

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

PETER POE, et al.,

Plaintiffs,

v.

GENTNER DRUMMOND, et al.,

Defendants.

Case No. 23-cv-00177-JFH-SH

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND FOR EXPEDITED
CONSIDERATION**

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs hereby respectfully move the Court for a preliminary injunction restraining Defendants and any successors to Defendants from enforcing any provision of Senate Bill 613 (“SB 613”), enacted by the Oklahoma State Legislature on April 27, 2023 and signed into law by Oklahoma Governor Stitt on May 1, 2023 (the “Health Care Ban”), during the pendency of this litigation. The Health Care Ban prohibits the provision of medically necessary, safe, effective, and often lifesaving healthcare to transgender adolescents with gender dysphoria in Oklahoma. Absent expedited and preliminary injunctive relief, Plaintiffs will suffer immediate and irreparable harm.

In support of this Motion, Plaintiffs submit the declarations of Plaintiffs Peter Poe, Paula Poe, Daphne Doe, Donna Doe, Brandon Boe, Benjamin Boe, Lydia Loe, Lauren Loe, Ryan Roe, Rachel Roe, and Dr. Shauna Lawlis, M.D.; the expert declarations of Deanna Adkins, MD, Armand H. Matheny Antommaria, MD, PhD, FAAP, HEC-C, Aron Janssen, M.D., and Jack Turban, M.D.; an Opening Memorandum of Law in Support of Plaintiffs’ Motion for a Preliminary Injunction;

and the text of the Health Care Ban (attached as Exhibit 1 to Plaintiffs' Opening Memorandum of Law).

Plaintiffs' Opening Memorandum of Law in Support of the Motion demonstrates Plaintiffs are likely to prevail on the merits of their claims, a preliminary injunction is necessary to prevent irreparable harm to Plaintiffs, and that such a preliminary injunction is in the public interest.

Plaintiffs respectfully request that the Court exercise its discretion and waive any bond requirement because Defendants are unlikely to sustain any costs or damages as the result of a preliminary injunction. *See Coquina Oil Corp. v. Transwestern Pipeline Co.*, 825 F.2d 1461, 1462 (10th Cir. 1987) (district court may waive bond requirement "if there is an absence of proof showing a likelihood of harm" (citation omitted)); *Sulphur Manor, Inc. v. Burwell*, No. CIV-15-250-RAW, 2015 WL 12564776, at *2 (E.D. Okla. July 8, 2015) (no bond necessary because there was no harm to government from staying administrative action).

Plaintiffs request oral argument and believe it would be helpful to the Court when considering the issues raised by the motion. Under the Local Rules, Defendants' response brief is due within twenty-one days of service of the motion papers, and Plaintiffs' reply brief is due fourteen days after Defendants' response brief. Because the Health Care Ban currently is in effect and Plaintiffs face irreparable harm if enforcement of the Health Care Ban is not enjoined, Plaintiffs respectfully request that the Court exercise its discretion to expedite the briefing schedule so that Defendants' response brief is due within fourteen days of service of the motion papers, and Plaintiffs' reply brief is due within seven days after Defendants' response brief. Plaintiffs ask that the Court set oral argument as soon as possible after the conclusion of briefing.

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Date: May 2, 2023

Respectfully submitted

/s/Megan Lambert

Megan Lambert
(OBA# 33216)

**American Civil Liberties Union
Foundation of Oklahoma**
P.O. Box 13327
Oklahoma City, OK 73113
(405) 524-8511
mlambert@acluok.org

Chase Strangio*
Harper Seldin*
**American Civil Liberties Union
Foundation**
125 Broad Street, Floor 18
New York, NY 10004
(212) 549-2500
cstrangio@aclu.org
hseldin@aclu.org

Laura J. Edelstein*
Jenner & Block LLP
455 Market Street, Suite 2100
San Francisco, CA 94105
(628) 267-6800
LEdelstein@jenner.com

Luke C. Platzer*
Madeleine V. Findley*
Jenner & Block LLP
1099 New York Avenue, NW, Suite 900
Washington, DC 20001
(202) 639-6000
LPlatzer@jenner.com

Lauren M. Greene*
Blaine R. Valencia*
Jenner & Block LLP
515 S. Flower Street, Suite 3300
Los Angeles, CA 90071-2246
(213) 239-5100
LGreene@jenner.com
BValencia@jenner.com

**Application for admission pro hac vice
forthcoming.*

Omar Gonzalez-Pagan*
**Lambda Legal Defense
and Education Fund, Inc.**
120 Wall Street, 19th Floor
New York, NY 10005
(212) 809-8585
ogonzalez-pagan@lambdalegal.org

Shelly L. Skeen*
**Lambda Legal Defense
and Education Fund, Inc.**
Oak Lawn Ave, Ste. 500
Dallas, TX 75219
(214) 219-8585
sskeen@lambdalegal.org

Sasha Buchert*
**Lambda Legal Defense
and Education Fund, Inc.**
1776 K Street, N.W., 8th Floor
Washington, DC 20006
(202) 804-6245
sbuchert@lambdalegal.org

Remi Jaffre*
Jenner & Block LLP
1155 Avenue of the Americas
New York, NY 10036
(212) 891-1600
RJaffre@jenner.com

Lillian M. McGuire*
Jocelyn Sitton*
Daniel L. Robertson*
Jenner & Block LLP
353 N. Clark Street
Chicago, IL 60654
(312) 222-9350
LMcGuire@jenner.com
JSitton@jenner.com
DRobertson@jenner.com

CERTIFICATE OF SERVICE

I hereby certify that this motion will be served concurrently with the service of the Summons and Complaint in this matter.

/s/ Megan Lambert

Megan Lambert
Oklahoma Bar Number: 33216
American Civil Liberties Union of
Oklahoma Foundation
P.O. Box 13327
Oklahoma City, OK 73113
(405) 524-8511
mlambert@acluok.org
Counsel for Plaintiffs