## General Docket United States Court of Appeals for the First Circuit

Court of Appeals Docket #: 23-1069 Docketed: 01/17/2023

Nature of Suit: 3440 Other Civil Rights Foote, et al v. Ludlow School Committee, et al Appeal From: District Court of MA, Springfield

Fee Status: filing fee paid

**Case Type Information:** 

civil
 private
 civil rights

**Originating Court Information:** 

**District:** 0101-3 : <u>3:22-cv-30041-MGM</u>

Court Reporter: Leigh Gershowitz Ordering Judge: Mark G. Mastroianni

Date Filed: 04/12/2022

Date Order/Judgment: Date Order/Judgment EOD: Date NOA Filed: Date Rec'd COA:

12/14/2022 12/14/2022 01/11/2023 01/11/2023

Prior Cases: None

Current Cases: None

Panel Assignment: Not available

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SANDRA SALMERON

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LISA NEMETH, interim Superintendent

Defendant - Appellee

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STATE OF NEW YORK Amicus Curiae

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STATE OF WASHINGTON Amicus Curiae

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Ruth A. Bourquin Direct: 617-482-3170 [COR NTC Retained] ACLU of MA 1 Center Plaza Ste 850 Boston, MA 02108

Mary Frances Brown Direct: 617-482-3170 [COR NTC Retained] ACLU of MA 1 Center Plaza Ste 850 Boston, MA 02108

Jon W. Davidson Direct: 213-382-7600 [On Brief] Lambda Legal 3325 Wilshire Blvd Suite 1300 Los Angeles, CA 90010

Harper S. Seldin Direct: 323-536-9880 [On Brief] American Civil Liberties Union 125 Broad St 18th Flr New York, NY 10004-0000

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Jon W. Davidson Direct: 213-382-7600 [On Brief] (see above)

Harper S. Seldin Direct: 323-536-9880 [On Brief] (see above)

STEPHEN FOOTE, individually and as Guardian and next friend of B.F. and G.F., minors; MARISSA SILVESTRI, individually and as Guardian and next friend of B.F. and G.F., minors,

Plaintiffs - Appellants,

JONATHAN FELICIANO; SANDRA SALMERON,

Plaintiffs,

٧.

LUDLOW SCHOOL COMMITTEE; TODD GAZDA, former Superintendent; LISA NEMETH, Interim Superintendent; STACY MONETTE, Principal, Baird Middle School; MARIE-CLAIRE FOLEY, school counselor, Baird Middle School; JORDAN FUNKE, former librarian, Baird Middle School; TOWN OF LUDLOW,

Defendants - Appellees.

