

United States District Court

CIVIL MINUTES - TRIAL

Case No.: 4:23cv114-RH

Date: December 13-14 and 21, 2023

JANE DOE et al. v. JOSEPH A. LADAPO et al.

PROCEEDINGS: Bench Trial. Ruling by Court: The Court's ruling will be made in an order to follow.

PRESENT: ROBERT L. HINKLE, U.S. DISTRICT JUDGE

Cindy Markley
Deputy Clerk

Megan Hague
Official Court Reporter

Attorneys for Plaintiffs:
Thomas Redburn
Ami Patel
Maya Ginsburg
Christopher Stoll
Christopher Erchul
Chelsea Dunn
Simone Chriss
Jennifer Levi
Cynthia Weaver
Josh Nelson

Attorneys for Defendants:
Mohammad Jazil
Gary Perko
William Stafford
Emily Witthoef
Michael Beato

- Case called and continued to _____.
- COURT TRIAL
- JURY TRIAL. Jury impaneled and sworn in. See separate minutes for jury selection.
- Jury retires to deliberate at _____ on _____.
- Jury returns at _____ on _____.
- JURY VERDICT. See signed verdict.
 - Jury polled
 - Polling waived
 - Mistrial declared
- FINDINGS BY COURT: Order to follow.
- JUDGMENT BY COURT for Plaintiff Defendant for \$_____
- Findings, Conclusion of Law, Judgment to be prepared by Plaintiff Defendant
- Briefs to be filed Plaintiff Defendant Reply
- Continued to _____ for setting trial further trial

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

CIVIL MINUTES

JUDGE ROBERT L. HINKLE
Cindy Markley, Courtroom Deputy
Megan Hague, Court Reporter

Case: 4:23cv114-RH
Legend: Plaintiff Counsel: Thomas Redburn
Ami Patel
Maya Ginsburg
Christopher Stoll
Christopher Erchull
Chelsea Dunn
Simone Chriss
Jennifer Levi
Cynthia Weaver
Josh Nelson
Defense Counsel: Mohammad Jazil
Gary Perko
Emily Witthoeft
William Stafford

Bench Trial – Day 1

DATE: December 13, 2023

9:00 Court in session
Court accepts stipulations regarding exhibits and those exhibits are admitted in accordance with the stipulations.
9:01 Opening statement by Plaintiff (Redburn)
9:34 Opening statement by Defense (Jazil)
9:42 Plaintiff Witness:
Jane Doe – sworn, direct (Patel)
10:13 Cross examination (Jazil)
Plaintiff Exhibit 80 – previously admitted
10:25 Redirect (Patel)
Plaintiff Exhibit 80 – previously admitted
10:28 Court in recess

10:45 Court in session
Plaintiff Witness:
Gloria Goe – sworn, direct (Erchull)
11:08 Cross examination (Jazil)
Plaintiff Exhibit 81 – previously admitted
11:17 Redirect (Erchull)
Plaintiff Exhibit 81 – previously admitted
11:19 Plaintiff Witness:
Lucien Hamel – sworn, direct (Ginsburg)

11:53 Cross examination (Jazil)
Plaintiff Exhibit 82 – previously admitted.

12:03 Court inquires of witness

12:06 Redirect (Ginsburg)

12:07 Re-cross examination (Jazil)

12:08 Court addresses Plaintiff Exhibits 80-86 sealed documents and other housekeeping matters

12:11 Court in recess

1:11 Court in session
Plaintiff Witness:
Aron Janssen – sworn, direct (Dunn)
Plaintiff Exhibit 2A – previously admitted.
Plaintiff Demonstratives 24, 1 through 4, 10, 11, 5, 7, 8 published

1:57 Court in recess

1:59 Court in session
Continued direct (Dunn)
Plaintiff Demonstrative 9 published

2:04 Cross examination (Perko)
Dekker Defense Exhibit 24 – previously admitted

2:12 Redirect (Dunn)

