

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>BRIANNA BOE, <i>et al.</i>,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 2:22-cv-184-LCB</b>
	)	
<b>STEVE MARSHALL, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**FIFTH AMENDED SCHEDULING ORDER**

For good cause shown under Federal Rule of Civil Procedure 16(b)(4), the Court **GRANTS** the parties' joint motion (Doc. 290) and **AMENDS** the fourth amended scheduling order (Doc. 270) as follows:

**Complete Production by HHS and WPATH:** WPATH must produce complete discovery in response to Defendants' Rule 45 subpoena by October 1, 2023. HHS must produce complete discovery in response to Defendants' requests for production by October 20, 2023. HHS will begin a rolling production no later than June 30, 2023 and will notify the Court by September 18, 2023 if it anticipates it is unable to complete its production by October 20.

**Discovery Cutoff:** All discovery must be commenced in time to be completed by February 2, 2024.

**Dispositive Motions:** All potentially dispositive motions, including Daubert motions, must be filed by February 16, 2024.

**Expert Testimony:** Any supplemental reports under Federal Rule of Civil Procedure 26(a)(2)(B) from any expert specially retained or employed by Defendants shall be due by December 1, 2023. Defendants shall disclose the names of their experts providing supplemental reports by November 3, 2023. For expert witnesses who have not already been disclosed in this litigation, the names and anticipated subject matter of any rebuttal expert witnesses retained by Plaintiffs or the United States shall be disclosed by December 15, 2023. Rebuttal expert opinions shall be due by January 8, 2024.

**Final Lists:** Lists of trial witnesses and exhibits must be filed by March 1, 2024. Any objections to such lists, including objections under Federal Rule of Civil Procedure 26(a)(3), must be filed within fourteen days thereafter.

**Trial:** Trial is scheduled to begin on April 2, 2024 at 9:00 a.m. CDT. The trial shall occur at the Frank M. Johnson Jr. United States Courthouse in Montgomery, Alabama.

All other requirements of the initial Scheduling Order remain in effect.

**DONE** and **ORDERED** June 6, 2023.

A handwritten signature in black ink, appearing to read "L.C. Burke", written over a horizontal line.

**LILES C. BURKE**  
UNITED STATES DISTRICT JUDGE