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

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JONATHAN SKRMETTI, in his official capacity as  
the Tennessee Attorney General and Reporter;  
TENNESSEE DEPARTMENT OF HEALTH;  
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Commissioner of the Tennessee Department of  
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in his official capacity as the Executive Director of  
the Tennessee Health Facilities Commission,

Defendants.

Case No.  
3:23-cv-00376

District Judge Richardson

Magistrate Judge Newbern

**[PROPOSED] ORDER AND PRELIMINARY INJUNCTION**

Upon consideration of the United States’ Motion for Preliminary Injunction (“Motion”), the memorandum in support of the Motion, and the parties’ respective submissions in support thereof and in opposition thereto, the Court finds as follows:

1. This Court has jurisdiction over the subject matter of this case, there is good cause to believe it will have jurisdiction over all the parties, and venue in this district is proper.
2. A preliminary injunction is necessary to preserve the status quo and prevent irreparable harm to the United States from the effects of Tennessee Senate Bill 1 (“SB 1”) (2023). The United States is likely to prevail on its claim that SB 1 violates the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. SB 1 threatens irreparable injury to the United States and to the individuals whom the United States is charged to protect. The balance of equities favor the United States and outweigh any potential harm that enjoining enforcement of SB 1 might inflict on Defendants. The public interest will also be advanced by enjoining the enforcement of SB 1.

Accordingly, IT IS HEREBY ORDERED that, pursuant to Federal Rule of Civil Procedure 65, the United States’ Motion for a Preliminary Injunction is GRANTED.

IT IS FURTHER ORDERED that enforcement proceedings pursuant to SB 1 are preliminarily enjoined until further order of this Court.

IT IS FURTHER ORDERED that the Defendants, including their officers, employees, and agents, as well as those persons in active concert or participation with them, are enjoined from enforcing SB 1 or maintaining any civil proceeding pursuant to SB 1.

IT IS SO ORDERED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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**HONORABLE ELI RICHARDSON**  
UNITED STATES DISTRICT JUDGE