

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

L.W., by and through her parents and next friends,
Samantha Williams and Brian Williams;
SAMANTHA WILLIAMS; BRIAN WILLIAMS;
JOHN DOE, by and through his parents and next
friends, Jane Doe and James Doe; JANE DOE;
JAMES DOE; RYAN ROE, by and through his
parent and next friend, Rebecca Roe; REBECCA
ROE; and SUSAN N. LACY, on behalf of herself
and her patients,

Plaintiffs,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

JONATHAN SKRMETTI, in his official capacity as
the Tennessee Attorney General and Reporter;
TENNESSEE DEPARTMENT OF HEALTH;
RALPH ALVARADO, in his official capacity as the
Commissioner of the Tennessee Department of
Health; TENNESSEE BOARD OF MEDICAL
EXAMINERS; MELANIE BLAKE, in her official
capacity as the President of the Tennessee Board of
Medical Examiners; STEPHEN LOYD, in his official
capacity as Vice President of the Tennessee Board of
Medical Examiners; RANDALL E. PEARSON,
PHYLLIS E. MILLER, SAMANTHA MCLERRAN,
KEITH G. ANDERSON, DEBORAH
CHRISTIANSEN, JOHN W. HALE, JOHN J.
MCGRAW, ROBERT ELLIS, JAMES DIAZ-
BARRIGA, and JENNIFER CLAXTON, in their
official capacities as members of the Tennessee
Board of Medical Examiners; and LOGAN GRANT,
in his official capacity as the Executive Director of
the Tennessee Health Facilities Commission,

Defendants.

Case No.
3:23-cv-00376

District Judge Richardson

Magistrate Judge Newbern

**PLAINTIFF-INTERVENOR UNITED STATES' MOTION FOR A PRELIMINARY
INJUNCTION**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiff-Intervenor the United States of America (“United States”) hereby moves for a preliminary injunction to enjoin Defendants’ enforcement of Tennessee Senate Bill (“SB”) 1. Counsel for the United States reached out to the Tennessee Attorney General’s Office to notify them of this motion but were not able to reach counsel. The receptionist for the Attorney General’s office stated that the attorney handling this case, who has not yet entered an appearance, is traveling and unavailable to speak with counsel for the United States today. Private Plaintiffs have indicated they do not oppose the motion.

The ban on various forms of gender-affirming medical care for transgender minors contained in SB 1 discriminates on the basis of sex and transgender status in violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. The factual and legal bases for the United States’ motion are set forth in the accompanying Memorandum in Support of Plaintiff-Intervenor United States’ Motion for a Preliminary Injunction. The United States acknowledges that its Motion to Intervene is still pending and has not been ruled on by the Court.

In filing this motion, the United States does not seek to delay the case or the already-scheduled proceedings. The United States recognizes that SB 1 will go into effect on July 1, 2023 and that the *L.W.* Plaintiffs filed a motion for a preliminary injunction. The United States’ complaint in intervention and this motion do not raise any new claims.

Dated: April 26, 2023

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United States Attorney
Middle District of Tennessee

s/Ellen Bowden McIntyre
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Respectfully submitted,

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**Pro hac vice motions pending*

CERTIFICATE OF SERVICE

I certify that on April 26, 2023, a true and correct copy of the foregoing was served via the Court's CM/ECF system, if registered. A service copy also was served via both certified mail and personal service on the parties listed below.

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<p>Sruti J. Swaminathan, Esq. Lambda Legal Defense and Education Fund, Inc. 120 Wall Street, 19th Floor New York, NY 10005 Email: sswaminathan@lamblegal.org</p>	<p>Jonathan Skrmetti, in his official capacity as the Tennessee Attorney General and Reporter General Reporter Attorney and Reporter Office of the Tennessee Attorney General P.O. Box 20207 Nashville, TN 37202-0207 <i>and</i> Office of the Tennessee Attorney General John Sevier Building, 4th Floor 500 Dr. Martin L. King, Jr. Blvd., Nashville, TN 37243</p>
<p>Tennessee Department of Health c/o General Reporter Attorney and Reporter Office of the Tennessee Attorney General P.O. Box 20207 Nashville, TN 37202-0207 <i>and</i> John Sevier Building, 4th Floor 500 Dr. Martin L. King, Jr. Blvd., Nashville, TN 37243</p>	<p>Ralph Alvarado, in his capacity as the Commissioner of the Tennessee Department of Health c/o General Reporter Attorney and Reporter P.O. Box 20207 Nashville, TN 37202-0207 <i>and</i> Office of the Tennessee Attorney General John Sevier Building, 4th Floor 500 Dr. Martin L. King, Jr. Blvd., Nashville, TN 37243</p>
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<p>Stephen Loyd, in his capacity as Vice President of the Tennessee Board of Medical Examiners c/o General Reporter Attorney and Reporter Office of the Tennessee Attorney General P.O. Box 20207 Nashville, TN 37202-0207 <i>and</i></p>	<p>Phyllis E. Miller, Samantha McLerran, Deborah Christiansen, John W. Hale, Robert Ellis, James Diaz-Barriga, and Jennifer Claxton, in their official capacities as members of the Tennessee Board of Medical Examiners</p>

<p>Office of the Tennessee Attorney General John Sevier Building, 4th Floor 500 Dr. Martin L. King, Jr. Blvd., Nashville, TN 37243</p>	<p>c/o General Reporter Attorney and Reporter Office of the Tennessee Attorney General P.O. Box 20207 Nashville, TN 37202-0207 <i>and</i> Office of the Tennessee Attorney General John Sevier Building, 4th Floor 500 Dr. Martin L. King, Jr. Blvd., Nashville, TN 37243</p>
<p>Logan Grant, in his official capacity as the Executive Director of the Tennessee Health Facilities Commission c/o General Reporter Attorney and Reporter Office of the Tennessee Attorney General P.O. Box 20207 Nashville, TN 37202-0207 <i>and</i> Office of the Tennessee Attorney General John Sevier Building, 4th Floor 500 Dr. Martin L. King, Jr. Blvd., Nashville, TN 37243</p>	

s/Ellen Bowden McIntyre _____
Ellen Bowden McIntyre
Assistant United States Attorney