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(b)(1)(A),MAG,JURY,LC1

**US District Court Electronic Case Filing System
District of Utah (Central)
CIVIL DOCKET FOR CASE #: 2:17-cv-00677-HCN-DBP**

Gordon et al v. Jordan School District et al
Assigned to: Judge Howard C. Nielson, Jr
Referred to: Magistrate Judge Dustin B. Pead
Cause: 20:1681 Title IX Educational Amendments
1992 - Sex Discrimination

Date Filed: 06/23/2017
Jury Demand: Plaintiff
Nature of Suit: 448 Civil Rights:
Education
Jurisdiction: Federal Question

Plaintiff

Brent Gordon
as general guardian of S.G.

represented by **Mark L. Smith**
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Plaintiff

Jason Dixon
as general guardian of L.D.

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Jacob L. Fannesbeck
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Plaintiff

Lisa Simmons
as general guardian of B.S.

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Plaintiff

Barbara Calchera
as general guardian of M.C.

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Plaintiff

Bret Robison
as general guardian of D.R.

represented by **Mark L. Smith**
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Plaintiff

Manuel Nogales
as general guardian of I.N.

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Plaintiff

I. C.
a minor

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V.

Defendant

Jordan School District

represented by **Darin B. Goff**
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Defendant

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Michael J. Teter
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TERMINATED: 10/08/2019
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Philip S. Lott
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TERMINATED: 11/07/2018
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Rachel G. Terry
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S. Shane Stroud
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ATTORNEY TO BE NOTICED

Defendant

Canyons School District

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S. Shane Stroud
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Defendant

**Utah High School Activities
Association**

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Defendant

Patrice Johnson
TERMINATED: 10/29/2019

represented by **Darin B. Goff**
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TERMINATED: 07/06/2018
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Michael J. Teter
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TERMINATED: 10/08/2019
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TERMINATED: 11/07/2018
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Defendant

Martin Bates

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Defendant

James Briscoe
TERMINATED: 08/04/2020

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Michael J. Teter
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Defendant

Anthony Godfrey
Superintendent of Jordan School
District

represented by **Rachel G. Terry**
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Defendant

Rick L. Robins

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Date Filed	#	Docket Text
06/23/2017	<u>1</u>	Case has been indexed and assigned to Magistrate Judge Brooke C. Wells. Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons are directed to E-File the <u>Complaint and cover sheet</u> (found under Complaints and Other Initiating Documents) and pay the filing fee of \$ 400.00 by the end of the business day. NOTE: The court will not have jurisdiction until the opening document is electronically filed and the filing fee paid in the CM/ECF system. Civil Summons may be issued electronically. Prepare the summons using the courts PDF version and email it to utdecf_clerk@utd.uscourts.gov for issuance. (tlh) (Entered: 06/23/2017)
06/23/2017	<u>2</u>	COMPLAINT against All Defendants (Filing fee \$ 400, receipt number 1088-2783732) filed by Manuel Nogales, Lisa Simmons, Bret Robison, Brent Gordon, Barbara Calchera, Jason Dixon. (Attachments: # <u>1</u> Civil Cover Sheet to Complaint) Assigned to Magistrate Judge Brooke C. Wells (Washburn, D.) (Entered: 06/23/2017)
07/06/2017	<u>3</u>	NOTICE of Appearance by Rachel G. Terry on behalf of Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District (Terry, Rachel) (Entered: 07/06/2017)
07/06/2017	<u>4</u>	NOTICE of Appearance by Darin B. Goff on behalf of Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District (Goff, Darin) (Entered: 07/06/2017)
08/07/2017	<u>5</u>	NOTICE OF ADR, e-mailed or mailed to Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District, Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (las) (Entered: 08/07/2017)
08/07/2017	6	NOTICE FROM THE COURT re: Initial Scheduling The court's IPT Clerk will now set the case for the Initial Pretrial Scheduling Conference (las) (Entered: 08/07/2017)
08/10/2017	7	<u>NOTICE OF INITIAL PRETRIAL CONFERENCE:</u> (Notice generated by IPT Clerk)

