

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

JANE DOE, individually and on  
behalf of her minor daughter,  
SUSAN DOE, et al.,

Plaintiffs,

v.

Case No. 4:23-cv-000114-RH-MAF

JOSEPH A. LADAPO, in his  
official capacity as Florida's  
Surgeon General of the Florida  
Department of Health, et al.,

Defendants.

/

**DEFENDANTS' RESPONSES TO PLAINTIFFS' FIRST SET OF  
INTERROGATORIES**

Surgeon General Ladapo, the Florida Board of Medicine, the Florida Board  
of Osteopathic Medicine, and State Attorney Gladson ("Defendants") respond to  
Plaintiffs' first set of interrogatories.

**PRELIMINARY STATEMENT**

Defendants reserve the right to supplement, clarify, or otherwise amend their  
responses to these interrogatories.

**Interrogatory No. 1:**

Describe in detail each governmental interest that any Defendant contends is  
furthered by the Transgender Medical Restrictions, including the factual bas(es) for

that contention, and how the Transgender Medical Restrictions further each of these governmental interest(s).

**Response:**

Defendants object to the phrase “Transgender Medical Restrictions”; SB 254 and the at-issue board rules are reasonable medical regulations.

Collectively, the challenged health and welfare laws further the governmental interest in ensuring safe, effective, and quality medical care. They ensure that patients are adequately informed of potential benefits and risks of medical treatments, and ensure that patients can be adequately evaluated by and receive treatment from competent, qualified medical professionals.

When and as applied to minors, the challenged health and welfare laws additionally further the governmental interest of protecting children, and specifically protecting children from experimental medical treatments that could lead to negative, permanent health consequences, including sterility, cognitive decline, and cancer.

The factual bases and means-ends tailoring are provided in the responses to interrogatories 2, 3, and 4.

**Interrogatory No. 2:**

State each and every fact which provided or provides the basis for the Florida Legislature and Boards’ decisions to, through the Physician Requirement, ban APRN-NPs from prescribing Hormones to transgender persons or administer Procedures to transgender adults. As part of your response, identify all Documents that support or undermine these facts, all individuals who were responsible for or assisted with this decision and each such person’s respective role and authority, as well as any reports, studies, or reviews considered in the development and adoption of the Physician Requirements.

**Response:**

Defendants object to this interrogatory, because the interrogatory is unduly burdensome. The interrogatory asks Defendants to cull through legislative proceedings and records of the Florida House, legislative proceedings and records of the Florida Senate, administrative hearings and records of the Florida Board of Medicine, and administrative hearings and records of the Florida Board of Osteopathic Medicine, read countless pages of records and

listen to countless hours of proceedings, and provide “each and every fact” and “all Documents” that support and reference a specific requirement, all within fourteen days of being served their interrogatories.

Federal Rule of Civil Procedure 33(d) applies:

If the answer to an interrogatory may be determined by examining . . . [and] compiling . . . [Defendants’] records (including electronically stored information), and if the burden of deriving or ascertaining the answer will be substantially the same for either party, [Defendants] may answer by:

- (1) specifying the records that must be reviewed, in sufficient detail to enable the interrogating party to locate and identify them as readily as the responding party could; and
- (2) giving the interrogating party a reasonable opportunity to examine and audit the records and to make copies, compilations, abstracts, or summaries.

Fed. R. Civ. P. 33(d).

Consistent with Rule 33(d), Defendants will provide Plaintiffs with (1) transcripts of relevant legislative and administration proceedings, which are already available to Plaintiffs through the Florida Channel, the Florida Legislature’s websites, and the boards’ websites,<sup>1</sup> and (2) the boards’ administrative record for each hearing. Legislative documentation can be found on the Florida Senate website: <https://www.flsenate.gov/Session/Bill/2023/254>; <https://www.flsenate.gov/Session/Bill/2023/1421>.

The burden of answering the interrogatory is the same for both parties; answering it would require an examination of the proceedings and records.

The deadlines for providing these documents have been provided by the court: August 24 for records and September 10 for transcripts. Doc.130. This is also consistent with the parties’ 26(f) report, which states that “fact discovery will be limited to . . . the legislative and administrative records underlying SB254 and the challenged regulations – specifically, obtaining transcripts of the

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<sup>1</sup> Defendants provided Plaintiffs with links to legislative and administrative hearings on Friday, August 11, 2023.

legislative and administrative hearings concerning SB254 and the challenged regulations, as well as any other documents that are part of the legislative or administrative records.” Doc.113 at 7.

