

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 21-2875

4:21-cv-00450-JM

Dylan Brandt, by and through his mother Joanna Brandt; Joanna Brandt; Sabrina Jennen, by and through her parents Lacey and Aaron Jennen; Lacey Jennen; Aaron Jennen; Brooke Dennis, by and through her parents Amanda and Shayne Dennis; Amanda Dennis; Shayne Dennis; Parker Saxton, by and through his father Donnie Saxton; Donnie Saxton; Michele Hutchison, on behalf of herself and parents; Kathryn Stambough, on behalf of herself and her parents

Plaintiffs - Appellees

v.

Leslie Rutledge, in her official capacity as the Arkansas Attorney General; Amy E. Embry, in her official capacity as the Executive Director of the Arkansas State Medical Board; Sylvia D. Simon, in official capacity as member of the Arkansas State Medical Board; Robert Breving, Jr., in official capacity as member of the Arkansas State Medical Board; John H. Scribner, in official capacity as member of the Arkansas State Medical Board; Elizabeth Anderson, in official capacity as member of the Arkansas State Medical Board; Rhys L. Branman, in official capacity as member of the Arkansas State Medical Board; Edward Gardner, "Ward"; in official capacity as member of the Arkansas State Medical Board; Rodney Griffin, in official capacity as member of the Arkansas State Medical Board; Betty Guhman, in official capacity as member of the Arkansas State Medical Board; Brian T. Hyatt, in official capacity as member of the Arkansas State Medical Board; Timothy C. Paden, in official capacity as member of the Arkansas State Medical Board; Don R. Philips, in official capacity as member of the Arkansas State Medical Board; William L. Rutledge, in official capacity as member of the Arkansas State Medical Board; David L. Staggs, in official capacity as member of the Arkansas State Medical Board; Veryl D. Hodges, in official capacity as member of the Arkansas State Medical Board

Defendants - Appellants

Keira Bell; Laura Becker; Sinead Watson; Kathy Grace Duncan; Laura Reynolds; Carol Freitas; Yaacov Sheinfeld; Jeanne Crowley; Ted Hudacko; Lauren W.; Martha S.; Kellie C.; Kristine W.; Bri Miller; Helen S.; Barbara F.; State of Alabama; State of Alaska; State of Arizona; State of Georgia; State of Idaho; State of Indiana; State of Kansas; State of Kentucky; State of Louisiana; State of Mississippi; State of Missouri; State of Montana; State of Nebraska; State of South Carolina; State of South Dakota; State of Tennessee; State of Texas; State of Utah; State of West Virginia; Family Research Council; Women's Liberation Front; Quentin L. Van Meter, MD; Michael K. Laidlaw, MD; Andre Van Mol, MD; Jeffrey E. Hansen, Ph. D.

Amici on Behalf of Appellant(s)

Lambda Legal Defense and Education Fund; National Women's Law Center; Equality South Dakota; Family Equality; Freedom for All Americans; Gender Justice; GLBTQ Legal Advocates & Defenders; Human Rights Campaign; Intransitive (Mabelvale, Arkansas); Legal Voice; Lucie's Place (Little Rock, Arkansas); National Center for Lesbian Rights; National Center for Transgender Equality; National LGBTQ Task Force; One Iowa; OutNebraska; PFLAG; SisterReach; South Dakota Transformation Project; Southwest Women's Law Center; Transformation Project Advocacy Network; Women's Law Project; American Academy of Pediatrics; Academic Pediatric Association; American Academy of Child and Adolescent Psychiatry; American Association of Physicians for Human Rights, Inc.; American College of Osteopathic Pediatricians; American Medical Association; American Pediatric Society; American Psychiatric Association; Arkansas Chapter of the American Academy of Pediatrics; Arkansas Council on Child and Adolescent Psychiatry; Arkansas Medical Society; Arkansas Psychiatric Society; Association of Medical School Pediatric Department Chairs; Endocrine Society; National Association of Pediatric Nurse Practitioners; Pediatric Endocrine Society; Society for Adolescent Health and Medicine; Society for Pediatric Research; Society of Pediatric Nurses; Societies for Pediatric Urology; World Professional Association for Transgender Health; Biomedical Ethics and Public Health Scholars; United States; LiveRamp Holdings, Inc.; Acxiom LLC; Kinesso, LLC; The Walton Family Foundation, Inc.; Arkansas State Chamber of Commerce; Northwest Arkansas Council; Asana, Inc.; Xperi Holding Corp.; Interpublic Group of Companies, Inc.; Winthrop Rockefeller Foundation; Acoustic, L.P.; CYCLQ LLC, doing business as Blue Star Business Services; Institute for Justice; State of California; State of Colorado; State of Connecticut; State of Delaware; State of Hawaii; State of Illinois; State of Maine; State of Maryland; State of Massachusetts; State of Michigan; State of Minnesota; State of Nevada; State of New Jersey; State of New Mexico; State of New York; State of North Carolina; State of Oregon; State of Rhode Island; State of Vermont; State of Washington; District of Columbia; Stonewall UK; Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights; Australian Professional Association for Trans Health; Professional Association for Transgender Health Aotearoa New Zealand; LGBT+ Denmark; Bundesverband Trans e.V.; Federacion Estatal de Lesbianas, Gais, Trans, Bisexuales, Intersexuales y mas; Fundacion Colectivo Hombres XX, AC; Norwegian Organization for Sexual and Gender Diversity; The Trevor Project, Inc.; Elliot Page and 57 Other Individuals; Families with Transgender Children