01/17/2023	41 pg, 2.64 MB	CIVIL CASE docketed. Notice of appeal (doc. #52) filed by Appellants Stephen Foote and Marissa Silvestri. Appearance form, Docketing Statement, and Transcript Report/Order form due <b>01/31/2023</b> . [23-1069] (JMK) [Entered: 01/17/2023 04:20 PM]
01/18/2023	1 pg, 557.35 KB	NOTICE of appearance on behalf of Appellees Ludlow School Committee, Todd Gazda, Lisa Nemeth, Stacy Monette, Marie-Claire Foley and Jordan Funke filed by Attorney David S. Lawless, Esq Served on 01/18/2023. [23-1069] (DSL) [Entered: 01/18/2023 01:07 PM]
01/18/2023	1 pg, 540.75 KB	NOTICE of appearance on behalf of Appellees Ludlow School Committee, Todd Gazda, Lisa Nemeth, Stacy Monette, Marie-Claire Foley and Jordan Funke filed by Attorney Nancy Frankel Pelletier, Esq Served on 01/18/2023. [23-1069] (NF) [Entered: 01/18/2023 01:09 PM]
01/30/2023	1 pg, 98.82 KB	NOTICE of appearance on behalf of Appellants Marissa Silvestri and Stephen Foote filed by Attorney Samuel J. Whiting, Esq Served on 01/30/2023. [23-1069] (SW) [Entered: 01/30/2023 11:46 AM]
01/30/2023	1 pg, 557.29 KB	NOTICE of appearance on behalf of Appellees Ludlow, MA, Ludlow School Committee, Todd Gazda, Lisa Nemeth, Stacy Monette, Marie-Claire Foley and Jordan Funke filed by Attorney David S. Lawless, Esq Served on 01/30/2023. [23-1069] (DSL) [Entered: 01/30/2023 01:21 PM]
01/30/2023	1 pg, 548.09 KB	NOTICE of appearance on behalf of Appellees Ludlow, MA, Ludlow School Committee, Todd Gazda, Lisa Nemeth, Stacy Monette, Marie-Claire Foley and Jordan Funke filed by Attorney Nancy Frankel Pelletier, Esq Served on 01/30/2023. [23-1069] (NF) [Entered: 01/30/2023 01:23 PM]
01/30/2023	1 pg, 98.62 KB	NOTICE of appearance on behalf of Appellants Stephen Foote and Marissa Silvestri filed by Attorney Andrew D Beckwith. Served on 01/30/2023. [23-1069] (ADB) [Entered: 01/30/2023 01:45 PM]
01/31/2023	2 pg, 339.65 KB	NOTICE of appearance on behalf of Appellants Stephen Foote and Marissa Silvestri filed by Attorney Mary E. McAlister. Served on 01/31/2023. [23-1069] (MEM) [Entered: 01/31/2023 11:18 AM]
01/31/2023	2 pg, 341.2 KB	NOTICE of appearance on behalf of Appellants Stephen Foote and Marissa Silvestri filed by Attorney Vernadette R. Broyles. Served on 01/31/2023. [23-1069] CLERK'S NOTE: The signature on the document does not match the name of the ECF filer under whose login and password the document was filed. THE FILER IS DIRECTED TO RE-FILE THE DOCUMENT WITHIN TWO DAYS (by 2/2/23). (MEM) [Entered: 01/31/2023 11:24 AM]
01/31/2023	4 pg, 613.52 KB	DOCKETING statement filed by Appellants Stephen Foote and Marissa Silvestri. Served on 01/31/2023. [23-1069] (MEM) [Entered: 01/31/2023 11:26 AM]
01/31/2023	2 pg, 404.87 KB	TRANSCRIPT report/order form filed by Appellants Stephen Foote and Marissa Silvestri indicating all necessary transcripts have already been filed in district court. Served on 01/31/2023. [23-1069] (MEM) [Entered: 01/31/2023 11:29 AM]
01/31/2023	8 pg, 146.29 KB	BRIEFING schedule set. Brief and Appendix due <b>03/13/2023</b> for appellants Stephen Foote and Marissa Silvestri. Pursuant to F.R.A.P. 31(a), appellee's brief will be due 30 days following service of appellant's brief and appellant's reply brief will be due 21 days following service of appellee's brief. [23-1069] (JMK) [Entered: 01/31/2023 12:32 PM]
01/31/2023	2 pg, 261.5 KB	NOTICE of appearance on behalf of Appellants Stephen Foote and Marissa Silvestri filed by Attorney Vernadette R. Broyles. Served on 01/31/2023. [23-1069] (VRB) [Entered: 01/31/2023 12:40 PM]
02/01/2023	2 pg, 48.85 KB	NOTICE issued. After 02/15/2023, the following attorney will no longer receive notice of court issued documents in this case unless they register for an appellate ECF account: Carl F Schmitt for Family Institute of Connecticut. [23-1069] (JMK) [Entered: 02/01/2023 08:01 AM]
03/13/2023	97 pg, 1.71 MB	BRIEF tendered by Appellants Stephen Foote and Marissa Silvestri. [23-1069] (MEM) [Entered: 03/13/2023 02:40 PM]
03/13/2023	174 pg, 2.06 MB	APPENDIX tendered by Appellants Stephen Foote and Marissa Silvestri. Served on 03/13/2023. [23-1069] (MEM) [Entered: 03/13/2023 02:48 PM]
03/18/2023	1 pg, 29.99 KB	NOTICE of appearance on behalf of Movant(s) Manhattan Institute and Dr. Leor Sapir filed by Attorney Ilya Shapiro. Served on 03/18/2023. [23-1069] (IS) [Entered: 03/18/2023 10:00 AM]
03/18/2023	37 pg, 368.62 KB	AMICUS CURIAE BRIEF tendered by Manhattan Institute and Dr. Leor Sapir. [23-1069] (IS) [Entered: 03/18/2023 10:21 AM]
03/20/2023	2 pg, 18.51 KB	ORDER directing Appellants Stephen Foote and Marissa Silvestri to file a conforming brief and appendix. Brief and Appendix due 03/27/2023. [23-1069] (JMK) [Entered: 03/20/2023 09:20 AM]
03/20/2023	28 pg, 700.88 KB	AMICUS CURIAE BRIEF tendered by Parental Rights Foundation. [23-1069] (WAE) [Entered: 03/20/2023 11:05 AM]
03/20/2023	35 pg, 343.17 KB	AMICUS CURIAE BRIEF tendered by J. Marc Wheat, Counsel of Record, Advancing American Freedom, Inc [23-1069] (JMW) [Entered: 03/20/2023 12:28 PM]

