

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

JOINT STIPULATED TRIAL EXHIBIT LIST

The Parties respectfully submit the following Joint Stipulated Trial Exhibit List, which identifies all of Plaintiffs' and Defendants' trial exhibits which the Parties have agreed by stipulation may be entered into evidence at trial.

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
PLAINTIFFS' EXHIBITS				
Pls' Trial Ex. 1	PLAINTIFFS 002191	Defendants' Response to Pls' First Set of Request for Admissions	X	
Pls' Trial Ex. 2	PLAINTIFFS 002223	Defendants' Response to Pls' First Set of Interrogatories	X	
Pls' Trial Ex. 3	PLAINTIFFS 002211	Defendants' Response to Pls' Second Set of Interrogatories		X
Pls' Trial Ex. 4	PLAINTIFFS 004943	Pls' First Set of Request for Admissions	X	
Pls' Trial Ex. 19	PLAINTIFFS 004646	Marstiller Letter to Wallace re AHCA June 2022 GAPMS	X	
Pls' Trial Ex. 20	PLAINTIFFS 001171	Fla. Admin. Code R. 59G-1.050	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 23	PLAINTIFFS 001170	Fla. Admin. Code R. 59G-1.035	X	
		AHCA's Preferred Drug List, accessible at: https://ahca.myflorida.com/content/download/8681/file/PDL.pdf (online only); including but not limited to the criteria for testosterone: https://ahca.myflorida.com/content/download/6451/file/Testosterone_Criteria.pdf	X	
		AHCA's Drug Criteria, accessible at: https://ahca.myflorida.com/medicaid/prescribed-drugs/drug-criteria (online only)	X	
Pls' Trial Ex. 25	PLAINTIFFS 003653	DRUGDEX listing for Testosterone	X	
Pls' Trial Ex. 26	PLAINTIFFS 003383	DRUGDEX listing for Estradiol	X	
Pls' Trial Ex. 33	PLAINTIFFS 003821	DSM 5 Gender Dysphoria	X	
Pls' Trial Ex. 64	PLAINTIFFS 001034	Ctrs. for Medicare & Medicaid Servs., Decision Memo for Gender Dysphoria and Surgery (Aug. 20, 2016)		X
Pls' Trial Ex. 72	PLAINTIFFS 004813	OASH, Gender-Affirming Care and Young People		X
Pls' Trial Ex. 229	PLAINTIFFS 001343	Template Notice of Adverse Benefit Determination	X	
Pls' Trial Ex. 230	PLAINTIFFS 001294	Template Notice of Plan Appeal Resolution	X	
Pls' Trial Ex. 231	PLAINTIFFS 001286	Sample AHCA Final Order – 20-FH0855		X
Pls' Trial Ex. 232	PLAINTIFFS 000818 - PLAINTIFFS 000838	Medical records of August Dekker	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 234	PLAINTIFFS 000168 thru PLAINTIFFS 000182	Medical records of Brit Rothstein	X	
Pls' Trial Ex. 234A	PLAINTIFFS 000839 thru PLAINTIFFS 000998	Medical records of Brit Rothstein	X	
Pls' Trial Ex. 235	PLAINTIFFS 000041 thru PLAINTIFFS 000167	Medical records of K.F.	X	
Pls' Trial Ex. 235A	PLAINTIFFS 000200 thru	Medical records of K.F.	X	
Pls' Trial Ex. 236	PLAINTIFFS 000001 thru PLAINTIFFS 000040	Medical records of S.D.	X	
Pls' Trial Ex. 236A	PLAINTIFFS 000183 thru PLAINTIFFS 000199	Medical records of S.D.	X	
Pls' Trial Ex. 236B	PLAINTIFFS 000648 thru PLAINTIFFS 000817	Medical records of S.D.	X	
Pls' Trial Ex. 236C	PLAINTIFFS 000999 thru	Medical records of S.D.	X	
Pls' Trial Ex. 237	Def_0015622 90	Dekker medical records	X	
Pls' Trial Ex. 237A	Def_0015575 55	Dekker medical records	X	
Pls' Trial Ex. 238	Def_0001742 90	GAPMS Decision Tree Checklist	X	
Pls' Trial Ex. 239	Def_0002869 39	GAPMS – GnRH for treatment of gender dysphoria	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 240	Def_000288776	GAPMS – GnRH for treatment of gender dysphoria	X	
Pls' Trial Ex. 241	Def_000126105	GAPMS – Cross Sex Hormone Therapy – 5/20/2022	X	
Pls' Trial Ex. 242	Def_000086666	GAPMS – Cross Sex Hormone Therapy Report (edited) - 5/20/2022	X	
Pls' Trial Ex. 243	Def_000293866	GAPMS – Cross Sex Hormone Therapy – 11/2/2016	X	
Pls' Trial Ex. 244	Def_000295586	GAPMS – Gender Confirmation Surgery (incomplete) – 7/19/2017		X
Pls' Trial Ex. 250	Def_000351681	AHCA review of research – 7/25/2016		X
Pls' Trial Ex. 256	Def_000289927	AHCA GAPMS routing and tracking form for puberty suppression therapy – 8/31/2016	X	
Pls' Trial Ex. 257	Def_000148820	Special services criteria re GnRH coverage – 9/20/2016 (updated 11/17/17)	X	
