

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ASHTON ORR, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Case No. 1:25-cv-10313-JEK

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs hereby move the Court for an order certifying the following classes in accordance with Federal Rule of Civil Procedure 23(b)(2):

1. A class of all people who currently want, or in the future will want, a U.S. passport issued with an “F” or “M” sex designation that is different from the sex assigned to that individual under the Passport Policy (“M/F Designation Class”); and
2. A class of all people who currently want, or in the future will want, a U.S. passport and wish to use an “X” sex designation (“X Designation Class”); except
3. No person who is a plaintiff in *Schlacter, et al. v. U.S. Department of State, et al.*, 1:25-cv-01344 (D. Md. filed Apr. 25, 2025), currently pending before the United States District Court for the District of Maryland, is included in either class, as requested by the *Schlacter* plaintiffs’ counsel.

ECF No. 76 ¶ 273.

Plaintiffs respectfully request that the Court appoint: (1) Plaintiffs Ashton Orr, Zaya Perysian, Chastain Anderson, Drew Hall, Bella Boe, Reid Solomon-Lane, Viktor Agatha, David

Doe, AC Goldberg, and Chelle LeBlanc as representatives of the M/F Designation Class; (2) Plaintiffs Sawyer Soe and Ray Gorlin as representatives of the X Designation Class; and (3) the undersigned as class counsel pursuant to Rule 23(g).

This Motion is supported by the attached Memorandum of Law and the Declarations of Isaac D. Chaput, Jon W. Davidson, Jessie J. Rossman, Ashton Orr, Zaya Perysian, Sawyer Soe, David Doe, AC Goldberg, Chastain Anderson, Drew Hall, Bella Boe, Reid Solomon-Lane, Viktor Agatha, Ray Gorlin, Chelle LeBlanc, Sarah D. Corathers, MD, and Ayden Scheim, PhD filed concurrently herewith.

REQUEST FOR ORAL ARGUMENT

Plaintiffs respectfully request an oral argument on this Motion.

April 30, 2025

Respectfully submitted,

/s/ Isaac D. Chaput

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**Pro hac vice application forthcoming*

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

I, Isaac D. Chaput, hereby certify that in accordance with Local Rule 7.1(a)(2), counsel for Plaintiffs communicated via email on April 28, 2025, with counsel at the Department of Justice, Elizabeth Layendecker, who indicated that Defendants oppose this motion.

/s/ Isaac D. Chaput
Isaac D. Chaput

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2025, a true copy of the foregoing will be electronically filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel of record.

/s/ Isaac D. Chaput
Isaac D. Chaput