7/9/23, 7:45 PM		23-1069 Docket
03/20/2023	2 pg, 54.61 KB	NOTICE of appearance on behalf of Movant(s) Advancing American Freedom, Inc. et al. filed by Attorney J. Marc Wheat, Counsel of Record, Advancing American Freedom, Inc. et al Served on 03/20/2023. [23-1069] (JMW) [Entered: 03/20/2023 01:03 PM]
03/20/2023	40 pg, 278 KB	AMICUS CURIAE BRIEF tendered by Dr. Erica E. Anderson, PhD. [23-1069] (LB) [Entered: 03/20/2023 01:29 PM]
03/20/2023	0 pg, 0 KB	BRIEF tendered by Appellants Stephen Foote and Marissa Silvestri. [23-1069] CLERK'S NOTE: Electronic access to document was restricted by clerk's office as corrected version has been filed. (VRB) [Entered: 03/20/2023 01:33 PM]
03/20/2023	174 pg, 2.15 MB	APPENDIX tendered by Appellants Marissa Silvestri and Stephen Foote. Served on 03/20/2023. [23-1069] (MEM) [Entered: 03/20/2023 01:38 PM]
03/20/2023	20 pg, 234.47 KB	AMICUS CURIAE BRIEF tendered by The Family Foundation, et al [23-1069] (SWF) [Entered: 03/20/2023 03:11 PM]
03/20/2023	1 pg, 99.32 KB	NOTICE of appearance on behalf of Movant(s) The Family Foundation, Illinois Family Institute, Concerned Women for America, the National Legal Foundation, and the Pacific Justice Foundation filed by Attorney Steven W. Fitschen. Served on 03/20/2023. [23-1069] (SWF) [Entered: 03/20/2023 03:24 PM]
03/20/2023	1 pg, 9.02 KB	DISCLOSURE statement filed by Amicus Curiae Manhattan Institute. Certificate of service was not included. [23-1069] (JMK) [Entered: 03/20/2023 03:42 PM]
03/20/2023	1 pg, 19.44 KB	ORDER directing Amici Curiae Manhattan Institute and Leor Sapir to file a conforming brief. Brief due 03/27/2023. [23-1069] (JMK) [Entered: 03/20/2023 03:43 PM]
03/20/2023	97 pg, 1.79 MB	BRIEF tendered by Appellants Stephen Foote and Marissa Silvestri. [23-1069] (MEM) [Entered: 03/20/2023 04:09 PM]
03/20/2023	2 pg, 524.18 KB	DISCLOSURE statement filed by Amicus Curiae Parental Rights Foundation. Served on 03/20/2023. [23-1069] (JMK) [Entered: 03/20/2023 04:47 PM]
03/20/2023	1 pg, 101.67 KB	NOTICE of appearance on behalf of Movant(s) Center for American Liberty filed by Attorney Gary M. Lawkowski. Served on 03/20/2023. [23-1069] (GL) [Entered: 03/20/2023 04:49 PM]
03/20/2023	29 pg, 243.14 KB	AMICUS CURIAE BRIEF tendered by Center for American Liberty. [23-1069] (GL) [Entered: 03/20/2023 04:50 PM]
03/20/2023	2 pg, 20.08 KB	ORDER directing Amicus Curiae Parental Rights Foundation to file a conforming brief. Brief due 03/27/2023. [23-1069] (JMK) [Entered: 03/20/2023 04:51 PM]
03/20/2023	1 pg, 212.98 KB	NOTICE of appearance on behalf of Movant(s) Independent Women's Law Center filed by Attorney Gene C. Schaerr. Served on 03/20/2023. [23-1069] (GCS) [Entered: 03/20/2023 05:28 PM]
03/20/2023	2 pg, 45.85 KB	NOTICE of appearance on behalf of Movant(s) Amicus Curiae State of Montana and 18 other States filed by Attorney Peter M. Torstensen, Jr Served on 03/20/2023. [23-1069] (PMT) [Entered: 03/20/2023 05:45 PM]
03/20/2023	28 pg, 275.94 KB	AMICUS CURIAE BRIEF tendered by Goldwater Institute. [23-1069] (AS) [Entered: 03/20/2023 05:47 PM]
03/20/2023	32 pg, 237.03 KB	AMICUS CURIAE BRIEF tendered by Amicus Curiae State of Montana and 18 other States. [23-1069] (PMT) [Entered: 03/20/2023 05:50 PM]
03/20/2023	15 pg, 595.93 KB	AMICUS CURIAE BRIEF tendered by Independent Women's Law Center. [23-1069] (GCS) [Entered: 03/20/2023 07:04 PM]
03/20/2023	32 pg, 250.27 KB	AMICUS CURIAE BRIEF tendered by Alliance Defending Freedom. [23-1069] (DAC) [Entered: 03/20/2023 07:16 PM]
03/20/2023	1 pg, 288.83 KB	NOTICE of appearance on behalf of Movant(s) Alliance Defending Freedom filed by Attorney David A. Cortman. Served on 03/20/2023. [23-1069] (DAC) [Entered: 03/20/2023 07:46 PM]
03/21/2023	38 pg, 371.16 KB	AMICUS CURIAE BRIEF tendered by Manhattan Institute and Dr. Leor Sapir. [23-1069] (IS) [Entered: 03/21/2023 09:03 AM]
03/21/2023	1 pg, 15.69 KB	NOTICE of appearance on behalf of Movant(s) Parental Rights Foundation filed by Attorney William A. Estrada. Served on 03/21/2023. [23-1069] (WAE) [Entered: 03/21/2023 10:40 AM]
03/21/2023	28 pg, 707.43 KB	AMICUS CURIAE BRIEF tendered by Parental Rights Foundation. [23-1069] (WAE) [Entered: 03/21/2023 11:06 AM]
03/22/2023	99 pg, 1.73 MB	APPELLANTS' BRIEF filed by Appellants Stephen Foote and Marissa Silvestri. Served on 03/20/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 03/29/2023. Brief due 04/19/2023 for APPELLEES Marie-Claire Foley,

		Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. [23-1069] (AVN) [Entered: 03/22/2023 08:38 AM]
03/22/2023	174 pg, 2.15 MB	APPENDIX filed by Appellants Stephen Foote and Marissa Silvestri. Served on 03/20/2023. Five paper copies of the electronically filed appendix must be submitted so that they are received by the court on or before 03/29/2023. [23-1069] (AVN) [Entered: 03/22/2023 08:40 AM]
03/22/2023	1 pg, 97.96 KB	DISCLOSURE statement filed by Amici Curiae Concerned Women for America, Family Foundation, Illinois Family Institute, National Legal Foundation and Pacific Justice Institute. Served on 03/20/2023. [23-1069] (JMK) [Entered: 03/22/2023 12:06 PM]
03/22/2023	2 pg, 20.58 KB	ORDER directing Amici Curiae Concerned Women for America, Family Foundation, Illinois Family Institute, National Legal Foundation and Pacific Justice Institute to file a conforming brief. Brief due 03/29/2023. [23-1069] (JMK) [Entered: 03/22/2023 12:08 PM]
03/22/2023	1 pg, 26.32 KB	DISCLOSURE statement filed by Amicus Curiae Goldwater Institute. Served on 03/20/2023. [23-1069] (JMK) [Entered: 03/22/2023 12:17 PM]
03/22/2023	2 pg, 20.28 KB	ORDER directing Amicus Curiae Goldwater Institute to file a conforming brief. Brief due 03/29/2023. [23-1069] (JMK) [Entered: 03/22/2023 12:18 PM]
03/22/2023	1 pg, 109.64 KB	DISCLOSURE statement filed by Amicus Curiae Center For American Liberty. Served on 03/20/2023. [23-1069] (JMK) [Entered: 03/22/2023 12:20 PM]
03/22/2023	1 pg, 110.68 KB	DISCLOSURE statement filed by Amici Curiae Able Americans, Advancing American Freedom, Inc., American Cornerstone Institute, American Principles Project, American Values, Center For Political Renewal, Center For Urban Renwal And Education, Christians Engaged, Citizens United, Citizens United Foundation, Coalition For Jewish Values, Committee For Justice, Common Sense Club, Dr. James Dobson Family Institute, Eagle Forum, Faith And Freedom Coalition, Family Institute of Connecticut, Missouri Center-Right Coalition, My Faith Votes, National Associates Of Parents, National Center For Public Policy Research, National Religious Broadcasters, New Jersey Family Policy Center, Project 21, Religious Freedom Institute, Russell Kirk Center For Cultural Renewal, Tea Party Patriots Action, Inc., The Family Foundation, The Justice Foundation and Young America's Foundation. Served on 03/20/2023. [23-1069] (JMK) [Entered: 03/22/2023 12:37 PM]
03/22/2023	1 pg, 99.73 KB	NOTICE of appearance on behalf of Movant(s) Dr. Erica E. Anderson, PhD filed by Attorney Luke N. Berg. Served on 03/22/2023. [23-1069] (LB) [Entered: 03/22/2023 01:42 PM]
03/22/2023	1 pg, 77.83 KB	DISCLOSURE statement filed by Amicus Curiae Alliance Defending Freedom. Served on 03/20/2022. [23-1069] (JMK) [Entered: 03/22/2023 04:34 PM]
03/22/2023	2 pg, 20.22 KB	ORDER directing Amicus Curiae Alliance Defending Freedom to file a conforming brief. Brief due 03/29/2023. [23-1069] (JMK) [Entered: 03/22/2023 04:37 PM]
03/22/2023	2 pg, 20.36 KB	ORDER directing Amicus Curiae Independent Women's Law Center to file a conforming brief. Brief due 03/29/2023. [23-1069] (JMK) [Entered: 03/22/2023 04:41 PM]
03/22/2023	16 pg, 216.32 KB	AMICUS CURIAE BRIEF tendered by The Independent Women's Law Center. [23-1069] (GCS) [Entered: 03/22/2023 09:00 PM]
03/22/2023		PLEADING tendered: NINE (9) paper copies of tendered amicus brief submitted by Amici Curiae Concerned Women for America, Family Foundation, Illinois Family Institute, National Legal Foundation and Pacific Justice Institute. [23-1069] (YCC) [Entered: 03/23/2023 08:11 AM]
03/22/2023	1 pg, 94.84 KB	DISCLOSURE statement filed by Amicus Curiae Independent Women's Law Center. Certificate of service was not included. [23-1069] (JMK) [Entered: 03/27/2023 01:55 PM]
03/23/2023	1 pg, 29.88 KB	NOTICE of appearance on behalf of Amicus Curiae Goldwater Institute filed by Attorney Adam C. Shelton. Served on 03/23/2023. [23-1069] (AS) [Entered: 03/23/2023 01:53 PM]
03/23/2023	28 pg, 346.59 KB	AMICUS CURIAE BRIEF tendered by Goldwater Institute. [23-1069] (AS) [Entered: 03/23/2023 01:55 PM]
03/23/2023	20 pg, 256.35 KB	AMICUS CURIAE BRIEF tendered by The Family Foundation, Illinois Family Institute, Concerned Women for America, National Legal Foundation, and Pacific Justice Institute. [23-1069] (SWF) [Entered: 03/23/2023 03:36 PM]
03/23/2023	33 pg, 251.62 KB	AMICUS CURIAE BRIEF tendered by Alliance Defending Freedom. [23-1069] (DAC) [Entered: 03/23/2023 04:57 PM]
03/24/2023		FIVE (5) paper copies of appendix [6556930-2] submitted by Appellants Stephen Foote and Marissa Silvestri. [23-1069] (YCC) [Entered: 03/24/2023 09:31 AM]
03/24/2023		NINE (9) paper copies of appellants' brief [6556929-2] submitted by Appellants Stephen Foote and Marissa Silvestri. [23-1069] (YCC) [Entered: 03/24/2023 09:58 AM]