Pls' Trial Ex. 260	Def_000295599	AHCA GAPMS routing and tracking form for cross-sex hormone therapy – 11/2/2016	X	
Pls' Trial Ex. 264	Def_000824992	Email exchange re Medicaid coverage of gender affirming surgery – June 2018	X	
Pls' Trial Ex. 264A	Def_000824996	Email exchange re Medicaid coverage of gender affirming surgery – June 2018	X	
Pls' Trial Ex. 265	Def_000825001	AHCA routing form tracking response to MCO question about Medicaid coverage of surgery – June 2018	X	
Pls' Trial Ex. 266	Def_000825002	AHCA document closing the project re responding to MCO question about Medicaid coverage of surgery – June 2018	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 272	Def_000290175	Email from Andy Bardos to Andrew Sheeran re Cantor and legal research – 4/11/2022	X	
Pls' Trial Ex. 273	Def_000290279	Email forwarded by Andrew Sheeran from Ashley Lukis scheduling a call with James Cantor – 4/13/2022	X	
Pls' Trial Ex. 274	GROSSMAN 0029	Email from Andrew Sheeran to Miriam Grossman – 4/14/2022	X	
Pls' Trial Ex. 275	Def_000290289	Email exchange between Andrew Sheeran and Romina Brignardello Petersen – 4/18/2022	X	
Pls' Trial Ex. 277	Def_001490891	Email from Amy Zitiello to Vern Hamilton regarding FDOH guidance – 4/20/2022	X	
Pls' Trial Ex. 277A	Def_001490903	Email from Amy Zitiello to Vern Hamilton regarding FDOH guidance – 4/20/2022	X	
Pls' Trial Ex. 279	Def_001709796	Communication between Jason Weida and Dr. Michelle Cretella – 4/21/2025	X	
Pls' Trial Ex. 280	Def_001899938	Communication between Romina Brignardello-Petersen and Jason Weida regarding types of surgeries on which to focus – 4/25/2022		X
Pls' Trial Ex. 281	Def_001496338	Communication between Jason Weida and Vern Hamilton regarding planned response to Dr. Zitiello's question about FDOH guidance – 4/29/2022	X	
Pls' Trial Ex. 282	AHCA EXP_005716	Draft GAPMS on gender affirming surgery (with handwritten notes) - May 2022	X	
Pls' Trial Ex. 283	Def_001553119	Jason Weida communication regarding report from Romina Brignardello-Petersen – 5/5/2022	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 283A	Def_0015531 61	Jason Weida communication regarding report from Romina Brignardello-Petersen – 5/5/2022	X	
Pls' Trial Ex. 283B	Def_0015531 20	Jason Weida communication regarding report from Romina Brignardello-Petersen – 5/5/2022	X	
Pls' Trial Ex. 283C	Def_0015531 66	Jason Weida communication regarding report from Romina Brignardello-Petersen – 5/5/2022	X	
Pls' Trial Ex. 283D	Def_0015531 74	Jason Weida communication regarding report from Romina Brignardello-Petersen – 5/5/2022	X	
Pls' Trial Ex. 283E	Def_0015531 25	Jason Weida communication regarding report from Romina Brignardello-Petersen – 5/5/2022	X	
Pls' Trial Ex. 284	Def_0021741 14	Jason Weida communication regarding articles provided to him by Dr. Van Mol – 5/6/2022	X	
Pls' Trial Ex. 285	Def_0014975 85	Dr. Van Mol communication with Jason Weida and Matthew Brackett about gender affirming care – 5/7/022	X	
Pls' Trial Ex. 286	Def_0002969 02	Dr. Van Mol's edits to June 2022 GAPMS memo – 5/13/2022	X	
Pls' Trial Ex. 286A	Def_0002969 02-1	Dr. Van Mol's edits to June 2022 GAPMS memo – 5/13/2022	X	
Pls' Trial Ex. 286B	Def_0002969 02-2	Dr. Van Mol's edits to June 2022 GAPMS memo – 5/13/2022	X	
Pls' Trial Ex. 287	EOG_008126	Text message from Jason Weida regarding Eknes-Tucker and James Cantor – 5/17/2022	X	
Pls' Trial Ex. 288	Def_0019682 64	Email from Shantrice Green to Susan Williams and Kelly Rubin regarding the GAPMS memo on cross-sex hormone therapy – 5/20/2022	X	
Pls' Trial Ex. 289	Def_0028788 20	Draft of GAPMS cross-sex hormone therapy memo – 5/20/2022	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 294	EOG_008239	Projected Rulemaking Timeline – June 2022	X	
Pls' Trial Ex. 297	Def_000295608	AHCA GAPMS routing and tracking form for June 2022 GAPMS – 6/1/2022	X	
Pls' Trial Ex. 297A	Def_000288171	AHCA GAPMS routing and tracking form for June 2022 GAPMS – 6/1/2022	X	