2:12 Court inquires of witness

2:29 Additional cross examination (Perko)

2:29 Plaintiff Witness:
Daniel Shumer – sworn, direct (Stoll)
Plaintiff Exhibit 5A – previously admitted
Defense Exhibit 4 – previously admitted
Plaintiff Demonstratives 13, 6, 14 through 22 published

3:04 Cross examination (Jazil)

3:27 Redirect (Stoll)

3:28 Court inquires of witness

3:32 Court instructs plaintiffs to file demonstratives on the docket

3:33 Court in recess

3:46 Court in session
Plaintiff statement to the Court regarding schedule (Redburn)

3:48 Defense moves to begin trial next week on Thursday instead of Wednesday (Jazil)
Ruling by Court: The issue is taken under advisement and will be addressed later.

3:49 Plaintiff Witness:
Dan Karasic – sworn, direct (Levi)
Plaintiff Exhibit 4A – previously admitted
Plaintiff Demonstratives 1, 10, 11, 12, 23 published

4:15 Court in recess

Bench Trial – Day 2

DATE: December 14, 2023

9:00 Court in session
Cross examination (Stafford)
Dekker Plaintiff Exhibit 33 – previously admitted

9:55 Redirect (Levi)
Dekker Defense Exhibit 16 – previously admitted

10:01 Court in recess

10:15 Court in session
Plaintiff Witness:
Loren Slone Schecter – sworn, direct (Levi)
Plaintiff Exhibit 6A – previously admitted
Defense Exhibit 5 – previously admitted

10:36 Cross examination (Jazil)
Defense Exhibit 5 – previously admitted

10:53 Plaintiff Witness:
Kenneth Goodman – sworn, direct (Weaver)
Plaintiff Exhibit 8A – previously admitted
Defense Exhibit 7 – previously admitted

11:22 Cross examination (Perko)

11:25 Plaintiff Witness:
Vernon Matthew Langford – sworn, direct (Dunn)
Plaintiff Exhibit 7A – previously admitted
Plaintiff Exhibit 109 – previously admitted
Plaintiff Exhibit 108 – previously admitted

12:14 Cross examination (Jazil)

12:28 Redirect (Dunn)

12:30 Court inquires of witness

12:33 Court in recess

1:35 Court in session
Plaintiff Witness:
Brittany Bruggeman – sworn, direct (Chriss)
Plaintiff Exhibit 3A – previously admitted
Plaintiff Demonstratives 1, 8, 7, 15, 13 published

2:47 Cross examination (Perko)
Dekker Defense Exhibit 24 – previously admitted
Dekker Defense Exhibit 16 – previously admitted

2:58 Redirect (Chriss)

2:59 Court inquires of witness

3:08 Plaintiff moves to file under seal the real names of plaintiffs (Redburn)
Ruling by Court: Those can be filed under seal.

3:10 Plaintiffs rest
Ruling by Court: Trial will continue on Thursday, December 21.

3:16 Court in recess

Bench Trial – Day 3

DATE: December 21, 2023

9:00 Court in session
Defense Witness:
Paul Vazquez – sworn, direct (Beato)
Plaintiff Exhibit 66 – previously admitted
Plaintiff Exhibit 75 – previously admitted
Defense Exhibit 13 – marked, ID'd, admitted

Defense Exhibit 14 – marked, ID'd, admitted

9:37 Cross examination (Redburn)
Plaintiff Exhibit 24 – previously admitted
Plaintiff Exhibit 42 – previously admitted
Plaintiff Exhibit 90 – previously admitted
Plaintiff Exhibit 89 – previously admitted
Plaintiff Exhibit 75 – previously admitted
Plaintiff Exhibit 51 – previously admitted

9:56 Redirect (Beato)
Plaintiff Exhibit 24 – previously admitted

9:59 Court inquires of witness

10:12 Additional redirect (Beato)
Plaintiff Exhibit 58 – previously admitted

10:15 Additional cross examination (Redburn)
Plaintiff Exhibit 58 – previously admitted