03/27/2023	38 pg, 371.16 KB	AMICUS CURIAE BRIEF filed by Amici Curiae Manhattan Institute and Dr. Leor Sapir in support of Appellant. Served on 03/21/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/03/2023. [23-1069] (JMK) [Entered: 03/27/2023 08:46 AM]
03/27/2023	28 pg, 346.59 KB	AMICUS CURIAE BRIEF filed by Amicus Curiae Goldwater Institute in support of Appellant. Served on 03/20/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/03/2023. [23-1069] (JMK) [Entered: 03/27/2023 02:02 PM]
03/27/2023	28 pg, 707.43 KB	AMICUS CURIAE BRIEF filed by Amicus Curiae Parental Rights Foundation in support of Appellant. Served on 03/21/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/03/2023. [23-1069] (JMK) [Entered: 03/27/2023 02:20 PM]
03/27/2023		PLEADING tendered: NINE (9) paper copies of tendered amicus curiae brief submitted by Amici Curiae Family Foundation, Illinois Family Institute, Concerned Women for America, National Legal Foundation and Pacific Justice Institute. [23-1069] (YCC) [Entered: 03/27/2023 02:47 PM]
03/28/2023	20 pg, 256.35 KB	AMICUS CURIAE BRIEF filed by Amici Curiae Concerned Women for America, Family Foundation, Illinois Family Institute, National Legal Foundation and Pacific Justice Institute in support of Appellant. Number of copies: 9. Served on 03/20/2023 [23-1069] (JMK) [Entered: 03/28/2023 08:35 AM]
03/28/2023	16 pg, 216.32 KB	AMICUS CURIAE BRIEF filed by Amicus Curiae Independent Women's Law Center in support of Appellant. Served on 03/22/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/04/2023. [23-1069] (JMK) [Entered: 03/28/2023 08:39 AM]
03/28/2023	33 pg, 251.62 KB	AMICUS CURIAE BRIEF filed by Amicus Curiae Alliance Defending Freedom in support of Appellant. Served on 03/23/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/04/2023. [23-1069] (JMK) [Entered: 03/28/2023 02:28 PM]
03/28/2023	35 pg, 343.17 KB	AMICUS CURIAE BRIEF filed by Amici Curiae Able Americans, Advancing American Freedom, Inc., American Cornerstone Institute, American Principles Project, American Values, Center For Political Renewal, Center For Urban Renwal And Education, Christians Engaged, Citizens United, Citizens United Foundation, Coalition For Jewish Values, Committee For Justice, Common Sense Club, Dr. James Dobson Family Institute, Eagle Forum, Faith And Freedom Coalition, Family Institute of Connecticut, Missouri Center-Right Coalition, My Faith Votes, National Associates Of Parents, National Center For Public Policy Research, National Religious Broadcasters, New Jersey Family Policy Center, Project 21, Religious Freedom Institute, Russell Kirk Center For Cultural Renewal, Tea Party Patriots Action, Inc., The Family Foundation, The Justice Foundation and Young America's Foundation in support of Appellant. Served on 03/20/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/04/2023. [23-1069] (JMK) [Entered: 03/28/2023 02:33 PM]
03/28/2023	40 pg, 278 KB	AMICUS CURIAE BRIEF filed by Amicus Curiae Dr. Erica E. Anderson, PhD, in support of Appellant. Served on 03/20/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/04/2023. [23-1069] (JMK) [Entered: 03/28/2023 02:35 PM]
03/28/2023	29 pg, 243.14 KB	AMICUS CURIAE BRIEF filed by Amicus Curiae Center For American Liberty in support of Appellant. Served on 03/20/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/04/2023. [23-1069] (JMK) [Entered: 03/28/2023 02:37 PM]
03/28/2023	32 pg, 237.03 KB	AMICUS CURIAE BRIEF filed by Amici Curiae State of Alabama, State of Arkansas, State of Georgia, State of Idaho, State of Indiana, State of Iowa, State of Kansas, State of Kentucky, State of Louisiana, State of Montana, State of Nebraska, State of Oklahoma, State of South Carolina, State of South Dakota, State of Tennessee, State of Texas, State of Utah, State of Virginia and State of West Virginia in support of Appellant. Served on 03/20/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 04/04/2023. [23-1069] (JMK) [Entered: 03/28/2023 02:40 PM]
03/29/2023	3 pg, 116.65 KB	MOTION to extend time to file <i>brief</i> filed by Appellees Ludlow School Committee, Todd Gazda, Lisa Nemeth, Stacy Monette, Marie-Claire Foley, Jordan Funke and Ludlow, MA. Served on 03/29/2023. [23-1069] (DSL) [Entered: 03/29/2023 11:12 AM]
03/29/2023		NINE (9) paper copies of amicus brief [6558005-2] submitted by Amicus Curiae Goldwater Institute. [23-1069] (YCC) [Entered: 03/29/2023 01:02 PM]
03/29/2023	2 pg, 9.76 KB	ORDER granting motion to extend time to file brief filed by Appellees Ludlow, MA, Ludlow School Committee, Lisa Nemeth, Todd Gazda, Stacy Monette, Marie-Claire Foley and Jordan Funke. Brief due 06/20/2023 for appellees Marie-Claire Foley, Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. We are disinclined to grant a request for further enlargement of this deadline. [23-1069] (JMK) [Entered: 03/29/2023 01:07 PM]