Pls' Trial Ex. 298	Def_002873411	Communication between Ashley Peterson and Jason Weida regarding an inventory of gender affirming care – 6/3/2022		X
Pls' Trial Ex. 298A	Def_002873412	Communication between Ashley Peterson and Jason Weida regarding an inventory of gender affirming care – 6/3/2022		X
Pls' Trial Ex. 299	Def_000288753	Email communication between AHCA and Magellan regarding coverage of GnRH to treat gender dysphoria	X	
Pls' Trial Ex. 300	Def_001900110	AHCA communication regarding the Special Services Criteria for puberty blockers – 6/10/2022	X	
Pls' Trial Ex. 301	Def_001900113	Communication between Jason Weida and Dr. Van Mol about a witness for the July 8th hearing – 6/14/2022	X	
Pls' Trial Ex. 303	GROSSMAN0095	Communication regarding meeting between Miriam Grossman, Dr. Van Mol, Jason Weida, Andrew Sheeran, and Holtzman Vogel regarding July 8th hearing – 6/30/2022	X	
Pls' Trial Ex. 304	Def_000296975	Communication between Dr. Van Mol and AHCA - 7/2/2022	X	
Pls' Trial Ex. 305	FDOH_000004873	Brief of the July 8th rule hearing – 7/8/2022	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 306	Def_000296244	Transcript from July 8th rule hearing – 7/8/2022	X	
Pls' Trial Ex. 307	Def_000296949	Email from Miriam Grossman – 7/10/2022	X	
Pls' Trial Ex. 308	Def_000291900	Email communications with Jason Weida and Dr. Van Mol – 7/14/2022	X	
Pls' Trial Ex. 309	GROSSMAN 0067	Communications regarding AHCA's development of public comment binder provided to the consultants – 7/19/2022	X	
Pls' Trial Ex. 310	Def_000237607	Invoice from Dr. Van Meter – 8/4/2022	X	
Pls' Trial Ex. 311	EOG_008127	Communication to Jason Weida regarding witnesses for a hearing – 8/10/2022	X	
Pls' Trial Ex. 312	Def_000239820	Invoices from Dr. Van Mol – 8/11/2022	X	
Pls' Trial Ex. 317	Def_000274811	AHCA draft response to media regarding gender affirming care – 9/1/2022	X	
Pls' Trial Ex. 318	Def_000289978	List of appeals for denials of hormone therapy – 12/19/2022	X	
Pls' Trial Ex. 319	Def_000290022	List of requests for surgery to treat gender dysphoria – 12/19/2022	X	
Pls' Trial Ex. 320	Def_000272295	AHCA After the Fact Request form for Quentin Van Meter – 6/13/2022	X	
Pls' Trial Ex. 321	Def_000241592	AHCA After the Fact Request form for Andre Van Mol – 5/26/2022	X	
Pls' Trial Ex. 322	Def_001551590	Draft of welcome/opening remarks for July 8th rule hearing		X
Pls' Trial Ex. 323	Def_001511705	Endocrine Society public comment	X	
Pls' Trial Ex. 324	Def_001514249	Yale public comment	X	
Pls' Trial Ex. 325	Def_001511606	American Academy of Pediatrics public comment	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 326	Def_001551644	Florida Medicaid, Comment Summary for Rule 59G-1.050 (20 pages)		X
Pls' Trial Ex. 327	Def_001551664	Florida Medicaid, Comment Summary for Rule 59G-1.050 (17 pages)	X	
Pls' Trial Ex. 328	Def_000296892	Email communication between Van Mol and Weida and attachment	X	
Pls' Trial Ex. 328A	Def_000296892-1	Email communication between Van Mol and Weida and attachment	X	
Pls' Trial Ex. 329	Def_000290414	Florida Medicaid & G/TAT, Andrea Van Mol – May 2022	X	
Pls' Trial Ex. 334	Def_000291815	Email from Miriam Grossman – July 7, 2022	X	
Pls' Trial Ex. 335	EOG_002522	Proposed media response from Brock Juarez to Taryn Fenske – 8/29/2022	X	
Pls' Trial Ex. 337	Def_001593749	Email communication between Van Meter and AHCA Counsel	X	
Pls' Trial Ex. 338	Def_000288298	AHCA Microsoft Teams Meeting Invite	X	
Pls' Trial Ex. 340	Def_000237603	AHCA Van Meter Invoice	X	
Pls' Trial Ex. 341	FDOH_000020148	HCA Hearing on General Medicaid Policy	X	
Pls' Trial Ex. 342	Def_000239790	Email communication between Devona Pickle and Van Meter	X	
Pls' Trial Ex. 343	Def_000292237	Email communication between consultants, counsel, and Van Meter	X	
Pls' Trial Ex. 344	EOG_002234	AHCA Teams Meeting Invites	X	
Pls' Trial Ex. 344A	EOG_002281	AHCA Teams Meeting Invites	X	
Pls' Trial Ex. 345	GROSSMAN_0058	Email communication between AHCA and consultants	X	
Pls' Trial Ex. 347	Def_000296980	Email communication between Van Mol and Weida		X