		<p>The Attorneys Planning Meeting Report and Proposed Scheduling Order forms, available on the court web site at http://www.utd.uscourts.gov/usdc-forms, should be prepared 21 days before the Initial Pretrial Conference hearing date.</p> <p><u>NOTICE TO COUNSEL</u>, The Court <i>may</i> enter a scheduling order and vacate the hearing <i>if</i> counsel</p> <p>(a) file a stipulated Attorneys Planning Meeting Report; and</p> <p>(b) e-mail a Proposed Scheduling Order to ipt@utd.uscourts.gov 21 days before the scheduled hearing. See instructions at http://www.utd.uscourts.gov/attorney-planning-meeting-and-report</p> <p>If counsel or the parties would like to participate by phone they must contact the IPT Clerk at least two days in advance at ipt@utd.uscourts.gov to make arrangements.</p> <p>Initial Pretrial Conference set for 10/4/2017 at 11:30 AM in Rm 7.400 before Magistrate Judge Evelyn J. Furse. (jds) (Entered: 08/10/2017)</p>
08/18/2017	<u>8</u>	WAIVER OF SERVICE Returned Executed filed by Brent Gordon as to Utah High School Activities Association Waiver sent on 8/17/2017, answer due 10/16/2017. (Gordon, Brent) (Entered: 08/18/2017)
08/18/2017	<u>9</u>	NOTICE of Appearance by Brent Gordon on behalf of Brent Gordon (Gordon, Brent) (Entered: 08/18/2017)
08/18/2017	<u>10</u>	WAIVER OF SERVICE Returned Executed filed by Brent Gordon as to All Defendants. (Gordon, Brent) (Entered: 08/18/2017)
08/30/2017	<u>11</u>	NOTICE of Unavailability by Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District (Goff, Darin) (Entered: 08/30/2017)
09/13/2017	<u>12</u>	Stipulated MOTION to Continue Pretrial Conference and Memorandum in Support filed by Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # <u>1</u> Text of Proposed Order [Proposed] Order Granting Stipulated Motion to Continue Pretrial Conference) Attorney Jacob L. Fannesbeck added to party Manuel Nogales(pty:pla)(Fannesbeck, Jacob) (Entered: 09/13/2017)
09/28/2017	<u>13</u>	ORDER granting <u>12</u> Stipulated MOTION to Continue Pretrial Conference. Initial Pretrial Conference reset for 11/8/2017 at 11:30 AM in Rm 7.400 before Magistrate Judge Evelyn J. Furse. Signed by Magistrate Judge Brooke C. Wells on 9/28/2017. (jds) (Entered: 09/28/2017)

10/13/2017	14	MOTION for Partial Summary Judgment and Memorandum in Support filed by Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Affidavit of Brent Gordon, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F)(Washburn, D.) (Entered: 10/13/2017)
10/13/2017	15	<i>Canyons School District and James Briscoe's</i> ANSWER to Complaint with Jury Demand filed by James Briscoe, Canyons School District.(Terry, Rachel) (Entered: 10/13/2017)
10/13/2017	16	<i>Granite School District and Martin Bates'</i> ANSWER to Complaint with Jury Demand filed by Martin Bates, Granite School District.(Terry, Rachel) (Entered: 10/13/2017)
10/13/2017	17	<i>Jordan School District and Patrice Johnson's</i> ANSWER to Complaint with Jury Demand filed by Patrice Johnson, Jordan School District.(Terry, Rachel) (Entered: 10/13/2017)
10/18/2017	18	REPORT OF ATTORNEY PLANNING MEETING. (Gordon, Brent) (Entered: 10/18/2017)
10/20/2017	19	NOTICE - This case is assigned to a magistrate judge. To consent or request reassignment, use the form on this link or use the included form for non-e-filers and send it to consents@utd.uscourts.gov within 15 days or mail to the court with <i>Attention: Consent Clerk</i> on the envelope. Notice e-mailed or mailed to Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District, Utah High School Activities Association, Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. Form due by 11/6/2017. (las) (Entered: 10/20/2017)
10/24/2017	20	RECEIVED Consent/Reassignment Form from Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (las) (Entered: 10/24/2017)
10/25/2017	21	RECEIVED Consent/Reassignment Form from Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (las) (Entered: 10/25/2017)
10/25/2017	22	All Consent/Reassignment Forms have now been received. After review of all forms, Case Reassigned to District Judge per request of one or more party(s). Case randomly assigned to Judge Clark Waddoups. Magistrate Judge Brooke C. Wells no longer assigned to the case. (las) (Entered: 10/25/2017)

