

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ELIZABETH MIRABELLI, an individual, on behalf of herself and all others similarly situated; LORI ANN WEST, an individual, on behalf of herself and all others similarly situated; et al.,

Plaintiffs,

v.

MARK OLSON, in his official capacity as President of the EUSD Board of Education, et al.,

Defendants.

Case No.: 3:23-cv-0768-BEN-VET

**ORDER GRANTING PLAINTIFFS’  
MOTION FOR A CLASS-WIDE  
PERMANENT INJUNCTION**

1 **I. INTRODUCTION**

2 Plaintiffs Elizabeth Mirabelli, Lori Ann West, Jane Roe, and Jane Boe  
3 (“Teacher Plaintiffs”), and Plaintiffs John Poe, Jane Poe, John Doe, and Jane Doe  
4 (“Parent Plaintiffs”), brought this action under 42 U.S.C. § 1983 seeking injunctive  
5 and declaratory relief against Defendants Attorney General Rob Bonta (“AG Bonta”),  
6 Defendants State Superintendent Tony Thurmond and State Board of Education  
7 Members Linda Darling-Hammond, Cynthia Glover Woods, Francisco Escobedo,  
8 Brenda Lewis, James J. McQuillen, Sharon Olken, Gabriela Orozco-Gonzalez, Kim  
9 Pattillo Brownson, Haydee Rodriguez, Alison Yoshimoto-Towery, and Anya  
10 Ayyappan (“CDE Defendants”).

11 Before this Court is Plaintiffs’ Motion for Summary Judgment and for a Class-  
12 Wide Permanent Injunction. The Court heard oral argument on the motion on  
13 November 17, 2025. After considering the papers submitted, supporting  
14 documentation, and applicable law, the Court **GRANTS** the Motion.

15 **II. PERMANENT INJUNCTION**

16 **IT IS HEREBY ORDERED** that:

17 1. Defendants Attorney General Rob Bonta, State Superintendent Tony  
18 Thurmond and State Board of Education Members Linda Darling-Hammond, Cynthia  
19 Glover Woods, Francisco Escobedo, Brenda Lewis, James J. McQuillen, Sharon  
20 Olken, Gabriela Orozco-Gonzalez, Kim Pattillo Brownson, Haydee Rodriguez, Alison  
21 Yoshimoto-Towery, and Anya Ayyappan, and their officers, agents, servants,  
22 employees, and attorneys, and those persons in active concert or participation with  
23 them, are enjoined from implementing or enforcing: (1) the Privacy Provision of the  
24 California Constitution, Cal. Const. art. I, § 1; (2) any other provision of California  
25 law, including equal protection provisions such as Cal. Educ. Code §§ 200, 220, Cal.  
26 Gov. Code § 11135; or (3) any regulations or guidance, such as the 2016 “Legal  
27 Advisory regarding application of California’s antidiscrimination statutes to  
28 transgender youth in schools” and accompanying FAQ page, or Cal. Code Regs., tit.

1 5, §§4900-4965, or the newly produced PRISM cultural competency training, in such  
2 a manner as to:

3 (a): permit or require any employee in the California state-wide education  
4 system from misleading the parent or guardian of a minor child in the education  
5 system about their child’s gender presentation at school, whether by: (i) directly lying  
6 to the parent; (ii) preventing the parent from accessing educational records of the  
7 child; or (iii) using a different set of preferred pronouns/names when speaking with  
8 the parents than is being used at school;

9 (b): permit or require any employee in the California state-wide education  
10 system to use a name or pronoun to refer to that child that do not match the child’s  
11 legal name and natal pronouns, where a child’s parent or legal guardian has  
12 communicated their objection to such use;

13 (c): require any employee in the California state-wide education system to use  
14 a name or pronoun to refer to a child that do not match the child’s legal name and  
15 natal pronouns while concealing that social gender transition from the child’s  
16 parents, over the employee’s conscientious or religious objection;

17 (d): or in any way interfere with a teacher or other school administrator,  
18 counselor or staff from communicating to parents that his, her, or their child has  
19 manifested a form of gender incongruity such as changing preferred names or  
20 pronouns.

21 2. Defendants shall provide forthwith, by personal service or otherwise,  
22 actual notice of this order to all personnel who are responsible for implementing or  
23 enforcing the enjoined provisions. Within 20 days, the government shall file a  
24 declaration establishing proof of such notice.

25 3. Defendants shall include in a prominent place in PRISM training  
26 materials, and in any other state-created or approved instruction on the gender-related  
27 rights of student and faculty, the following statement:

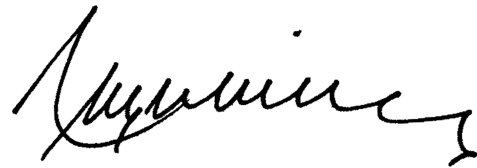
28 **“Parents and guardians have a federal constitutional right to be informed**

1 if their public school student child expresses gender incongruence. Teachers and  
2 school staff have a federal constitutional right to accurately inform the parent or  
3 guardian of their student when the student expresses gender incongruence.  
4 These federal constitutional rights are superior to any state or local laws, state or  
5 local regulations, or state or local policies to the contrary.”

6 4. Further, because enjoining Defendants from enforcing unconstitutional  
7 policies will impose no financial burden, Plaintiffs are not required to post a bond or  
8 undertaking.

9 **IT IS SO ORDERED.**

10 DATED: December 22, 2025



11 **HON. ROGER T. BENITEZ**  
12 United States District Judge  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28