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
Pls' Trial Ex. 348	Def_002883392	Van Mol comments to Alstott letter		X
Pls' Trial Ex. 350	Def_000296905	Email communication between Cantor and Weida		X
Pls' Trial Ex. 355	PLAINTIFFS 005435	Spreadsheet summarizing Florida Medicaid coverage	X	
Pls' Trial Ex. 356	PLAINTIFFS 003379	DOJ, Dear State Attorneys General Letter re Transgender Youth (March 31, 2022)		X
Pls' Trial Ex. 357	PLAINTIFFS 002268	Curriculum Vitae of Dr. Kale Edmiston	X	
Pls' Trial Ex. 358	PLAINTIFFS 002610	Curriculum Vitae of Dr. Armand Antommara	X	
Pls' Trial Ex. 359	PLAINTIFFS 002677	Curriculum Vitae of Dr. Dan H. Karasic	X	
Pls' Trial Ex. 360	PLAINTIFFS 007517	Curriculum Vitae of Dr. Daniel Shumer	X	
Pls' Trial Ex. 361	PLAINTIFFS 002774	Curriculum Vitae of Dr. Johanna Olson-Kennedy	X	
Pls' Trial Ex. 362	PLAINTIFFS 002859	Curriculum Vitae of Dr. Loren S. Schechter	X	
Pls' Trial Ex. 363	PLAINTIFFS 002957	Curriculum Vitae of Kellan E. Baker, Ph.D.	X	
Pls' Trial Ex. 364	PLAINTIFFS 002499	Curriculum Vitae of Dr. Aron Janssen	X	
DEFENDANTS' EXHIBITS				
DX1	N/A	U.S. Health and Human Services Notice and Guidance on Care	X	
DX2	N/A	U.S. Health and Human Services Fact Sheet on Gender-Affirming Care	X	
DX3	N/A	U.S. Department of Justice Letter to State Attorneys General	X	

