

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Newport News Division

GAVIN GRIMM, , )  
)  
Plaintiff, )  
)  
v. ) Civil Case No. 4:15-cv-54  
)  
GLOUCESTER COUNTY SCHOOL )  
BOARD, )  
)  
Defendant. )  
\_\_\_\_\_ )

**DECLARATION OF SHAYNA MEDLEY-WARSOFF**

I, Shayna Medley-Warsoff, submit the following declaration in support of Plaintiff Gavin Grimm’s motion for summary judgment. I am one of the attorneys for Gavin Grimm, and I have personal knowledge of the facts in this attorney declaration. If called upon to testify, I could competently testify to the matters set forth in this declaration.

1. A copy of Defendant’s Answers to Plaintiff’s First Set of Interrogatories is attached to this Declaration as Exhibit 1.
2. A copy of Defendant’s Supplemental Answer to Plaintiff’s Interrogatory No. 1. is attached to this Declaration as Exhibit 2.
3. A copy of the Expert Report and Declaration of Dr. Melinda Penn is attached to this Declaration as Exhibit 3.
4. A copy of Dr. Melinda Penn’s curriculum vitae, which was originally attached as Exhibit A to the Expert Report and Declaration of Dr. Melinda Penn, is attached to this Declaration as Exhibit 4.

5. A copy of the World Professional Association for Transgender Health (“WPATH”) Standards of Care, which was originally attached as Exhibit B to the Expert Report and Declaration of Dr. Melinda Penn, is attached to this Declaration as Exhibit 5.

6. A copy of the Endocrine Society’s Clinical Practice Guideline for Endocrine Treatment of Gender-Dysphoric/Gender-Incongruent Persons, which was originally attached as Exhibit C to the Expert Report and Declaration of Dr. Melinda Penn, is attached to this Declaration as Exhibit 6.

7. A copy of the Expert Report of Dr. Quentin Van Meter is attached to this Declaration as Exhibit 7.

8. A copy of the Rebuttal Expert Report and Declaration of Dr. Melinda Penn is attached to this Declaration as Exhibit 8.

9. A copy of the deposition of Nathan Collins in this case is attached to this Declaration as Exhibit 9.

10. A copy of the deposition of Walter Clemons in this case is attached to this Declaration as Exhibit 10.

11. A copy of the deposition of Tiffany Durr in this case is attached to this Declaration as Exhibit 11.

12. A copy of the deposition of Matthew Lord in this case is attached to this Declaration as Exhibit 12.

13. A copy of the 30(b)(6) deposition of Troy Anderson in this case is attached to this Declaration as Exhibit 13.

14. A copy of the deposition of Quentin Van Meter is attached to this Declaration as Exhibit 14.

15. A copy of Mr. Collins's memorandum to Deirdre Grimm dated October 14, 2014, which was originally produced as GCSB 0894 and attached as Exhibit 8 to the Deposition of Nathan Collins, is attached to this Declaration as Exhibit 15.

16. A copy of Dr. Clemons's email to the School Board dated October 22, 2014, originally produced as WAVY TV FOIA 007 and attached as Exhibit 5 to the Deposition of Walter Clemons, is attached to this Declaration as Exhibit 16.

17. A copy of Mr. Collins's memorandum to Dr. Clemons dated October 23, 2014, which was originally produced as GCSB 4121-22 and attached as Exhibit 2 to the Deposition of Dr. Clemons, is attached to this Declaration as Exhibit 17.

18. A copy of the emails from Carla Hook to a constituent dated October 24-27, 2014, which were originally produced as GCSB 0853-55, is attached to this Declaration as Exhibit 18.

19. A copy of the email from Carla Hook to a constituent dated October 31, 2014, which was originally produced as GCSB 0844, is attached to this Declaration as Exhibit 19.

20. A copy of the email from Carla Hook to the School Board dated November 4, 2014, which was originally produced as GCSB 0513, is attached to this Declaration as Exhibit 20.

21. A copy of the email and attachment from Carla Hook to the School Board dated November 9, 2014, which was originally produced as GCSB 0507-08, is attached to this Declaration as Exhibit 21.

22. A copy of the School Board's press release dated December 3, 2014, which was originally produced as GCSB 0592-94 and attached as Exhibit 10 to the Deposition of Dr. Clemons, is attached to this Declaration as Exhibit 22.

23. A copy of the Recorded Minutes of Gloucester County School Board meeting on December 9, 2014, which is available online at

<http://gets.gc.k12.va.us/Portals/Gloucester/District/docs/SBAgenda2014/Minutes2014/MIN-12-09-2014.pdf>, is attached to this Declaration as Exhibit 23.