Amici on Behalf of Appellee(s)

Appeal from U.S. District Court for the Eastern District of Arkansas - Central
(4:21-cv-00450-JM)

JUDGMENT

Before LOKEN, KELLY, Circuit Judges and MENENDEZ, District Judge.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

August 25, 2022

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

John Hibbs

From: ca08ml_cmecf_Notify@ca8.uscourts.gov
Sent: Thursday, August 25, 2022 10:00 AM
Subject: 21-2875 Dylan Brandt, et al v. Leslie Rutledge, et al "judgment filed sua sponte affirmed" (4:21-cv-00450-JM)

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

Eighth Circuit Court of Appeals

Notice of Docket Activity

The following transaction was filed on 08/25/2022

Case Name: Dylan Brandt, et al v. Leslie Rutledge, et al
Case Number: [21-2875](#)
Document(s): [Document\(s\)](#)

Docket Text:

JUDGMENT FILED - The judgment of the Originating Court is AFFIRMED in accordance with the opinion JAMES B. LOKEN, JANE KELLY and KATHERINE M. MENENDEZ Hrg June 2022 [5191230] [21-2875] (Clifford Jackson)

Notice will be electronically mailed to:

Mr. James D. Esseks: jesseks@aclu.org
Mr. John J. Bursch: jbursch@adflegal.org, ceville@adflegal.org
Ms. Kathleen R. Hartnett: khartnett@cooley.com, mnarvaez@cooley.com
Ms. Bonnie I. Robin-Vergeer, Senior Attorney: bonnie.robin-vergeer@usdoj.gov, lane.baker2@usdoj.gov,
pamela.l.marshall@usdoj.gov
Mr. Ernest G. Trakas: etrakas@evans-dixon.com
Ms. Mary Elizabeth McAlister: mmcalister@childparentrights.org, Inevitt@childparentrights.org
Mr. Jess Askew, III: jess.askew@kutakrock.com, cassy.peters@kutakrock.com
Mr. Andrew King: andrew.king@kutakrock.com, suzette.mccasland@kutakrock.com
Ms. Breean Walas: breean@walaslawfirm.com, walaslawfirm@gmail.com
Mr. Garrard R. Beeney: beeneyg@sullcrom.com, garrard-beeney-2307@ecf.pacerpro.com
Mr. Gary L. Sullivan: gary@acluarkansas.org, ali@acluarkansas.org
Ms. Leslie Cooper: lcooper@aclu.org, sgarcia@aclu.org, ccaicedo@aclu.org
Mr. Peter Drake Mann: manna@gill-law.com, tricia@gill-law.com
Mr. Nicholas J. Bronni: nicholas.bronni@arkansasag.gov
Ms. Carmine D Boccuzzi, Jr.: cboccuzzi@cgsh.com, maofiling@cgsh.com
Mr. Barrett James Anderson, Attorney: banderson@cooley.com, mdejesus@cooley.com
Mr. Michael A. Cantrell, Assistant Solicitor General: Michael.Cantrell@ArkansasAG.gov
Mr. Jesse Ryan Loffler: jloffler@cozen.com

