

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISIVLLE DIVISION

Electronically filed

DOE 1, *et al.*
Plaintiffs

v.

THORNBURY, *et al.*
Defendants

and

COMMONWEALTH OF KENTUCKY,
ex rel. ATTORNEY GENERAL DANIEL
CAMERON
Intervening Defendant

Civil Action No. 3:23-CV-00230-DJH

NOTICE OF SUPPLEMENTAL AUTHORITY

This morning, the Sixth Circuit Court of Appeals stayed the preliminary injunction granted to the plaintiffs in *L.W. v. Skrmetti*, No. 23-5600, a lawsuit challenging Tennessee’s prohibition on providing puberty blockers and cross-sex hormones to children with gender dysphoria. Ex. 1 at 2–4. In doing so, the Sixth Circuit found that the challengers to that law “are unlikely to prevail on their due process and equal protection claims,” *id.* at 6–14, the same claims that the challengers in the case before this Court made as to Kentucky’s essentially identical prohibition, Compl. 19–21, DN 2. The Sixth Circuit also found that “[t]he other stay factors largely favor the State as well,” Ex. 1 at 14–15, and all three judges “agree[d] that the district

court abused its discretion in granting a statewide preliminary injunction,” *id.* at 17 (White, J., dissenting); *id.* at 4–6.

In light of *L.W.*, this grant should immediately grant the Commonwealth’s motion for a stay pending appeal of this Court’s preliminary injunction.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 8, 2023, the above document was filed with the CM/ECF filing system, which electronically served a copy to all counsel of record.

/s/ Alexander Y. Magera
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