

**IN THE SEVENTH JUDICIAL DISTRICT
DISTRICT COURT, DOUGLAS COUNTY, KANSAS**

DANIEL DOE, MATTHEW MOE, KYLE)	
KOE, NICHOLAS NOE, CAMERON)	
BROYLES, and DAKOTA WEST,)	
)	
Plaintiffs,)	
)	
v.)	Case No. DG-2026-CV-000112
)	
STATE OF KANSAS, <i>ex rel.</i> KRIS)	
KOBACH Attorney General, <i>et al.</i> ,)	
)	
Defendants.)	

**ANSWER BY DEFENDANTS KANSAS DEPARTMENT OF ADMINISTRATION
AND PROFFITT TO PLAINTIFF’S AMENDED PETITION**

COMES NOW Defendants, Kansas Department of Administration and Adam Proffitt, Secretary of Department of Administration, in his official capacity (hereinafter “KDOA Defendants”), by and through their attorney Jordan Brewer, and for their Answer to Plaintiff’s Amended Petition state as follows:

A. ANSWER TO AMENDED PETITION

1. Each and every allegation of the Amended Petition which is not specifically admitted herein is denied.
2. KDOA Defendants admit the allegations in paragraphs 1, 8, 9, 11, 36-43, 46, 167, 168, 174, 178, 179, 181, 182, and 184. Regarding paragraph 177, KDOA Defendants admit the sentence but for the characterization of “logrolled”.
3. KDOA Defendants deny the allegations in paragraphs 10, 196-241, and Section VI Requests for Relief A-E. Regarding paragraph 10, KDOA Defendants deny that

Plaintiffs' claims warrant such relief. As to paragraphs 196-241, KDOA Defendants deny the allegations for it is the role of the Kansas Attorney General to address constitutional challenges to state laws. Plaintiff's Amended Petition, at page 7, ¶ 36.

4. KDOA Defendants lack sufficient information or knowledge to admit or deny paragraphs 2-7, 12-35, 48-166, 169-173, 175, 176, 180, 192, and 193, and therefore deny the same.
5. As to paragraph 44, KDOA Defendants admit the Kansas Department of Administration is responsible for managing some state facilities, procurement, financial reporting, human resources, and providing technology support services; however, KDOA Defendants deny that it is responsible for managing state facilities for all state agencies. Certain state agencies and branches of government fall outside of the control of the KDOA Defendants. State universities, including the University of Kansas, are placed under the control of the board of regents in K.S.A. § 76-712 which states: "the state education institutions are separate state agencies and state institutions and shall be controlled by and operated and managed under the supervision of the board of regents".
6. As to paragraph 45, KDOA Defendants admit Adam Proffitt is the Secretary of the Department of Administration with supervisory control over the department and is charged with some enforcement of the Act that is subject to the Amended Petition; however, KDOA Defendants deny he is charged with enforcement over all State agencies and facilities.

7. As to paragraph 47, KDOA Defendants admit they have been designated as the designee for complaints received under Senate Bill 244; however, KDOA Defendants deny that such designation is expressly provided for in Senate Bill 244. Rather, KDOA Defendants issued a policy to certain state agencies under the Executive Branch directing complaints to come to KDOA Defendants. KDOA Defendants deny that such designation applies to all state agencies.
8. As to paragraph 183, KDOA Defendants admit the third sentence, “[t]he Act requires public buildings to ‘designate each multiple-occupancy private space in such building for use only by individuals of one sex’ and directs the administrator of public buildings to ‘ensure an individual does not enter a multiple-occupancy private space that is designated for use only by individuals of the opposite sex’”. KDOA Defendants deny the first two sentences as they call for legal conclusions.
9. As to paragraphs 185-191, 194, and 195, KDOA Defendants deny as they call for legal conclusions.

B. AVOIDANCES AND AFFIRMATIVE DEFENSES

10. KDOA Defendants expressly assert and preserve all immunities, defenses, and limitations on liability available under federal and Kansas law, including sovereign immunity through the Eleventh Amendment to the United State Constitution. KDOA Defendants do not waive any such immunity, whether expressly or by implication. To the extent Plaintiffs’ claims are construed as claims against the State of Kansas, such claims are barred in whole or in part by sovereign immunity, and KDOA Defendants

further reserve all protections, limitations, and defenses available under the Kansas Tort Claims Act, K.S.A. § 75-6101, *et seq.*, and other applicable law.

11. KDOA Defendants are immune from any damages or fees which may be sought here, pursuant to the Kansas Tort Claims Act, K.S.A. 75-6101, *et seq.*

WHEREFORE the KDOA Defendants respectfully request the Plaintiffs' Section VI requests for relief be denied. That for purposes of constitutional arguments made herein, KDOA Defendants defer to the Kansas Attorney General, as set out in Plaintiff's Petition, ¶ 20 and K.S.A. § 75-702, but answers this Petition so that it may provide operational support if or when directed by the Court. Additionally, as to the KDOA Defendants, Plaintiffs' Petition fails to state a claim upon which relief can be granted and the KDOA Defendants pray that they be dismissed.

Respectfully submitted,

/s/ Jordan Brewer

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capacity*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24th day of April, 2026, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the Kansas Judicial Branch e-filing system and was sent by electronic mail to all parties receiving notices electronically via the Court's electronic noticing system.

By: /s/ Jordan Brewer
Jordan Brewer