Mr. Paul V. Avelar: pavelar@ij.org
Mr. Dylan L. Jacobs, Assistant Solicitor General: dylan.jacobs@arkansasag.gov
Mr. Omar Gonzalez-Pagan: ogonzalez-pagan@lambdalegal.org, omar.gp@gmail.com, mhead@lambdalegal.org
Mr. Christopher L. Travis: travis@gill-law.com, melissa@gill-law.com
Ms. Julie Veroff: jveroff@cooley.com, julie-veroff-2654@ecf.pacerpro.com, gwilson@cooley.com
Mr. Alexander Barrett Bowdre: barrett.bowdre@alabamaag.gov
Mr. Edmund G. LaCour, Jr., Solicitor General: edmund.lacour@alabamaag.gov, rene.whyard@alabamaag.gov
Mr. Michael J. Lanosa: mlanosa@cov.com
Ms. Barbara Schwabauer: barbara.schwabauer@usdoj.gov, lane.baker2@usdoj.gov, pamela.l.marshall@usdoj.gov
Mr. Alexander S. Holland: hollanda@sullcrom.com
Mr. Chase B. Strangio: cstrangio@aclu.org, sgarcia@aclu.org
Ms. Laura Kabler Oswell: oswell@sullcrom.com
Ms. Sarah C. Everett: sarah@acluarkansas.org
Ms. Sharon Elizabeth Echols: echols@gill-law.com
Mr. Andrew Rhys Davies: andrew.rhys.davies@allenoverly.com, courtnotices@allenoverly.com, kurt.vellek@allenoverly.com
Mr. Christopher Ernest Mills: cmills@spero.law
Ms. Shireen A. Barday: sbarday@gibsondunn.com
Ms. Alison Ann Tanner: atanner@nwlc.org
Mr. Paul M. Sherman: psherman@ij.org, mkarten@ij.org
Mr. Gary McCaleb: gmccaleb@adfllegal.org
Ms. Jennifer C. Chavez: legal@womensliberationfront.org
Ms. Lauren R. Adams: legal@womensliberationfront.org
Ms. Stephanie Yu: stephanie.yu@doj.ca.gov
Mr. William Racilla Isasi: wisasi@cov.com
Ms. D. Jean Veta: jveta@cov.com
Ms. Kathleen Boergers: kathleen.boergers@doj.ca.gov
Mr. Boris Bershteyn: boris.bershteyn@skadden.com
Ms. Karen Loewy: kloewy@lambdalegal.org, djohnson@lambdalegal.org
Mr. Cortlin Hall Lannin: clannin@cov.com
Mr. Nicholas Guillory: nguillory@lambdalegal.org
Ms. Katelyn Kang: kkang@cooley.com, efiling-notice@ecf.pacerpro.com
Ms. Elizabeth F. Reinhardt: ereinhardt@cooley.com
Mr. Howard S. Zelbo: hzelbo@cgsh.com
Ms. Lindsay Harris: lharris@cgsh.com
Mr. Gabriel Arkles: Garkles@transgenderlegal.org
Mr. Ezra Cukor: Ecukor@transgenderlegal.org
Ms. Tammy H. Downs, Clerk of Court: ared_appeals@ared.uscourts.gov

Ms. Elizabeth Baia: ebaia@cov.com (*daily summary*)

Ms. Lily Grace Weaver, Deputy Attorney General: lily.weaver@doj.ca.gov (*daily summary*)

Notice will be mailed to:

Mr. Thomas A. Mars
WALMART
702 S.W. Eighth Street
Bentonville, AR 72716-8313

Ms. Gretchen Borchelt
NATIONAL WOMEN'S LAW CENTER
Suite 800

11 Dupont Circle
Washington, DC 20036-0000

Ms. Vernadette R. Broyles
CHILD & PARENTAL RIGHTS CAMPAIGN, INC
Suite G310
5805 State Bridge Road
Johns Creek, GA 30097

Mr. Joel H. Thornton
CHILD & PARENTAL RIGHTS CAMPAIGN, INC
Suite G310
5805 State Bridge Road
Johns Creek, GA 30097

Ms. Sunu Chandy
NATIONAL WOMEN'S LAW CENTER
Suite 800
11 Dupont Circle
Washington, DC 20036-0000

Ms. Dorianne Mason
NATIONAL WOMEN'S LAW CENTER
Suite 800
11 Dupont Circle
Washington, DC 20036-0000

Mr. William J. O'Brien
SKADDEN & ARPS
One Manhattan West
New York, NY 10001-8602

Ms. Mary C. Ross
SKADDEN & ARPS
One Manhattan West
New York, NY 10001-8602

Ms. J. G. Piper Sheren
SKADDEN & ARPS
One Manhattan West
New York, NY 10001-8602

Mr. Caleb B. King
SKADDEN & ARPS
One Manhattan West
New York, NY 10001-8602

Mr. Andrew J. Schrag
SKADDEN & ARPS
One Manhattan West
New York, NY 10001-8602

Mr. Andrew Bonzani
INTERPUBLIC GROUP OF COMPANIES, INC.
24th Floor
909 Third Avenue
New York, NY 10022

Mr. Justin L. Ormand
ALLEN & OVERY
1221 Avenue of the Americas
New York, NY 10020

