

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

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September 16, 2021

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 18-13592-U
Case Style: Drew Adams v. School Board of St. Johns Co.
District Court Docket No: 3:17-cv-00739-TJC-JBT

For the purpose of the upcoming en banc rehearing in the above referenced case, the court desires for counsel to focus their briefs on the following issues:

Does the School District's policy of assigning bathrooms based on sex violate the Equal Protection Clause of the Constitution?

Does the School District's policy of assigning bathrooms based on sex violate Title IX of the Education Amendments Act of 1972, 20 U.S.C. § 1681 *et seq.*?

APPELLANT'S EN BANC BRIEF SHALL BE SERVED AND ELECTRONICALLY FILED ON OR BEFORE OCTOBER 26, 2021. APPELLEE'S EN BANC BRIEF SHALL BE SERVED AND ELECTRONICALLY FILED ON OR BEFORE NOVEMBER 26, 2021. An en banc reply brief shall be electronically filed on or before December 17, 2021. NO EXTENSIONS WILL BE GRANTED. Parties should format their briefs according to Federal Rules of Appellate Procedure 28 and 32 and shall contain the title "En Banc Brief". Each brief must adhere to the page and type-volume limitations Rule 32(a)(7). Fifteen (15) copies of the en banc briefs should be filed (appellant's in blue covers, appellee's in red covers and any reply in gray covers). Counsel is expected to serve all parties a copy of their brief by the close of business on the day of filing. PAPER COPIES OF THE BRIEFS SHOULD BE RECEIVED THE NEXT BUSINESS DAY. Counsel is not required to submit the additional copies of the previous filed briefs.

The filing of an en banc amicus brief is governed by 11thCir.R.35-8.

Oral argument will be conducted the week of February 21, 2022 in Atlanta, Georgia. Each side will be allotted twenty (20) minutes for oral argument. Counsel will receive subsequent correspondence regarding the specific time of oral argument.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Jenifer L. Tubbs
Phone #: 404-335-6166

BR-1CIV Civil appeal briefing ntc issued