10:19 Court directs the parties to file deposition designation of Dr. Mortensen electronically

10:20 Court in recess

10:36 Court in session
Defense Witness:
Monica Mortensen – sworn, direct (Jazil)
Defense Exhibits 2 through 7 – previously admitted
Defense Exhibit 14 – previously admitted
Plaintiff Demonstratives 1 through 9, 14 through 20, and 22 published

11:17 Cross examination (Chriss)
Plaintiff Exhibit 47 – marked, ID'd, admitted
Plaintiff Exhibit 70 – previously admitted

11:49 Redirect (Jazil)
Plaintiff Exhibit 47 – previously admitted

11:58 Court inquires of witness

12:02 Additional redirect (Jazil)

12:04 Additional cross examination (Chriss)

12:05 Court in recess

1:07 Court in session
Defense Witness:
Stephen Barrett Levine – sworn, direct (Jazil)

2:14 Cross examination (Redburn)

2:52 Redirect (Jazil)

3:02 Court inquires of witness

3:14 Defense rests

3:15 Plaintiffs move to admit Plaintiff Exhibits 46, 49 and 78; 44, 45, 52, 48, 50, 59, 60, 61 and 62 (for limited purpose); and a portion of 116 (Chriss)
Ruling by Court: Those exhibits are admitted as described in the record.

3:24 Parties discuss schedule

3:26 Court in recess

3:42 Court in session
Closing Argument by Plaintiff (Redburn)

4:36 Closing Argument by Defense (Jazil)

5:34 Court in recess

5:41 Court in session
Rebuttal by Plaintiff (Redburn)
5:47 Ruling by Court: Ruling will be made in an order will follow.
5:47 Court adjourned

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF FLORIDA

JANE DOE et al.

EXHIBIT LIST

v.

Case Number: 4:23cv114-RH

JOSEPH A. LADAPO et al.

PRESIDING JUDGE				PLAINTIFF ATTORNEYS	DEFENSE ATTORNEYS
Robert L. Hinkle				Thomas Redburn, et al.	Mohammad Jazil, et al.
HEARING DATE				COURT REPORTER	COURTROOM DEPUTY
December 13-14 and 21, 2023				Megan Hague	Cindy Markley
PLTF. NO.	DFT. NO.	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS	
				<i>All exhibits have been filed on the docket (Pltf ECF 176-188, 192-194, 197, 201, 208; Deft ECF 175, 200)</i>	
1		12/13/23	12/13/23	Defendants' Response to Pls' First Set of Interrogatories	
2A		12/13/23	12/13/23	CV of Dr. Aron Janssen	
3A		12/13/23	12/13/23	CV of Dr. Brittany S. Bruggeman	
4A		12/13/23	12/13/23	CV of Dr. Dan H. Karasic	
5A		12/13/23	12/13/23	CV of Dr. Daniel Shumer	
6A		12/13/23	12/13/23	CV of Dr. Loren Slone Schechter	
7A		12/13/23	12/13/23	CV of Dr. Vernon Matthew Langford	
8A		12/13/23	12/13/23	CV of Dr. Kenneth W. Goodman	
11		12/13/23	12/13/23	Florida Admin. Code R. 64B8-9.019, Standards of Practice for the Treatment of Gender Dysphoria in Minors (effective 3.16. 2023)	
12		12/13/23	12/13/23	Florida Admin. Code R. 64B15-14.014, Standards of Practice for the Treatment of Gender Dysphoria in Minors (effective 3.28.2023)	
13		12/13/23	12/13/23	Notice of Change, Fla Admin Code R. 64B15-14.014 (filed 2.10.2023)	
14		12/13/23	12/13/23	Florida Department of Health Guidance, Treatment of Gender Dysphoria for Children and Adolescents (4.20.22)	
15		12/13/23	12/13/23	Surgeon General Ladapo Letter to Florida Boards of Medicine (6.2.22)	
16		12/13/23	12/13/23	Florida Department of Health Petition to Initiate Rulemaking Setting the Standard of Care for the Treatment of Gender Dysphoria (7.28.22)	
17		12/13/23	12/13/23	Florida Senate Bill 254 (2023)	
18		12/13/23	12/13/23	Florida House Bill 1421 (2023)	
19		12/13/23	12/13/23	Section 456.001(1)(8) – (9), Florida Statutes (2023)	
20		12/13/23	12/13/23	Section 456.52, Florida Statutes (2023)	
21		12/13/23	12/13/23	Rulemaking Record (Produced by Defendants)	
22		12/13/23	12/13/23	Public Book for 02.10.2023 Joint Hearing (Produced by Defendants)	

