

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

IN RE SUBPOENAS SERVED ON:

AMERICAN ACADEMY OF PEDIATRICS,
345 Park Boulevard
Itasca, IL 60143

ENDOCRINE SOCIETY,
2055 L Street NW, Suite 600
Washington, DC 20036

WORLD PROFESSIONAL ASSOCIATION
FOR TRANSGENDER HEALTH,
1300 S. 2nd Street, Suite 180
Minneapolis, MN 55454

AMERICAN ACADEMY OF CHILD &
ADOLESCENT PSYCHIATRY,
3615 Wisconsin Avenue NW
Washington, DC 20016

AMERICAN ACADEMY OF FAMILY
PHYSICIANS,
11400 Tomahawk Creek Parkway
Leawood, KS 66211

AMERICAN ACADEMY OF NURSING,
1000 Vermont Avenue NW, Suite 910
Washington, DC 20005

AMERICAN COLLEGE OF
OBSTETRICIANS AND GYNECOLOGISTS,
409 12th Street SW
Washington, DC 20024

AMERICAN COLLEGE OF PHYSICIANS,
190 N. Independence Mall West
Philadelphia, PA 19106

AMERICAN MEDICAL ASSOCIATION,
330 N. Wabash Avenue, Suite 39300
Chicago, IL 60611

Misc. Case No. _____

AMERICAN PEDIATRIC SOCIETY,
9303 New Trails Drive, Suite 350
The Woodlands, TX 77381

AMERICAN PSYCHIATRIC ASSOCIATION,
800 Maine Avenue SW, Suite 900
Washington, DC 20024

ASSOCIATION OF AMERICAN MEDICAL
COLLEGES,
655 K Street NW, Suite 100
Washington, DC 20001

NATIONAL ASSOCIATION OF PEDIATRIC
NURSE PRACTITIONERS,
5 Hanover Square, Suite 1401
New York, NY 10004

NORTH CENTRAL FLORIDA COUNCIL OF
CHILD & ADOLESCENT PSYCHIATRY,
3615 Wisconsin Avenue NW
Washington, DC 20016

SOCIETIES FOR PEDIATRIC UROLOGY,
500 Cummings Center, Suite 4400
Beverly, MA 01915

SOCIETY FOR ADOLESCENT HEALTH
AND MEDICINE,
111 West Jackson Boulevard, Suite 1412
Chicago, IL 60604

SOCIETY FOR PEDIATRIC RESEARCH, and
9303 New Trails Drive, Suite 350
The Woodlands, TX 77381

SOCIETY OF PEDIATRIC NURSES
330 N. Wabash Avenue, Suite 2000
Chicago, IL 60611

AUGUST DEKKER, et al.,

Plaintiffs,

v.

JASON WEIDA, et al.,

Defendants.

Northern District of Florida
Case No. 4:22cv325-RH-MAF

**JOINT MOTION OF NONPARTY GROUPS TO
QUASH RULE 45 SUBPOENAS AND FOR FEES**

Pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure, nonparties American Academy of Pediatrics (“AAP”), Endocrine Society, World Professional Association for Transgender Health (“WPATH”), American Academy of Child & Adolescent Psychiatry, American Academy of Family Physicians, American Academy of Nursing, American College of Obstetricians and Gynecologists, American College of Physicians, American Medical Association, American Pediatric Society, American Psychiatric Association, Association of American Medical Colleges, National Association of Pediatric Nurse Practitioners, North Central Florida Council of Child & Adolescent Psychiatry, Societies for Pediatric Urology, Society for Adolescent Health and Medicine, and Society for Pediatric Research, and Society of Pediatric Nurses (collectively, “Nonparty Groups”) jointly move to quash the subpoenas served on each of them by Defendants the Florida Agency for Health Care Administration and its Secretary, Jason Weida (“Defendants” or the “State”), in the related case of *Dekker v. Weida*, No. 4:22-cv-325-RH-MAF (N.D. Fla. filed Sept. 7, 2022).¹ Each of the subpoenas at issue purports to command compliance in the District of Columbia.

A Statement of Points and Authorities, and Declarations of Cortlin H. Lannin (“Lannin Declaration”), AAP, Endocrine Society, and WPATH are also submitted in support of this Motion.² A proposed order is also submitted herewith. The subpoenas are attached as Exhibits A-R to the Statement of Points and Authorities.

As described in the accompanying Statement of Points and Authorities, the subpoenas should be quashed in their entirety because:

¹ On January 12, 2023, pursuant to Federal Rule of Civil Procedure 25(d), Jason Weida was substituted for Simone Marstiller as a defendant.

² The AAP, Endocrine Society, and WPATH declarations have been redacted to remove the names and other personal identifying information of the declarants. Copies of the declarations without redactions were prospectively filed under seal.

1. The subpoenas do not seek relevant information;
2. Complying with the subpoenas would impose an undue burden on the Nonparty Groups; and
3. The subpoenas would infringe on the Nonparty Groups' associational rights under the First Amendment.

In addition, the State should be required to reimburse Nonparty Groups for the attorneys' fees they incurred in responding to the State's subpoenas, including their fees incurred in bringing this Motion. *See* Fed. R. Civ. P. 45(d)(1).

The Nonparty Groups respectfully request oral argument on this Motion.

Dated: January 13, 2023

Respectfully submitted,

/s D. Jean Veta

D. Jean Veta

Cortlin H. Lannin (CA Bar No. 266488)
(*pro hac vice* motion to be submitted)
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LOCAL RULE 7(m) STATEMENT

As described in the attached Statement of Points and Authorities and Lannin Declaration, counsel for the Nonparty Groups and Defendants have engaged in repeated discussions in an attempt to resolve this matter without the assistance of the Court, but counsel have been unable to reach agreement. Counsel for Defendants confirmed they will oppose this motion.

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2023 I electronically filed the foregoing document with the Clerk of the Court via email, and that I also caused copies of the documents to be sent to the Clerk via FedEx. I also certify that on that same day, with their consent I caused the foregoing documents to be served on counsel for Defendants Jason Weida and the Agency for Health Care Administration via email at the following addresses:

Mohammad O. Jazil (via email only)
Gary V. Perko (via email only)
Michael Beato (via email only)
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/s Michael J. Lanosa

Michael J. Lanosa