

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ALISHEA KINGDOM, *et al.*;

*Plaintiffs,*

v.

DONALD J. TRUMP, *et al.*;

*Defendants.*

Case No. 1:25-cv-00691-RCL

**PLAINTIFFS' MOTION FOR LEAVE TO FILE SUPPLEMENTAL  
DECLARATIONS IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION, TO  
STAY AGENCY ACTION, AND FOR PROVISIONAL CLASS CERTIFICATION**

Plaintiffs respectfully move under Local Rule 65.1(c) for leave to file the following supplemental declarations in support of Plaintiffs' Motion for Preliminary Injunction, to Stay Agency Action, and for Provisional Class Certification. The following supplemental declarations are attached hereto for the Court's review and convenience: Supplemental Declaration of Named Plaintiff Alishea Sophia Kingdom (Dkt. 47-1); Supplemental Declaration of Named Plaintiff Solo Nichols (Dkt. 47-2); Supplemental Declaration of Named Plaintiff Jas Kapule (Dk. 47-3); Supplemental Declaration of Dr. Dan H. Karasic (Dkt. 47-4); Declaration of Putative Class Member Ayana Satyagrahi (Dkt. 47-5); and Declaration of Putative Class Member A.J. DiCiesare (Dkt. 47-6).

Plaintiffs filed this action on March 7, 2025 (Dkt. 1), in response to Executive Order 14168 and the February 2025 memoranda implementing it. Plaintiffs filed the underlying motion on March 17, 2025 (Dkt. 7). Defendants filed their response to that motion on March 28, 2025 (Dkt. 36). On April 1, 2025, an Amicus Brief was filed by the States of Indiana, Idaho, and 22 other

States in support of Defendants' response (Dkt. 45). Plaintiffs' reply in support of their motion is due on April 4.

To obtain a preliminary injunction, a plaintiff must show, among other things, a likelihood of success on the merits and risk of irreparable harm. In their response brief, Defendants make assertions about BOP's implementation of the EO and Implementing Memoranda. And Defendants and the State amici make assertions about the purported lack of efficacy of hormone therapy to treat gender dysphoria. To address Defendants' arguments and arguments made in the Amicus Brief regarding the efficacy of the prohibited care, and to present the Court with up-to-date facts regarding the status of their access to gender-affirming health care, Plaintiffs respectfully request that they be granted leave to file the supplemental declarations of the three Named Plaintiffs, two putative class members, and Dr. Dan Karasic.

Pursuant to Local Civil Rule 7(m), counsel for Plaintiffs contacted Defendants' counsel regarding this motion and Defendants' position is that "Defendants oppose the motion for leave to file supplemental declarations unless they are given a reasonable opportunity to respond to the declarations." Plaintiffs do not believe leave to file a response is automatically warranted, particularly given the narrow focus of Plaintiffs' supplemental declarations, and that Defendants may seek leave to file a response if they so choose after they receive Plaintiffs' Reply brief and supplemental declarations.

Plaintiffs have incorporated the supplemental declarations into their reply memorandum, filed concurrently with this Motion. Should the Court deny this Motion, Plaintiffs respectfully request that the Court allow them 48 hours to resubmit their reply brief, omitting references to the supplemental declarations.

## CONCLUSION

For the reasons stated, this Court should grant the motion to supplement the record.

Dated: April 4, 2025

David C. Fathi† (*pro hac vice*)  
Maria V. Morris, D.C. Bar. No. 1697904  
Elisa C. Epstein† (*pro hac vice*)  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
915 15th Street, N.W.  
Washington, D.C. 20005  
Tel: 202-393-4930  
[dfathi@aclu.org](mailto:dfathi@aclu.org)  
[mmorris@aclu.org](mailto:mmorris@aclu.org)  
[ee Epstein@aclu.org](mailto:ee Epstein@aclu.org)  
† Not admitted in D.C.; practice limited to federal courts.

Corene T. Kendrick (*pro hac vice*)  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
425 California St., Ste. 700  
San Francisco, CA 94104  
Tel: 202-393-4930  
[ckendrick@aclu.org](mailto:ckendrick@aclu.org)

Li Nowlin-Sohl (*pro hac vice*)  
(admitted only in Washington state)  
Leslie Cooper (*pro hac vice*)  
Shana Knizhnik, DDC Bar ID 120840  
James D. Esseks\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
125 Broad Street, 18th Floor  
New York, NY 10004  
Tel: 212-549-2500  
[lnowlin-sohl@aclu.org](mailto:lnowlin-sohl@aclu.org)  
[lcooper@aclu.org](mailto:lcooper@aclu.org)  
[sknizhnik@aclu.org](mailto:sknizhnik@aclu.org)  
[jesseks@aclu.org](mailto:jesseks@aclu.org)

Respectfully submitted,

/s/ Michael Perloff  
Michael Perloff, D.C. Bar No. 1601047  
Aditi Shah, D.C. Bar No. 90033136††  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF THE DISTRICT OF  
COLUMBIA  
529 14th Street NW, Suite 722  
Washington, D.C. 20045  
Tel: 202-457-0800  
[mperloff@acludc.org](mailto:mperloff@acludc.org)  
[ashah@acludc.org](mailto:ashah@acludc.org)  
†† Admission to DDC Bar pending

Shawn Thomas Meerkamper\*\*  
Megan Z. F. Noor\*\*  
TRANSGENDER LAW CENTER  
P.O. Box 70976  
Oakland, CA 94612  
Tel: 510-587-9696  
[shawn@transgenderlawcenter.org](mailto:shawn@transgenderlawcenter.org)  
[megan@transgenderlawcenter.org](mailto:megan@transgenderlawcenter.org)

Lynly S. Egyes (*pro hac vice*)  
Milo Inglehart (*pro hac vice*)  
TRANSGENDER LAW CENTER  
594 Dean Street, Suite 11  
Brooklyn, NY 11238  
Tel: 510-587-9696  
[lynly@transgenderlawcenter.org](mailto:lynly@transgenderlawcenter.org)  
[milo@transgenderlawcenter.org](mailto:milo@transgenderlawcenter.org)

\* *Pro hac vice application forthcoming.*

\*\* *Pro hac vice application pending  
Counsel for plaintiffs and the proposed class*