23		12/13/23	12/13/23	Transcript of Florida Board of Medicine Meeting 08.05.2022
24		12/13/23	12/13/23	Transcript of Florida Boards' Joint Rule Workshop 10.28.2022
25		12/13/23	12/13/23	Transcript of Florida Boards' Joint Meeting 11.04.2022
26		12/13/23	12/13/23	Transcript of Florida Boards' Joint Public Hearing 02.10.2023 (*Incomplete at present)
27		12/13/23	12/13/23	Transcript of Florida House HHS Committee Meeting 02.21.2023
28		12/13/23	12/13/23	Excerpt from Speech of Governor Ron DeSantis – Joint Session 03.07.2023
29		12/13/23	12/13/23	Transcript of Florida Senate Health Policy Committee Meeting 03.13.2023
30		12/13/23	12/13/23	Transcript of Florida House Healthcare Regulation Subcommittee Meeting 03.22.2023
31		12/13/23	12/13/23	Transcript of Florida Senate Fiscal Policy Committee Meeting 03.23.2023
32		12/13/23	12/13/23	Transcript of Florida House HHS Committee Meeting 03.27.2023
33		12/13/23	12/13/23	Transcript of Florida Senate General Session 04.03.2023
34		12/13/23	12/13/23	Transcript of Florida Senate General Session 04.04.2023
35		12/13/23	12/13/23	Transcript of Florida House General Session 04.18.2023
36		12/13/23	12/13/23	Transcript of Florida House General Session 04.19.2023
37		12/13/23	12/13/23	Transcript of Florida Senate General Session 05.04.2023
38		12/13/23	12/13/23	Transcript of Florida House General Session 05.04.2023
39		12/13/23	12/13/23	Transcript of Florida Boards' Joint Meeting 06.23.2023
40		12/13/23	12/13/23	Transcript of Florida Boards' Joint Public Meeting 06.30.2023
41		12/13/23	12/13/23	Transcript of Florida Boards' Joint Meeting 08.03.2023
42		12/13/23	12/13/23	Composite Exhibit - Emails between Board of Osteopathic Medicine Executive Director Danielle Terrell and Vernadette Broyles (Oct. 25-28, 2022)
43		12/13/23	12/13/23	Emails from Board of Osteopathic Medicine Executive Director Terrell (11.07.22)
44		12/21/23	12/21/23	Gender Dysphoria Roundtable (7.8.22)
45		12/21/23	12/21/23	Governor Talking Points
46		12/21/23	12/21/23	Request for Hearing to Board of Medicine
47		12/21/23	12/21/23	Open Letter to the Florida Board of Medicine (9.23.22)
48		12/21/23	12/21/23	FDOH Updates (4.8.22)
49		12/21/23	12/21/23	Emails between Board of Medicine Executive Director Paul Vazquez and Dr. Laidlaw (10.14.22-10.25.22)
50		12/21/23	12/21/23	Governor Talking Points (5.13.22)
51		12/13/23	12/13/23	Emails between Board of Medicine Paul Vazquez and Dr. Patrick Hunter (10.16.22)
52		12/21/23	12/21/23	Emails between Dr. Van Mol Dr. Patrick Hunter (9.14.22)
53		12/13/23	12/13/23	Email between Vazquez and Hunter (9.14.22)
54		12/13/23	12/13/23	Emails between Vazquez and Hunter (9.13.22)

