

**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 STEPHEN B. LEVINE, M.D.**

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, Stephen B. Levine, M.D., pursuant to Federal Rules of Civil Procedure 26 and 37, and Federal Rules of Evidence 104, 403, and 702.

Dr. Levine's opinions should be excluded because (1) many are unhelpful as they are not opposed to the relief Plaintiffs seek and (2) the remaining opinions are unreliable because they are not based on scientifically valid principles, reasoning, and methodology as required 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 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 the unhelpfulness and unreliability of Dr. Levine's testimony and opinions, at minimum, the Court should exclude any portions of his expert report, opinions, and testimony that go beyond (1) identifying risks associated with prescribing medication and surgery to adolescents, (2) and criticizing the quality of the research on treatments for gender dysphoria.

A memorandum of law is filed contemporaneously herewith.

Dated this 7th day of April 2023.

Respectfully Submitted,

/s/ Carl S. Charles

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**LOCAL RULE 7.1(B) CERTIFICATION**

The undersigned certifies that Plaintiffs' counsel 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/ Carl S. Charles* \_\_\_\_\_  
Carl S. Charles  
*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/ Carl S. Charles* \_\_\_\_\_  
Carl S. Charles  
*Counsel for Plaintiffs*