10/25/2017	23	<i>Defendant Utah High School Athletic Association's ANSWER to Complaint and Proposed Class Action</i> filed by Utah High School Activities Association. Attorney Mark O. Van Wagoner added to party Utah High School Activities Association(pty:dft)(Van Wagoner, Mark) (Entered: 10/25/2017)
10/27/2017	24	NOTICE of Appearance by D. Craig Parry on behalf of Utah High School Activities Association (Parry, D.) (Entered: 10/27/2017)
10/30/2017	25	ORDER OF RECUSAL. Case needs to be re-assigned due to non-waivable conflict. Signed by Judge Clark Waddoups on October 30, 2017. (yd) (Entered: 10/30/2017)
11/01/2017	26	Case Reassigned per 25 Order of Recusal. Case Assigned to Judge Robert J. Shelby. Judge Clark Waddoups no longer assigned to the case. (jwt) (Entered: 11/01/2017)
11/06/2017	27	SCHEDULING ORDER: Initial Pretrial Conference vacated. Amended Pleadings due by 1/16/2018. Joinder of Parties due by 1/16/2018. Discovery due by 7/16/2018. Motions due by 7/16/2018. Deadline for filing a request for a scheduling conference with the district judge for the purpose of setting a trial date if no dispositive motions are filed 7/23/2018. Signed by Magistrate Judge Evelyn J. Furse on 11/6/2017. (jds) (Entered: 11/06/2017)
11/07/2017	28	Stipulated MOTION for Extension of Time to File Response/Reply as to 14 MOTION for Partial Summary Judgment and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order)(Terry, Rachel) (Entered: 11/07/2017)
11/14/2017	29	ORDER REFERRING CASE to Magistrate Judge Dustin B. Pead under 28:636 (b)(1)(A), Magistrate to hear and determine all nondispositive pretrial matters. No attached document. Motions referred to Dustin B. Pead. Signed by Judge Robert J. Shelby on 11/14/2017. (mjm) (Entered: 11/14/2017)
11/15/2017	30	Stipulated MOTION for Extension of Time Stipulated Motion for Time to File Class Certification and Memorandum in Support filed by Plaintiff Brent Gordon. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Gordon, Brent) (Entered: 11/15/2017)
11/15/2017	31	ORDER granting 28 Motion for Extension of Time to File Response/Reply re 14 MOTION for Partial Summary Judgment.

		Responses due by 12/13/2017. Signed by Magistrate Judge Dustin B. Pead on 11/15/2017. (jds) (Entered: 11/15/2017)
11/16/2017	32	ORDER granting 30 Motion for Extension of Time to file Motion for Class Certification. The motion is due on or before November 27, 2017. Signed by Magistrate Judge Dustin B. Pead on 11/16/2017. (jds) (Entered: 11/16/2017)
11/27/2017	33	MOTION to Certify Class and Memorandum in Support filed by Plaintiff Brent Gordon. (Attachments: # 1 Affidavit Brent Gordon)(Gordon, Brent) (Entered: 11/27/2017)
12/07/2017	34	NOTICE of Change of Address by Jacob L. Foncesbeck <i>for SMITH CORRELL, LLP</i> (Foncesbeck, Jacob) (Entered: 12/07/2017)
12/13/2017	35	Joint MEMORANDUM in Opposition re 14 MOTION for Partial Summary Judgment and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Jordan School District, Utah High School Activities Association. (Attachments: # 1 Exhibit A - Declaration of Rob Cuff in Support of Memorandum in Opposition to Plaintiffs' Partial Motion for Summary Judgment)(Parry, D.) (Entered: 12/13/2017)
12/14/2017	36	Joint MEMORANDUM in Opposition re 33 MOTION to Certify Class and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District, Utah High School Activities Association. (Parry, D.) (Entered: 12/14/2017)
12/23/2017	37	REPLY to Response to Motion re 14 MOTION for Partial Summary Judgment and Memorandum in Support filed by Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. Attorney Brent Gordon added to party Barbara Calchera(pty:pla), Attorney Brent Gordon added to party Jason Dixon(pty:pla), Attorney Brent Gordon added to party Manuel Nogales(pty:pla), Attorney Brent Gordon added to party Bret Robison (pty:pla), Attorney Brent Gordon added to party Lisa Simmons (pty:pla)(Gordon, Brent) (Entered: 12/23/2017)
12/23/2017	38	REQUEST to Submit for Decision re 14 MOTION for Partial Summary Judgment and Memorandum in Support (<i>Oral Argument Requested</i>) filed by Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 12/23/2017)
12/26/2017	39	<u>NOTICE OF HEARING ON MOTION</u> re: 14 MOTION for Partial Summary Judgment, 33 MOTION to Certify Class : (Notice generated