55		12/13/23	12/13/23	Email between Hunter and Vazquez (9.12.22)
56		12/13/23	12/13/23	Gender Affirming Guidance Event
57		12/13/23	12/13/23	Governor DeSantis Interview Transcript (4.28.22)
58		12/13/23	12/13/23	AHCA Invoice for Dr. Van Meter attendance at Board of Medicine Meeting (8.11.22)
59		12/21/23	12/21/23	Memo on Gender Dysphoria Legislation
60		12/21/23	12/21/23	Email from Maureen Furino with attachments (1.06.23)
61		12/21/23	12/21/23	Email from Savannah Kelly Jefferson with attachment (6.29.22)
62		12/21/23	12/21/23	Alliance Defending Freedom Binder
63		12/13/23	12/13/23	Briefers – Safeguarding Kids from Gender Surgeries and Drugs
64		12/13/23	12/13/23	Email from Board of Osteopathic Medicine Executive Director Danielle Terrell to Bettye Strickland (10.19.22)
65		12/13/23	12/13/23	Email from Patrick Hunter to Paul Vazquez (10.23.22)
66		12/13/23	12/13/23	Appearance Request Form (11.02.22)
67		12/13/23	12/13/23	Email from Vazquez to Strickland (9.27.22)
68		12/13/23	12/13/23	Phillip Penna comment (9.19.22)
69		12/13/23	12/13/23	Email from Jeremy Redford (7.10.22)
70		12/13/23	12/13/23	Public Book for 8.3.23 Joint Meeting (Produced by Defendants)
71		12/13/23	12/13/23	Email from Hunter to Vazquez (10.22.22)
72		12/13/23	12/13/23	Email from Vazquez to Strickland (10.18.22)
73		12/13/23	12/13/23	September 30, 2022 Rule Workshop Agenda (9.30.22)
74		12/13/23	12/13/23	Original October 28, 2022 Workshop Agenda (10.28.22)
75		12/13/23	12/13/23	Email from Vazquez to Diamond (10.14.22)
76		12/13/23	12/13/23	Emails from Senate Committee on Health Policy (Composite)
77		12/13/23	12/13/23	Emails between Dr. Dayton and Paul Vazquez (10.18.22)
78		12/21/23	12/21/23	Email from Board of Osteopathic Medicine Danielle Terrell (10.19.22)
79		12/13/23	12/13/23	Email from Paul Vazquez to Danielle Terrell (10.18.22)
80		12/13/23	12/13/23	Plaintiff Susan Doe Medical Records (SEALED)
81		12/13/23	12/13/23	Plaintiff Gavin Goe Medical Records (SEALED)
82		12/13/23	12/13/23	Plaintiff Lucien Hamel Medical Records (SEALED)
83		12/13/23	12/13/23	Plaintiff Olivia Noel Medical Records (SEALED)
84		12/13/23	12/13/23	Plaintiff Lisa Loe Medical Records (SEALED)
85		12/13/23	12/13/23	Plaintiff Kai Pope Medical Records (SEALED)
86		12/13/23	12/13/23	Plaintiff Rebeca Cruz Evia Medical Records (SEALED)
87		12/13/23	12/13/23	Emails between Hunter, Diamond, and Vazquez (10.04.22)