24. A copy of the Mr. Collins's memorandum to Deirdre and David Grimm dated December 10, 2014, which was originally produced as GCSB 0893 and attached as Exhibit 15 to the Deposition of Nathan Collins, is attached to this Declaration as Exhibit 24.

25. A copy of an email from Amy Bergh to Mr. Collins dated November 14, 2014, which was originally produced as GCSB 3932 and attached as Exhibit 12 to the Deposition of Nathan Collins, is attached to this Declaration as Exhibit 25.

26. A copy of Gavin's final transcript, which was originally produced as GCSB 4283 and attached as Exhibit 22 to the Deposition of Nathan Collins, is attached to this Declaration as Exhibit 26.

27. A copy of the presentation given at the 2014 Virginia School Board Association conference, originally produced as GCSB 4221-31 and attached as Exhibit 9 to the Deposition of Walter Clemons, is attached to this Declaration as Exhibit 27.

28. A copy of the map of Gloucester High School, originally produced as GCSB 1276 and attached as Exhibit 4 to the Deposition of Nathan Collins, is attached to this Declaration as Exhibit 28.

29. An annotated copy of the Gloucester High School map, on which I have marked the locations of school restrooms based on pages 33-36 and 94-108 of the Deposition of Nathan Collins, is attached to this Declaration as Exhibit 29.

30. A copy of the list of restrooms at Gloucester High School, which was originally produced as GCSB 03944 and attached as Exhibit 5 to the Deposition of Nathan Collins, is attached to this Declaration as Exhibit 30.

31. A copy of the letter from Joshua Block to David Corrigan dated December 23, 2016, is attached to this Declaration as Exhibit 31.

32. A copy of the letter from David Corrigan to Joshua Block dated January 18, 2017, is attached to this Declaration as Exhibit 32.

33. A copy of the letter from Joshua Block to Denise McNerney dated January 18, 2017, is attached to this Declaration as Exhibit 33.

34. A copy of the letter from Kyle Duncan to Denise McNerney dated January 19, 2017, is attached to this Declaration as Exhibit 34.

35. A copy of the Gloucester County School Board press release dated February 13, 2019, is attached to this Declaration as Exhibit 35.

36. A copy of the Gloucester County School Board press release dated February 21, 2019, is attached to this Declaration as Exhibit 36.

37. A copy of the Recorded Minutes of Gloucester County School Board meeting on November 11, 2014, which is available online at <http://gets.gc.k12.va.us/Portals/Gloucester/District/docs/SBAgenda2014/Minutes2014/MIN-11-11-2014.pdf>, is attached to this Declaration as Exhibit 37.

38. A copy of the Amicus Brief of American Academy of Pediatrics, et al. in support of Plaintiff-Appellant, *G.G. v. Gloucester Cty. Sch. Bd.*, No. 15-2056, ECF No. 244 (4th Cir.), is attached to this Declaration as Exhibit 38.

39. A copy of the Amicus Brief of School Administrators from Thirty-Three States and the District of Columbia in support of Plaintiff-Appellant, *G.G. v. Gloucester Cty. Sch. Bd.*, No. 15-2056, ECF No. 155 (4th Cir.), is attached to this Declaration as Exhibit 39.

40. A copy of the Amicus Brief of the National PTA, et al. in support of Plaintiff-Appellant, *G.G. v. Gloucester Cty. Sch. Bd.*, No. 15-2056, ECF No. 145-1 (4th Cir.), is attached to this Declaration as Exhibit 40.

41. A copy of the American Psychological Association & National Association of School Psychologists' 2015 *Resolution on Gender and Sexual Orientation Diversity in Children and Adolescents in Schools*, available online at <https://goo.gl/AcXES2>, is attached to this Declaration as Exhibit 41.

42. A copy of Gender Spectrum's 2016 *Transgender Students and School Bathrooms: Frequently Asked Questions*, available online at <https://goo.gl/Z4xejp>, is attached to this Declaration as Exhibit 42.

43. A copy of the National Association of Secondary School Principals' 2016 *Position Statement on Transgender Students*, available online at <https://goo.gl/kcflmn>, is attached to this Declaration as Exhibit 43.

