

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

BRIANNA BOE, et al.,

Plaintiffs,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

STEVE MARSHALL, et al.,

Defendants.

2024 MAR -8 P 3:28

TREY CRANGER, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Case No. 2:22-CV-184-LCB
FILED UNDER SEAL

**MOTION BY RESPONDENTS JENNIFER LEVI AND SHANNON MINTER
FOR LEAVE TO SUBMIT EVIDENCE**

Pursuant to the Court’s February 21, 2024 Order to Show Cause (Doc. 406) (the “Order”), Respondents Jennifer Levi and Shannon Minter seek permission to submit limited additional evidence in connection with their briefs in response to the Order, as outlined below.

The Order states as follows: “Any respondent who believes that additional evidence is necessary for the Court to determine a Respondent’s culpability or an appropriate sanction must move the Court for such action by March 8, 2024 and shall set out in detail that specific additional evidence in said filing.” (Doc. 406 at 11.) The Order also provides that the responses to the Order to Show Cause (the “show-cause briefs”) are due on March 22, 2024.

Levi and Minter seek permission to submit, in conjunction with their show-cause briefs, short declarations attesting to (1) the fact that neither has faced any prior disciplinary issue or sanctions matter, and (2) their career backgrounds. Levi and Minter believe that these topics may be relevant to the Court should it decide to impose a sanction and, in an abundance of caution,

want to ensure the Court has an adequate evidentiary foundation to take these factors into account. If the Court believes that evidentiary submissions are not necessary on these topics, then Levi and Minter will make attestations on these topics in their briefs in response to the Order.

Accordingly, Levi and Minter respectfully request that the Court grant them leave to submit short declarations in connection with their briefs in response to the Order.

Dated: March 8, 2024

/s/ April A. Otterberg
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CERTIFICATE OF SERVICE

I certify that on March 8, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will give notice of such filing to all counsel of record.

April A. Ottobene
Of Counsel