

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
Tallahassee Division**

AUGUST DEKKER, *et al.*,

Plaintiffs,

v.

JASON WEIDA, *et al.*,

Defendants.

Case No. 4:22-cv-00325-RH-MAF

**PLAINTIFFS' MOTION TO EXCLUDE
EXPERT TESTIMONY OF DR. KRISTOPHER KALIEBE**

Now come, Plaintiffs, by and through their counsel, and respectfully move this Court to exclude the expert report, opinions, and testimony of Defendants' proposed expert, Dr. Kristopher Kaliebe, pursuant to Federal Rules of Civil Procedure 26 and 37, and Federal Rules of Evidence 104, 403, and 702.

Dr. Kaliebe is not a qualified expert on gender dysphoria or its treatment, and his opinions and testimony are neither relevant nor reliable, under Federal Rule of Evidence 702 and the standards set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), and its progeny. His opinions and testimony are likewise inadmissible because any probative value they may have (and they have none) is substantially outweighed by the danger of unfair prejudice, confusion of the issues,

waste of time, undue delay, and needless presentation of cumulative evidence. *See* Fed. R. Evid. 403.

Based on Dr. Kaliebe's lack of qualifications and the unreliability and unhelpfulness of his testimony and opinions, at minimum, the Court should exclude any portions of the expert report, opinions, and testimony of Dr. Kaliebe that go beyond his experience regarding the diagnosis of gender dysphoria in children and adolescents.

A memorandum of law is filed contemporaneously herewith.

Dated this 7th day of April 2023.

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Respectfully Submitted,

/s/ Omar Gonzalez-Pagan

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LOCAL RULE 7.1(B) CERTIFICATION

The undersigned certifies that he attempted in good faith to resolve the issues raised in this motion through a meaningful conference with Defendants' counsel, including through a meet and confer Zoom conference on April 6, 2023.

/s/ Omar Gonzalez-Pagan
Omar Gonzalez-Pagan
Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of April 2023, a true copy of the foregoing has been filed with the Court utilizing its CM/ECF system, which will transmit a notice of electronic filing to counsel of record for all parties in this matter registered with the Court for this purpose.

/s/ Omar Gonzalez-Pagan
Omar Gonzalez-Pagan
Counsel for Plaintiffs