	03/29/2023		PLEADING tendered: NINE (9) paper copies of the amicus brief [6558017-2] submitted by Amicus Curiae Parental Rights Foundation. [23-1069] (YCC) [Entered: 03/29/2023 01:08 PM]
	03/29/2023		NINE (9) paper copies of amicus brief [6558017-2] submitted by Amicus Curiae Parental Rights Foundation. [23-1069] (YCC) [Entered: 04/13/2023 09:04 AM]
	03/30/2023		NINE (9) paper copies of amicus brief [6557856-2] submitted by Amici Curiae Manhattan Institute and Dr. Leor Sapir. [23-1069] (YCC) [Entered: 03/30/2023 01:08 PM]
	03/31/2023		NINE (9) paper copies of amicus brief [6558376-2] submitted by Amicus Curiae Alliance Defending Freedom. [23-1069] (YCC) [Entered: 03/31/2023 09:35 AM]
	03/31/2023		NINE (9) paper copies of amicus brief [6558387-2] submitted by Amici Curiae State of Alabama, State of Arkansas, State of Georgia, State of Idaho, State of Indiana, State of Iowa, State of Kansas, State of Kentucky, State of Louisiana, State of Montana, State of Nebraska, State of Oklahoma, State of South Carolina, State of South Dakota, State of Tennessee, State of Texas, State of Utah, State of Virginia and State of West Virginia. [23-1069] (YCC) [Entered: 03/31/2023 09:48 AM]
	03/31/2023		NINE (9) paper copies of amicus brief [6558381-2] submitted by Amicus Curiae Dr. Erica E. Anderson, PhD. [23-1069] (YCC) [Entered: 03/31/2023 04:30 PM]
American Freedom, Inc., American Cornerstone Institute, American Principles Project, American Va Center For Political Renewal, Center For Urban Renwal And Education, Christians Engaged, Citizer United, Citizens United Foundation, Coalition For Jewish Values, Committee For Justice, Common Club, Dr. James Dobson Family Institute, Eagle Forum, Faith And Freedom Coalition, Family Institute Connecticut, Missouri Center-Right Coalition, My Faith Votes, National Associates Of Parents, National Religious Broadcasters, New Jersey Family Policy Cer Project 21, Religious Freedom Institute, Russell Kirk Center For Cultural Renewal, The Family Foundation Justice Foundation and Young America's Foundation. [23-1069] (YCC) [Entered: 03/31/2023 04]		NINE (9) paper copies of amicus brief [6558378-2] submitted by Amici Curiae Able Americans, Advancing American Freedom, Inc., American Cornerstone Institute, American Principles Project, American Values, Center For Political Renewal, Center For Urban Renwal And Education, Christians Engaged, Citizens United, Citizens United Foundation, Coalition For Jewish Values, Committee For Justice, Common Sense Club, Dr. James Dobson Family Institute, Eagle Forum, Faith And Freedom Coalition, Family Institute of Connecticut, Missouri Center-Right Coalition, My Faith Votes, National Associates Of Parents, National Center For Public Policy Research, National Religious Broadcasters, New Jersey Family Policy Center, Project 21, Religious Freedom Institute, Russell Kirk Center For Cultural Renewal, The Family Foundation, The Justice Foundation and Young America's Foundation. [23-1069] (YCC) [Entered: 03/31/2023 04:40 PM]	
	03/31/2023		NINE (9) paper copies of amicus brief [6558384-2] submitted by Amicus Curiae Center For American Liberty. [23-1069] (YCC) [Entered: 03/31/2023 04:43 PM]
	03/31/2023		NINE (9) paper copies of amicus brief [6558189-2] submitted by Amicus Curiae Independent Women's Law Center. [23-1069] (YCC) [Entered: 03/31/2023 04:46 PM]
	06/08/2023	4 pg, 130.35 KB	ASSENTED TO MOTION for leave to file supplemental appendix filed by Appellees Ludlow School Committee, Todd Gazda, Lisa Nemeth, Stacy Monette, Marie-Claire Foley, Jordan Funke and Ludlow, MA. Served on 06/08/2023. [23-1069] (DSL) [Entered: 06/08/2023 11:40 AM]
	06/12/2023	1 pg, 8.62 KB	ORDER granting motion for leave to file supplemental appendix filed by Appellees Ludlow, MA, Ludlow School Committee, Lisa Nemeth, Todd Gazda, Stacy Monette, Marie-Claire Foley and Jordan Funke. Supplemental appendix due 06/20/2023 for Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette, Lisa Nemeth and Marie-Claire Foley. [23-1069] (JMK) [Entered: 06/12/2023 01:38 PM]
	06/20/2023	86 pg, 2.18 MB	BRIEF tendered by Appellees Marie-Claire Foley, Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. [23-1069] (DSL) [Entered: 06/20/2023 05:14 PM]
	06/20/2023	33 pg, 758.52 KB	APPENDIX tendered by Appellees Marie-Claire Foley, Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. Served on 06/20/2023. [23-1069] (DSL) [Entered: 06/20/2023 05:17 PM]
	06/21/2023	86 pg, 2.18 MB	APPELLEES' BRIEF filed by Appellees Marie-Claire Foley, Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. Served on 06/20/2023. Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 06/28/2023. Reply brief due 07/11/2023 for APPELLANTS Stephen Foote and Marissa Silvestri. [23-1069] (YCC) [Entered: 06/21/2023 02:44 PM]
	06/21/2023	33 pg, 758.52 KB	SUPPLEMENTAL APPENDIX filed by Appellees Marie-Claire Foley, Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. Served on 06/20/2023. Five paper copies of the electronically filed supplemental appendix must be submitted so that they are received by the court on or before 06/28/2023. [23-1069] (YCC) [Entered: 06/21/2023 02:51 PM]
	06/27/2023	8 pg, 239.95 KB	MOTION requesting leave for Attorney Arielle B. Kristan (BBO# 1150331) akristan@hrwlawyers.com Elizabeth E. Monnin-Browder (BBO# 1150420) emonnin-browder@hrwlawyers.com Hirsch Roberts Weinstein LLP 24 Federal Street, 12th Floor Boston, MA 02110 Phone: (617) 348-4300 to enter an appearance on behalf of Movant(s) Dr. Stephanie Budge, Dr. Mollie McQuillan, Dr. Stephen Russell, Dr. Kristina Olson, Dr. Sabra Katz-Wise, Dr. Russell Toomey, Dr. Jenifer McGuire, and Dr. Katherine Kuvalanka. Served on 06/27/2023. [23-1069] (ABK) [Entered: 06/27/2023 11:23 AM]
	06/27/2023	1 pg, 99.07 KB	NOTICE of appearance on behalf of Movant(s) American Civil Liberties Union and American Civil Liberties Union of Massachusetts, Inc. filed by Attorney Ruth A. Bourquin. Served on 06/27/2023. [23-1069] (RAB)

		[Entered: 06/27/2023 01:12 PM]
06/27/2023	1 pg, 137.51 KB	NOTICE of appearance on behalf of Movant(s) American Civil Liberties Union and American Civil Liberties Union of Massachusetts, Inc. filed by Attorney Mary F. Brown. Served on 06/27/2023. [23-1069] (MFB) [Entered: 06/27/2023 01:16 PM]
06/27/2023	1 pg, 9.13 KB	ORDER entered: Upon consideration of Attorneys Arielle B. Kristan and Elizabeth E. Monnin-Browder's motion for leave to enter an appearance on behalf of movants Dr. Stephanie Budge, Dr. Mollie McQuillan, Dr. Stephen Russell, Dr. Kristina Olson, Dr. Sabra Katz-Wise, Dr. Russell Toomey, Dr. Jenifer McGuire, and Dr. Katherine Kuvalanka, that motion is allowed. Attorneys Kristan and Monnin-Browder's notices of appearance are accepted for filing as of this date. [23-1069] (JMK) [Entered: 06/27/2023 03:41 PM]
06/27/2023	1 pg, 78.18 KB	NOTICE of appearance filed by Attorney Arielle Brooks Kristan for Movants Doctor Stephanie Budge, Doctor Mollie McQuillan, Doctor Stephen Russell, Doctor Kristina Olson, Doctor Sabra Katz-Wise, Doctor Russell Toomey, Doctor Jenifer Mcguire and Katherine Kuvalanka. Served on 06/27/2023. [23-1069] (JMK) [Entered: 06/27/2023 03:43 PM]
06/27/2023	1 pg, 101.36 KB	NOTICE of appearance filed by Attorney Elizabeth E. Monnin-Browder for Movants Doctor Stephanie Budge, Doctor Mollie McQuillan, Doctor Stephen Russell, Doctor Kristina Olson, Doctor Sabra Katz-Wise, Doctor Russell Toomey, Doctor Jenifer Mcguire and Katherine Kuvalanka. Served on 06/27/2023. [23-1069] (JMK) [Entered: 06/27/2023 03:44 PM]
06/27/2023	36 pg, 938.27 KB	AMICUS CURIAE BRIEF tendered by American Civil Liberties Union and American Civil Liberties Union of Massachusetts, Inc [23-1069] (RAB) [Entered: 06/27/2023 03:45 PM]
06/27/2023	2 pg, 132 KB	NOTICE of appearance on behalf of Movant(s) Massachusetts, California, Colorado, Connecticut, the District of Columbia, Hawaii, Illinois, Maine, Maryland, Minnesota, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington filed by Attorney Adam M. Cambier. Served on 06/27/2023. [23-1069] (AC) [Entered: 06/27/2023 03:57 PM]
06/27/2023	42 pg, 350.82 KB	AMICUS CURIAE BRIEF tendered by Massachusetts, California, Colorado, Connecticut, the District of Columbia, Hawaii, Illinois, Maine, Maryland, Minnesota, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington. [23-1069] (AC) [Entered: 06/27/2023 03:58 PM]
06/27/2023	1 pg, 46.37 KB	NOTICE of appearance on behalf of Movant(s) American Civil Liberties Union and American Civil Liberties Union of Massachusetts, Inc. filed by Attorney Alexandra Arnold. Served on 06/27/2023. [23-1069] (AA) [Entered: 06/27/2023 04:02 PM]
06/27/2023	1 pg, 101.57 KB	NOTICE of appearance on behalf of Movant(s) Massachusetts Association of School Superintendents filed by Attorney Christopher M. Erchull. Served on 06/27/2023. [23-1069] (CE) [Entered: 06/27/2023 04:19 PM]
06/27/2023	29 pg, 340.83 KB	AMICUS CURIAE BRIEF tendered by Dr. Stephanie Budge, Dr. Mollie McQuillan, Dr. Stephen Russell, Dr. Kristina Olson, Dr. Sabra Katz-Wise, Dr. Russell Toomey, Dr. Jenifer McGuire, and Dr. Katherine Kuvalanka. [23-1069] (ABK) [Entered: 06/27/2023 04:29 PM]
06/27/2023	39 pg, 584.93 KB	AMICUS CURIAE BRIEF tendered by Massachusetts Association of School Superintendents. [23-1069] (CE) [Entered: 06/27/2023 05:06 PM]
06/27/2023	7 pg, 534.63 KB	MOTION requesting leave for Attorney Ruth A. Bourquin to enter an appearance on behalf of Movant(s) American Civil Liberties Union and American Civil Liberties Union of Massachusetts, Inc Served on 06/27/2023. [23-1069] (RAB) [Entered: 06/27/2023 05:14 PM]
06/27/2023	32 pg, 246.55 KB	AMICUS CURIAE BRIEF tendered by PFLAG, Inc., et al [23-1069] (KLL) [Entered: 06/27/2023 07:51 PM]
06/27/2023	1 pg, 135.36 KB	DISCLOSURE statement filed by Amici Curiae Boston Alliance of Gay, Lesbian, Bisexual and Transgender Youth, Equality Maine, Fenway Community Health Center, Inc., Girls Inc. Of The Valley, Massachusetts Commission on LGBTQ Youth, Massachusetts Transgender Political Coalition, North Shore Alliance of Gay, Lesbian, Bisexual, and Transgender Youth, Inc., Out Maine, Out Now, PFLAG, Inc., Seacoast Outright, Thundermist Health Center, Trevor Project and We Thrive LGBTQ Community Center of Cape Cod and the Islands of Martha's Vineyard and Nantucket. Served on 06/27/2023. [23-1069] (JMK) [Entered: 07/05/2023 01:48 PM]
06/28/2023		FIVE (5) paper copies of supplemental appendix [6575176-2] submitted by Appellees Marie-Claire Foley, Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. [23-1069] (NP) [Entered: 06/28/2023 03:43 PM]
06/28/2023		NINE (9) paper copies of appellees' brief [6575172-2] submitted by Appellees Marie-Claire Foley, Jordan Funke, Todd Gazda, Ludlow School Committee, Ludlow, MA, Stacy Monette and Lisa Nemeth. [23-1069] (NP) [Entered: 06/28/2023 04:20 PM]
06/29/2023		PLEADING tendered: NINE (9) paper copies of tendered amicus curiae brief filed by Dr. Stephanie Budge, Dr. Mollie McQuillan, Dr. Stephen Russell, Dr. Kristina Olson, Dr. Sabra Katz-Wise, Dr. Russell Toomey, Dr. Jenifer McGuire, and Dr. Katherine Kuvalanka [23-1069] (NP) [Entered: 06/29/2023 04:40 PM]