44. I have reviewed the video recording of the Gloucester County School Board meeting dated December, 9, 2014, which is available online at [http://gloucester.granicus.com/MediaPlayer.php?view\\_id=10&clip\\_id=1090](http://gloucester.granicus.com/MediaPlayer.php?view_id=10&clip_id=1090). At 42:20, a person identified as Savannah Williams says, "I just filled out my voter's registration card a week ago and I can tell you that you can make any decision you want but if you don't vote to protect your constituents you will not be reelected. I can certainly say that my vote will go to someone else. Fact. If you choose to vote that Gloucester County public school restrooms

should be made coed, you will be replaced and we the citizens of Gloucester will reverse your decision with a new School Board.”

45. At 50:53, a person identified as Andrew Palas says, “We do have the power to vote you out of office and we will do that.”

46. At 59:53, a person identified as Karen Pauley says, “And like many have said, I also have a voter’s card and I’m not afraid to use it. And I will vote every single one of you off of this Board if you do not protect our children.”

47. At 1:18:00, a person identified as Janet West says, “I have a voter’s card and all will lose their job.”

48. At 1:17:40, Janet West says, “Now we’re here talking about this young lady, where’s my child respect?”

49. At 1:22:55, a person identified as Don Mitchell says, “Here we have a thousand students versus one freak.”

50. At 1:23:25, Don Mitchell says, “If you want to consider yourself a dog, must we use tax dollars to install fire hydrants where you can publicly relieve yourselves?”

51. At 58:56, Karen Pauley says, “Put him in a separate bathroom if that’s what it’s going to take.”

52. I have reviewed the video recording of the Gloucester County School Board meeting dated February 19, 2019, which is available online at [http://gloucester.granicus.com/MediaPlayer.php?view\\_id=10&clip\\_id=2043](http://gloucester.granicus.com/MediaPlayer.php?view_id=10&clip_id=2043). At 10:34, David Corrigan, attorney for the Gloucester County School Board, says, “the proposed resolution would allow those students to use the restroom consistent with their new gender identity as long as they meet three criteria: First, the student must have a medical diagnosis

from a health care provider, with expertise in the gender identity field. Second the student must have been living as the new gender identity for a period of at least 6 months, and third, the student must have been receiving treatment in the form of social transition or hormones for a period of 6 months.”

53. At 11:20, Corrigan says, “The proposed resolution comes as result of discussions that have occurred between representatives of the school board, along with me as the school board attorney for Gloucester County in this litigation, the plaintiff and legal counsel for the plaintiff, under the supervision of a federal magistrate judge from Newport News named Douglas Miller. Judge Miller is not seeking to force a settlement or enforce a settlement, but he’s been instrumental in helping the parties develop language which the plaintiff has agreed to and which the school board has agreed to present here tonight.”

54. At 11:57, Corrigan says, “A significant issue raised previously was that a student could just, on a whim, decide for a day to use the restroom of the opposite sex. This resolution eliminates that possibility.”

55. At 12:10, Corrigan says, “With the changes already made to existing restrooms ensuring greater privacy and the creation of the single-stall restrooms throughout the high school, the issue of individual privacy is also addressed.”

56. At 1:59:35, an individual identified as Brian Bird says, “our sons are being demasculinated by this country. Our daughters are being defeminized. I don’t want to see us promote that.”

57. At 59:24, an individual identified as Kenny Smith says, “when we talk about social transition and gender identity we’re talking about issues that we’ve created. God didn’t create those.”



58. At 47:53, an individual identified as a current Gloucester High School student named Elizabeth S. says, "I've heard some transgender students say that they have to wait till they get home in order to use the restroom because they're scared of what the security guards are going to say."

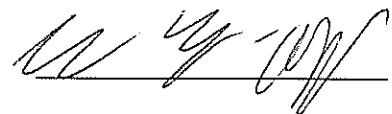
59. At 1:05:52, an individual identified as a Gloucester High School student named Marie Hutchins says, "I see every single day people that are afraid to use the bathroom and that do not want to due to discrimination, and I just don't think that's right."

60. At 1:05:15, an individual identified as a transgender student at Gloucester High School named Vincent Staples says, "I'm in favor of the current proposition that is being discussed tonight so that I can feel like I belong in my school."

61. At 1:36:07, an individual identified as Jonathan Hargis says he is the "proud parent of a transgender child" in the Gloucester public schools. At 1:37:00, he says, "I'm quite certain that I will never be able to convince those of you that think that it's a mental disorder. I can tell you there's no medication for it, there's no praying it out of them, and there's no beating it out of them. They are who they are, and they deserve the opportunity to be treated with respect and dignity."

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: March 25, 2019

A handwritten signature in black ink, appearing to read 'Shayna Medley-Warsoff', written over a horizontal line.

Shayna Medley-Warsoff