Mr. Steven W. Shuldman
ALLEN & OVERY
1221 Avenue of the Americas
New York, NY 10020

Mr. JD Colavecchio
CLEARY & GOTTLIEB
One Liberty Plaza
New York, NY 10006-0000

The following document(s) are associated with this transaction:

Document Description: Judgment With Opinions

Original Filename: /opt/ACECF/live/forms/CliffordRJackson_212875_5191230_JudgmentsWithOpinions_258.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1105112566 [Date=08/25/2022] [FileNumber=5191230-0]

[5adb827f26cad0ff2d270d51210f69939465f99aa7df33c3295ad56b8fc1ba357ff6b0aeeba5471fd7aa4bcfb82c1f576ce84a
b67bc1d70c4dd75e6f962c1723]]

Recipients:

- [Ms. Lauren R. Adams](#)
- [Mr. Barrett James Anderson, Attorney](#)
- [Mr. Gabriel Arkles](#)
- [Mr. Jess Askew, III](#)
- [Mr. Paul V. Avelar](#)
- [Ms. Elizabeth Baia](#)
- [Ms. Shireen A. Barday](#)
- [Mr. Garrard R. Beeney](#)
- [Mr. Boris Bershteyn](#)
- [Ms. Carmine D Boccuzzi, Jr.](#)
- [Ms. Kathleen Boergers](#)
- [Mr. Andrew Bonzani](#)
- [Ms. Gretchen Borchelt](#)
- [Mr. Alexander Barrett Bowdre](#)
- [Mr. Nicholas J. Bronni](#)
- [Ms. Vernadette R. Broyles](#)
- [Mr. John J. Bursch](#)
- [Mr. Michael A. Cantrell, Assistant Solicitor General](#)
- [Ms. Sunu Chandu](#)
- [Ms. Jennifer C. Chavez](#)
- [Mr. JD Colavecchio](#)
- [Ms. Leslie Cooper](#)

- [Mr. Ezra Cukor](#)
- [Mr. Andrew Rhys Davies](#)
- [Ms. Tammy H. Downs, Clerk of Court](#)
- [Ms. Sharon Elizabeth Echols](#)
- [Mr. James D. Esseks](#)
- [Ms. Sarah C. Everett](#)
- [Mr. Omar Gonzalez-Pagan](#)
- [Mr. Nicholas Guillory](#)
- [Ms. Lindsay Harris](#)
- [Ms. Kathleen R. Hartnett](#)
- [Mr. Alexander S. Holland](#)
- [Mr. William Racilla Isasi](#)
- [Mr. Dylan L. Jacobs, Assistant Solicitor General](#)
- [Ms. Katelyn Kang](#)
- [Mr. Andrew King](#)
- [Mr. Caleb B. King](#)
- [Mr. Edmund G. LaCour, Jr., Solicitor General](#)
- [Mr. Cortlin Hall Lannin](#)
- [Mr. Michael J. Lanosa](#)
- [Ms. Karen Loewy](#)
- [Mr. Jesse Ryan Loffler](#)
- [Mr. Peter Drake Mann](#)
- [Mr. Thomas A. Mars](#)
- [Ms. Dorianne Mason](#)
- [Ms. Mary Elizabeth McAlister](#)
- [Mr. Gary McCaleb](#)
- [Mr. Christopher Ernest Mills](#)
- [Mr. William J. O'Brien](#)
- [Mr. Justin L. Ormand](#)
- [Ms. Laura Kabler Oswell](#)
- [Ms. Elizabeth F. Reinhardt](#)
- [Ms. Bonnie I. Robin-Vergeer, Senior Attorney](#)
- [Ms. Mary C. Ross](#)
- [Mr. Andrew J. Schrag](#)
- [Ms. Barbara Schwabauer](#)
- [Ms. J. G. Piper Sheren](#)
- [Mr. Paul M. Sherman](#)
- [Mr. Steven W. Shuldman](#)
- [Mr. Chase B. Strangio](#)
- [Mr. Gary L. Sullivan](#)
- [Ms. Alison Ann Tanner](#)
- [Mr. Joel H. Thornton](#)
- [Mr. Ernest G. Trakas](#)
- [Mr. Christopher L. Travis](#)
- [Ms. Julie Veroff](#)
- [Ms. D. Jean Veta](#)
- [Ms. Breean Walas](#)
- [Ms. Lily Grace Weaver, Deputy Attorney General](#)
- [Ms. Stephanie Yu](#)
- [Mr. Howard S. Zelbo](#)

The following information is for the use of court personnel:

DOCKET ENTRY ID: 5191230

RELIEF(S) DOCKETED:

affirmed

DOCKET PART(S) ADDED: 7104441, 7104442, 7104443