

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

State of ALABAMA, *et al.*,

Plaintiffs,

No. 7:24-cv-533-GMB

v.

Miguel CARDONA, in his official
Capacity as U.S. Secretary of
Education, *et al.*,

Defendants.

**JOINT MOTION TO SET BRIEFING SCHEDULE AND PAGE LIMIT RE-
GARDING PLAINTIFFS' MOTION FOR A STAY OF EFFECTIVE DATE
OR PRELIMINARY INJUNCTION**

1. On April 29, Plaintiffs (four States and four private groups) filed their complaint against Defendants (Secretary Miguel Cardona and the U.S. Department of Education), challenging the Department's recently published rule regarding Title IX of the Education Amendments Act of 1972, *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*, 89 Fed. Reg. 33,474 (Apr. 29, 2024). Doc. 1.

2. The rule's effective date is August 1, 2024. 89 Fed. Reg. at 33,476.

3. On May 8, Plaintiffs moved for a stay of the rule's effective date or a preliminary injunction enjoining Defendants from enforcing the rule in the Plaintiff States. Doc. 7.

4. The parties have met and conferred and have agreed to a proposed briefing schedule and briefing requirements. Plaintiffs respectfully request the following schedule and briefing requirements be set:

- Defendants' response to Plaintiffs' motion for a stay or preliminary injunction is due by Wednesday, June 5, 2024, with a page limit of 50 pages of 13-point Garamond font.
- Plaintiffs' reply is due by Wednesday, June 19, 2024, with a page limit of 25 pages of 13-point Garamond font.
- And should the Court deem it necessary, the parties are available to present oral argument the week of July 1.

Dated: May 9, 2024

Ashley Moody
Attorney General

s/ James H. Percival
James H. Percival*
Chief of Staff
Office of the Attorney General
The Capitol, PI-01
Tallahassee, Florida 32399-1050
(850) 414-3300
(850) 410-2672 (fax)
james.percival@myfloridalegal.com
Counsel for Florida

Christopher M. Carr
Attorney General

s/ Stephen J. Petrany
Stephen J. Petrany*
Solicitor General
Office of the Attorney General
40 Capitol Square, SW
Atlanta, Georgia 30334
(404) 458-3408
spetrany@law.ga.gov
Counsel for Georgia

Alan Wilson
Attorney General

s/ Joseph D. Spate
Joseph D. Spate*
Assistant Deputy Solicitor General
1000 Assembly Street
Columbia, SC 29201
(803) 734-3371
josephspate@scag.gov
Counsel for South Carolina

Respectfully submitted,

Steve Marshall
Attorney General

s/ Edmund G. LaCour Jr.
Edmund G. LaCour Jr.
Solicitor General
Office of the Attorney General
State of Alabama
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152
Telephone: (334) 242-7300
Fax: (334) 353-8400
Edmund.LaCour@AlabamaAG.gov
Counsel for Alabama

s/ Cameron T. Norris
Cameron T. Norris (pro hac vice)
Thomas S. Vaseliou (pro hac vice)
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd., Ste. 700
Arlington, VA 22209
(703) 243-9423
cam@consovoymccarthy.com
Counsel for IWLC, IWN, PDE, Speech First

*pro hac vice forthcoming

CERTIFICATE OF SERVICE

I e-filed this document and its attachments with the Court, which will email everyone requiring service.

Dated: May 9, 2024

s/ Cameron T. Norris