**Interrogatory No. 3:**

State each and every fact which provided or provides the basis for the Florida Legislature decision to impose, and the Boards’ adoption of, the Informed Consent Requirements, including details pertaining to the process undertaken to draft the Informed Consent Requirements, the individuals involved and each person’s respective role and authority. As part of your response, identify all Documents that support or undermine these facts, including any drafts of any of the Informed Consent Requirements (whether they were adopted or not), as well as any reports, studies, or reviews considered in the development and adoption of the Informed Consent Requirements.

**Response:**

Please refer to the response to interrogatory 2.

**Interrogatory No. 4:**

State each and every fact which provided or provides the basis for the Florida Legislature and Boards’ decisions banning or restricting access to Hormone and Procedures for transgender minors. As part of your response, identify all Documents that support or undermine these facts, all individuals who were responsible for or assisted with this decision and each such person’s respective role and authority, as well as any reports, studies, or reviews considered in the development and adoption of the Transgender Medical Restrictions that apply only to transgender minors.

**Response:**

Please refer to the response in interrogatory 2.

**Interrogatory No. 5:**

Describe any defenses to Plaintiffs’ claims or justifications for the Transgender Medical Restrictions that Defendants plan to present at trial and explain the factual basis for any such defense or justification.

**Response:**

Defendants object to the phrase “Transgender Medical Restrictions.” SB 254 and the at-issue board rules are reasonable medical regulations.

The interrogatory seeks work-product-privileged information. However, the defenses to Plaintiffs’ claims and the justifications for the at-issue laws are contained within: (1) the *Dekker* trial record, particularly the parties’ expert-witness testimony and the individual plaintiffs’ quality of medical care; (2) the expert reports that Defendants will serve in this case; (3) the legislative and administrative records detailed above; and (4) the arguments contained in Defendants’ two responses to Plaintiffs’ two preliminary-injunction motions. Doc.55, Doc.126.

VERIFICATION

By: \_\_\_\_\_

Printed Name: Scot Ackerman

As Its: Chairman  
Board of Medicine

STATE OF Florida

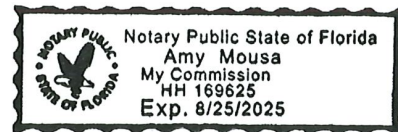
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of August 2023, by Scot Ackerman, who is personally known to me or has produced \_\_\_\_\_ as identification, and who swears that the foregoing answers to the First Set of Interrogatories, as to Interrogatories 1 and 5, are true and correct.

Amy Mousa  
Notary Public, Signature

(NOTARY SEAL)

Amy Mousa  
Notary, Print or Type



Commission No. HH 169625  
My Commission Expires 8/25/25



## Doe v. Ladapo\_Response to First Roggs.pdf

DocVerify ID: E3C14D14-C628-491D-9D11-E046DF2A865B  
 Created: August 16, 2023 12:28:39 -8:00  
 Pages: 6  
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### E-Signature Summary

#### E-Signature 1: Paul A. Vazquez (PAV)

August 16, 2023 13:03:59 -8:00 [CEC145CAAD56] [161.69.112.11]  
 paul.vazquez@flhealth.gov (Principal) (ID Verified)

#### E-Signature Notary: Amanda Fischer (Man)

August 16, 2023 13:03:59 -8:00 [F79E4A31521E] [142.190.45.174]  
 mfischer@holtzmanvogel.com  
 I, Amanda Fischer, did witness the participants named above electronically sign this document.



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### VERIFICATION

By: Paul A. Vazquez  
Signed on 2023/08/16 13:03:59 -8:00

Printed Name: Paul A. Vazquez

As Its: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 2023, by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification, and who swears that the foregoing answers to the First Set of Interrogatories, as to Interrogatories 2, 3, and 4, are true and correct.



08/16/2023

Notary Public, Signature

Notary, Print or Type

Commission No. \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

### (NOTARY SEAL)

**Amanda Fischer**  
**Commission # GG 953113**  
Notary Public - State of Florida  
My Commission Expires Apr 14, 2024

Notarial act performed by audio-visual communication

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Dated: August 16, 2023

*As to Objections,*

**Ashley Moody**  
ATTORNEY GENERAL

**Joseph E. Hart** (FBN 0124720)  
COUNSELOR TO THE ATTORNEY  
GENERAL

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*Counsel for the Surgeon General, the  
Department of Health, and State  
Attorney Gladson*

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Gary V. Perko (FBN 855898)  
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*Counsel for the Surgeon General, the  
Department of Health, the Boards of  
Medicine, and the individual Board  
Members*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2023, I emailed this document to counsel  
of record.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil