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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF ARIZONA**

10 Jane Doe, by her next friends and parents
Helen Doe and James Doe; and Megan
11 Roe, by her next friends and parents, Kate
Roe and Robert Roe,

12 Plaintiff,

13 v.

14 Thomas C. Horne, in his official capacity
as State Superintendent of Public
15 Instruction; Laura Toenjes, in her official
capacity as Superintendent of the Kyrene
16 School District; Kyrene School District;
The Gregory School; and Arizona
17 Interscholastic Association, Inc.,,

18 Defendants.

No. 4:23-cv-00185-JGZ

**Defendant The Gregory School's
Answer to Plaintiffs' Complaint**

19 Defendant The Gregory School ("TGS"), by and through counsel
20 undersigned, hereby answers Plaintiffs' Complaint as follows:

21 1. TGS denies each and every allegation of Plaintiffs' Complaint not
22 specifically admitted in this answer.

23 2. TGS admits the allegations contained in Paragraphs 1 – 4 of Plaintiffs'
24 Complaint.

25 3. As to TGS, TGS denies the allegations contained in Paragraph 5 of
26 Plaintiffs' Complaint.

27 4. TGS admits the allegations contained in Paragraph 6 of Plaintiffs'
28 Complaint.

PARTIES

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2 5. TGS is without sufficient information to form a belief as to the truth
3 of the allegations contained in Paragraph 7 of Plaintiffs' Complaint and therefore denies
4 them.

5 6. TGS admits the allegations contained in Paragraph 8 of Plaintiffs'
6 Complaint.

7 7. TGS admits the allegations contained in Paragraphs 9 – 11 of
8 Plaintiffs' Complaint.

9 8. In response to the allegations contained in Paragraph 12 of Plaintiffs'
10 Complaint, TGS admits it is a private middle and high school located in Tucson. TGS
11 otherwise denies the allegations contained in Paragraph 12 of Plaintiffs' Complaint.

12 9. In response to the allegations contained in Paragraph 13 of Plaintiffs'
13 Complaint, TGS admits that the AIA is a membership organization that oversees
14 interscholastic athletic competition and that TGS participates in competitions regulated by
15 AIA. TGS is without sufficient information to form a belief as to the truth of the remaining
16 allegations contained in Paragraph 13 of Plaintiffs' Complaint and therefore denies them.

JURISDICTION

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18 10. TGS admits the allegations contained in Paragraphs 14 – 18 of
19 Plaintiffs' Complaint. In so admitting, TGS does not admit that Plaintiffs' claims against
20 TGS are viable, but only that jurisdiction and venue are proper and that this Court has the
21 authority alleged.

FACTUAL ALLEGATIONS

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23 11. In response to the allegations contained in Paragraph 19 of Plaintiffs'
24 Complaint, TGS admits that the AIA maintained a policy regarding transgender students.
25 TGS is otherwise without sufficient information to form a belief as to the truth of the
26 allegations contained in Paragraph 19 of Plaintiffs' Complaint and therefore denies them.

27 12. In response to the allegations contained in Paragraph 20 of Plaintiffs'
28 Complaint, TGS admits that its understanding was that the AIA considered requests for

1 transgender students to participate in interscholastic athletics on a case-by-case basis. TGS
2 is otherwise without sufficient information to form a belief as to the truth of the allegations
3 contained in Paragraph 20 of Plaintiffs' Complaint and therefore denies them.

4 13. TGS admits that the description of the AIA's policy contained in
5 Paragraph 21 of Plaintiffs' Complaint is generally consistent with its understanding of the
6 AIA's policy. TGS is without sufficient information to form a belief as to the exact timing
7 of when this policy was enacted or the precise contours of the policy and thus denies any
8 such allegations contained in Paragraph 21 of Plaintiffs' Complaint.

9 14. TGS is without sufficient information to form a belief as to the truth
10 of the allegations contained in Paragraphs 22 – 23 of Plaintiffs' Complaint and therefore
11 denies them.

12 15. In response to the allegations contained in Paragraph 24 of Plaintiffs'
13 Complaint, TGS admits that the Arizona Legislature passed the Ban at issue in this case.
14 TGS is otherwise without sufficient information to form a belief as to the truth of the
15 allegations contained in Paragraph 24 of Plaintiffs' Complaint and therefore denies them.

16 16. TGS admits the allegations contained in Paragraphs 25 – 28 of
17 Plaintiffs' Complaint.

18 17. TGS is without sufficient information to form a belief as to the truth
19 of the allegations contained in Paragraphs 29 – 37 of Plaintiffs' Complaint and therefore
20 denies them.

21 18. In response to the allegations contained in Paragraphs 38 – 43 of
22 Plaintiffs' Complaint, TGS admits generally that school-sponsored sports are beneficial to
23 children and young adults, allow them to build social connections and confidence, and
24 provide physical and mental health benefits. As to more specific benefits, academic studies,
25 and other allegations related to school-sponsored sports alleged by Plaintiffs, TGS is
26 without sufficient information to form a belief as to the allegations contained in Paragraphs
27 38 – 43 of Plaintiffs' Complaint and therefore denies them.

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