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
DX4	N/A	Centers for Medicare and Medicaid Services Decision Memo for Gender Dysphoria and Gender Reassignment Surgery	X	
DX5	N/A	Florida Department of Health Fact Sheet on Treatments for Gender Dysphoria	X	
DX16	N/A	WPATH Standards of Care, Version 8*	X	
DX17	N/A	WPATH Standards-of-Care-Revision Team Criteria*	X	
DX18	N/A	WPATH's Press Release Regarding Florida Department of Health *		X
DX19	N/A	WPATH's Statement of Opposition to Florida Draft Rule Banning Gender Affirming Care for Adolescents*		X
DX20	N/A	WPATH's Press Release on National and International Issues*		X
DX21	N/A	WPATH's Letter to Japanese Officials*		X
DX22	N/A	WPATH's Press Release Regarding New York Times Article*		X
DX23	N/A	WPATH Press Release on United Kingdom Matter*		X
DX24	N/A	Endocrine Society Guidelines on Treatments for Gender Dysphoria*	X	
DX26	N/A	American Academy of Pediatrics, Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents*		X

Ex. No.	Bates No.	Exhibit Description	Will Use	May Use
DX29	N/A	Curriculum Vitae of Dr. Paul Hruz	X	
DX30	N/A	Curriculum Vitae of Dr. Kristopher Kaliebe	X	
DX31	N/A	Curriculum Vitae of Dr. Patrick Lappert	X	
DX32	N/A	Curriculum Vitae of Dr. Stephen Levine	X	
DX33	N/A	Curriculum Vitae of Dr. Sophie Scott	X	
DX34	N/A	Curriculum Vitae of Dr. Quentin Van Meter		X
DX35	N/A	Curriculum Vitae of Dr. Joseph Zanga		X
DX36	N/A	Curriculum Vitae of Dr. Michael Laidlaw	X	

[Note from Defendants] The asterisked documents either came from or pertain to WPATH, the Endocrine Society, and medical organizations. In its omnibus motion in limine, the State sought to exclude all mention of these organizations and documents related to them. Doc.124. The court denied the motion. Doc.212. To preserve this issue for appeal, the State still maintains its objections.

Dated: May 8, 2023

Respectfully Submitted for Plaintiffs,

/s/William C. Miller

**PILLSBURY WINTHROP SHAW
PITTMAN, LLP**

Jennifer Altman (Fl. Bar No. 881384)

Shani Rivaux (Fl. Bar No. 42095)

600 Brickell Avenue, Suite 3100

Miami, FL 33131

(786) 913-4900

jennifer.altman@pillsbury.com

shani.rivaux@pillsbury.com

William C. Miller*

Gary J. Shaw*

1200 17th Street N.W.

Washington, D.C. 20036

(202) 663-8000

william.c.miller@pillsburylaw.com

gary.shaw@pillsburylaw.com

Joe Little*

500 Capitol Mall, Suite 1800

Sacramento, CA 95814

(916) 329-4700

joe.little@pillsburylaw.com

NATIONAL HEALTH LAW PROGRAM

Abigail Coursole*

3701 Wilshire Boulevard, Suite 315

Los Angeles, CA 90010

(310) 736-1652

coursole@healthlaw.org

Catherine McKee*

1512 E. Franklin Street, Suite 110

Chapel Hill, NC 27541

(919) 968-6308

mckee@healthlaw.org

**LAMBDA LEGAL DEFENSE
AND EDUCATION FUND, INC.**

Omar Gonzalez-Pagan*

120 Wall Street, 19th Floor

New York, NY 10005

(212) 809-8585

ogonzalez-pagan@lambdalegal.org

Carl S. Charles*

1 West Court Square, Suite 105

Decatur, GA 30030

(404) 897-1880

ccharles@lambdalegal.org

SOUTHERN LEGAL COUNSEL, INC.

Simone Chriss (Fl. Bar No. 124062)

Chelsea Dunn (Fl. Bar No. 1013541)

1229 NW 12th Avenue

Gainesville, FL 32601

(352) 271-8890

Simone.Chriss@southernlegal.org

Chelsea.Dunn@southernlegal.org

FLORIDA HEALTH JUSTICE PROJECT

Katy DeBriere (Fl. Bar No. 58506)

3900 Richmond Street

Jacksonville, FL 32205

(352) 278-6059

debriere@floridahealthjustice.org

** Admitted pro hac vice
Counsel for Plaintiffs*

Respectfully submitted for Defendants,

/s/ Michael Beato

Mohammad O. Jazil (FBN: 72556)

Gary V. Perko (FBN: 855898)

Michael Beato (FBN: 1017715)

HOLTZMAN VOGEL BARAN TORCHINSKY
& JOSEFIK PLLC

119 S. Monroe St. Suite 500

Tallahassee, FL 32301

mjazil@holtzmanvogel.com

gperko@holtzmanvogel.com

mbeato@holtzmanvogel.com

Phone No.: (850) 274-1690

Fax No.: (540) 341-8809

*Counsel for Defendants Secretary Weida
and Florida Agency for Healthcare
Administration*

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of May, 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/ William C. Miller

William C. Miller

Attorney for Plaintiffs