7/9/23, 7:45 PM		23-1069 Docket
06/30/2023	2 pg, 11.77 KB	ORDER entered. Upon consideration, Attorneys Ruth A. Bourquin, Mary Brown, and Alexandra Arnold's motion for leave to enter an appearance on behalf of movants American Civil Liberties Union of Massachusetts, Inc. (ACLUM) and the American Civil Liberties Union (ACLU) is granted. Attorneys Bourqin, Brown, and Arnold's notices of appearance are accepted for filing as of this date. [23-1069] (GB) [Entered: 06/30/2023 11:35 AM]
06/30/2023	1 pg, 105.96 KB	NOTICE of appearance filed by Attorney Ruth A. Bourquin for Movants American Civil Liberties Union and American Civil Liberties Union of Massachusetts. Served on 06/27/2023. [23-1069] (GB) [Entered: 06/30/2023 11:38 AM]
06/30/2023	1 pg, 64.45 KB	NOTICE of appearance filed by Attorney Mary Frances Brown for Movants American Civil Liberties Union and American Civil Liberties Union of Massachusetts. Served on 06/27/2023. [23-1069] (GB) [Entered: 06/30/2023 11:39 AM]
06/30/2023	1 pg, 63.61 KB	NOTICE of appearance filed by Attorney Alexandra Arnold for Movants American Civil Liberties Union and American Civil Liberties Union of Massachusetts. Served on 06/27/2023. [23-1069] (GB) [Entered: 06/30/2023 11:40 AM]
06/30/2023	2 pg, 637.51 KB	NOTICE of appearance on behalf of Movant(s) PFLAG, Inc. et al. filed by Attorney Karen L. Loewy. Served on 06/30/2023. [23-1069] (KLL) [Entered: 06/30/2023 03:06 PM]
07/05/2023	2 pg, 10.11 KB	ORDER directing American Civil Liberties Union and American Civil Liberties Union of Massachusetts to file a conforming brief. Brief due 07/12/2023. [23-1069] (JMK) [Entered: 07/05/2023 01:29 PM]
07/05/2023	2 pg, 9.95 KB	ORDER directing Amicus Curiae Massachusetts Association of School Superintendents to file a conforming brief. Brief due 07/12/2023. [23-1069] (JMK) [Entered: 07/05/2023 01:35 PM]
07/05/2023	2 pg, 10.19 KB	ORDER directing Amici Curiae Commonwealth of Massachusetts, District of Columbia, State of California, State of Colorado, State of Connecticut, State of Hawaii, State of Illinois, State of Maine, State of Maryland, State of Minnesota, State of New Jersey, State of New York, State of Oregon, State of Rhode Island, State of Vermont and State of Washington to file a conforming brief. Brief due 07/12/2023. [23-1069] (JMK) [Entered: 07/05/2023 01:42 PM]
07/05/2023	42 pg, 341.26 KB	AMICUS CURIAE BRIEF tendered by Massachusetts, California, Colorado, Connecticut, the District of Columbia, Hawaii, Illinois, Maine, Maryland, Minnesota, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington. [23-1069] (AC) [Entered: 07/05/2023 02:05 PM]
07/05/2023	40 pg, 641.48 KB	AMICUS CURIAE BRIEF tendered by Massachusetts Association of School Superintendents. [23-1069] (CE) [Entered: 07/05/2023 07:24 PM]
07/05/2023	1 pg, 61.93 KB	DISCLOSURE statement filed by Amicus Curiae Massachusetts Association of School Superintendents. Served on 07/05/2023. [23-1069] (JMK) [Entered: 07/06/2023 08:47 AM]
07/06/2023	36 pg, 919.85 KB	AMICUS CURIAE BRIEF tendered by American Civil Liberties Union and American Civil Liberties Union of Massachusetts, Inc [23-1069] (RAB) [Entered: 07/06/2023 11:54 AM]
07/06/2023	1 pg, 480.1 KB	DISCLOSURE statement filed by Amici Curiae American Civil Liberties Union and American Civil Liberties Union of Massachusetts. Served on 07/06/2023. [23-1069] (JMK) [Entered: 07/06/2023 12:48 PM]

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