88		12/13/23	12/13/23	Emails between Hunter and Vazquez (9.23.22)
89		12/13/23	12/13/23	Emails between Hunter, Vazquez and Biggs (9.19.22)
90		12/13/23	12/13/23	Email from Hunter to Vazquez (9.14.22)
91		12/13/23	12/13/23	Governor Ron DeSantis Appoints Four to the Board of Medicine (6.17.22)
92		12/13/23	12/13/23	Dr. Hunter article "Political Issues Surrounding Gender-Affirming Care for Transgender Youth" (JAMA Pediatr., December 20, 2021,
93		12/13/23	12/13/23	Eknes-Tucker v. Ivey, 2:22-cv-00184, ECF 69-6 (5.02.22)
94		12/13/23	12/13/23	Catholic Medical Association Resolutions 8-7 through 8-14
95		12/13/23	12/13/23	Catholic Medical Association 92nd Annual Education Conference (9.18.23)
97		12/13/23	12/13/23	AAP Resolution # 27
98		12/13/23	12/13/23	WSJ article "Youth Gender Transition Is Pushed Without Evidence" by Hunter, Roman, Kaltiala, Malone, etc. (7.13.23)
99		12/13/23	12/13/23	U.S. EO 12866 Meeting 0945-AA17 (4.25.22)
100		12/13/23	12/13/23	SEGM "About Us" Page
102		12/13/23	12/13/23	Governor Ron DeSantis Appoints Three to the Board of Osteopathic Medicine (12.06.22)
103		12/13/23	12/13/23	Governor Ron DeSantis Appoints Two to the Board of Medicine (12.28.22)
106		12/13/23	12/13/23	Fla. Admin R. 64B8-30.008
107		12/13/23	12/13/23	Fla. Admin. R. 64B8-30.012
108		12/13/23	12/13/23	Fla. Stat. 464.0123
109		12/13/23	12/13/23	Fla. Stat. 464.012
110		12/13/23	12/13/23	Fla. Stat. 458.347
111		12/13/23	12/13/23	20 CFR 10.310
116		12/21/23	12/21/23	Portion of Composite Exhibit (Tweets from Representative Fine)
117		12/13/23	12/13/23	SB 254 Amendment (350064 - Failed)
118		12/13/23	12/13/23	SB 254 Amendment (299002 - Failed)
119		12/13/23	12/13/23	SB 254 Amendment (212692 - Failed)
120		12/13/23	12/13/23	SB 254 Amendment (374289 - Failed)
121		12/13/23	12/13/23	SB 254 Amendment (256341) (and Failed Amndts to Amndt)
122		12/13/23	12/13/23	SB 254 Amendment (388571 - Failed)
123		12/13/23	12/13/23	Dr. Hunter Letter to the Editor, JACCP, DOI: 10.1002/jac5.1691 (6.06.22)
124		12/13/23	12/13/23	Email from Jeremy Redfern re: Surgeon General Ladapo Meeting (7.10.22)
126		12/13/23	12/13/23	Notice of Emergency Rules 64B8ER23-11 and 64B15ER23-12

		12/13/23	12/13/23	Exhibits admitted in Dekker v. Weida trial (4:22cv325)
	2	12/13/23	12/13/23	Masculinizing Medications for Patients with Gender Dysphoria, Patient Information and Informed Consent
	3	12/13/23	12/13/23	Masculinizing Medications for Patients with Gender Dysphoria, Patient Information and Informed Parental Consent and Assent for Minors
	4	12/13/23	12/13/23	Puberty Suppression Treatment for Patients with Gender Dysphoria, Patient Information and Informed Parental Consent and Assent for Minors
	5	12/13/23	12/13/23	Surgical Treatment for Adults with Gender Dysphoria, Patient Information and Informed Consent
	6	12/13/23	12/13/23	Feminizing Medications for Patients with Gender Dysphoria, Patient Information and Informed Consent
	7	12/13/23	12/13/23	Feminizing Medications for Patients with Gender Dysphoria, Patient Information and Informed Parental Consent and Assent for Minors
	8	12/13/23	12/13/23	Medical Marijuana Consent Form
	9	12/13/23	12/13/23	Dr. Roman's CV
	10	12/13/23	12/13/23	Dr. Mortensen's CV
	11	12/13/23	12/13/23	Dr. Clemens's CV
	12	12/13/23	12/13/23	Dr. Levine's CV
	13	12/21/23	12/21/23	November 30, 2023 Hearing Transcript
	14	12/21/23	12/21/23	Public Book - Materials Discussed at the November 30, 2023 Hearing