		by Mary Jane McNamee) Motion Hearing set for 2/13/2018 at 2:00 PM in Rm 7.300 before Judge Robert J. Shelby. (mjm) (Entered: 12/26/2017)
12/28/2017	40	REPLY to Response to Motion re 33 MOTION to Certify Class and Memorandum in Support filed by Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 12/28/2017)
01/15/2018	41	MOTION to Amend/Correct and Memorandum in Support filed by Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit Proposed Amended Complaint) Motions referred to Dustin B. Pead.(Gordon, Brent) (Entered: 01/15/2018)
01/31/2018	42	DOCKET TEXT ORDER granting Plaintiff's unopposed Motion to Amend Complaint to add an additional paragraph to the existing allegations set forth in paragraph 19 of the original Complaint 41 . Plaintiff to file a copy of the Amended Complaint on the court docket. Signed by Magistrate Judge Dustin B. Pead on 1/31/2018. (amn) (Entered: 01/31/2018)
02/08/2018	43	AMENDED COMPLAINT against All Defendants with Jury Demand. <i>New Plaintiffs: I.C.</i> filed by Manuel Nogales, Lisa Simmons, Bret Robison, Brent Gordon, Barbara Calchera, Jason Dixon. (Gordon, Brent) (Entered: 02/08/2018)
02/13/2018	44	Minute Order. Motion Hearing held on 2/13/2018. Proceedings held before Judge Robert J. Shelby: The court hears oral argument and rules as follows; DENYING AS MOOT docket entry 33 Motion to Certify Class filed by Brent Gordon and GRANTING docket entry 14 Motion for Partial Summary Judgment filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, Bret Robison. Plaintiff has 30 days to file a Motion for Leave to File an Amended Complaint. If a Motion is filed, Defendants may respond in due course. Written Order to follow oral order: No. Attorney for Plaintiff: D. Loren Washburn, Brent Gordon, Attorney for Defendant Mark Van Wavoner, Rachel Terry, D. Craig Parry, Darin B. GOff. Court Reporter: Kelly Hicken.(mjm) (Entered: 02/15/2018)
02/21/2018	45	<i>Defendant Utah High School Activities Association's</i> ANSWER to 43 Amended Complaint filed by Utah High School Activities Association.(Parry, D.) (Entered: 02/21/2018)
02/21/2018	46	**RESTRICTED DOCUMENT** - Transcript will not be released see 53 Redaction Request, 54 Redacted Transcript NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing held on

		<p>2/13/18 before Judge Robert J. Shelby. Court Reporter/Transcriber Kelly Brown Hicken, RPR, RMR, Telephone number (801) 521-7238.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/14/2018. Redacted Transcript Deadline set for 3/26/2018. Release of Transcript Restriction set for 5/22/2018. (dla) Modified added non-release info on 3/12/2018 (rks). Modified on 3/12/2018 (jwt). (Entered: 02/21/2018)</p>
02/22/2018	48	<p>MOTION for Extension of Time to File Answer re 43 Amended Complaint (<i>NON-OPPOSED MOTION</i>) filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Goff, Darin) (Entered: 02/22/2018)</p>
02/22/2018	49	<p>ORDER granting 48 Non-Opposed Motion for Extension of Time to Answer or Otherwise Respond to 43 Plaintiffs' First Amended Complaint. District Defendants shall file their answer on or before 3/26/2018. Signed by Magistrate Judge Dustin B. Pead on 2/22/18. (dla) (Entered: 02/22/2018)</p>
02/26/2018	50	<p>Stipulated MOTION for Scheduling Order and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Gordon, Brent) (Entered: 02/26/2018)</p>
02/26/2018	51	<p>STIPULATED AMENDED SCHEDULING ORDER: Amended Pleadings due by 7/15/2018. Joinder of Parties due by 7/15/2018. Discovery due by 1/16/2019. Motions due by 1/16/2019. (See order for other deadlines.) Signed by Magistrate Judge Dustin B. Pead on 2/26/2018. (jwt) (Entered: 02/26/2018)</p>

02/27/2018	52	NOTICE of Intent to Request Redaction by Brent Gordon re 46 Transcript,,,,. (Gordon, Brent) (Entered: 02/27/2018)
02/27/2018	53	**RESTRICTED DOCUMENT** Transcript Redaction Request re 46 Transcript,,,, by attorney Brent Gordon. (Gordon, Brent) (Entered: 02/27/2018)
03/12/2018	54	TRANSCRIPT REDACTION of 46 Transcript. (jwt) Modified by removing restricted text on 5/24/2018 (rgj). (Entered: 03/12/2018)
03/14/2018	56	MOTION to Amend/Correct and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit Proposed Second Amended Complaint) Motions referred to Dustin B. Pead.(Gordon, Brent) (Entered: 03/14/2018)
03/28/2018	57	Joint MOTION for Extension of Time to Respond to <i>Plaintiffs' Motion for Leave to File Second Amended Complaint</i> filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) Modified by correcting event type on 3/29/2018 (dla). (Entered: 03/28/2018)
03/29/2018	58	ORDER granting 57 Non-Opposed Motion for Extension of Time to Respond to 56 Plaintiffs' Motion for Leave to File Second Amended Complaint. Defendants have up to and including 4/6/2018, to respond to Plaintiffs' Motion. Signed by Magistrate Judge Dustin B. Pead on 3/29/18. (dla) (Entered: 03/29/2018)
04/06/2018	59	MEMORANDUM in Opposition re 56 MOTION to Amend/Correct and Memorandum in Support filed by Defendant Utah High School Activities Association. (Attachments: # 1 Exhibit A - Emails from Plaintiffs' counsel to Defendants, # 2 Exhibit B - Excerpts of Utah High School Activities Association Handbook)(Parry, D.) (Entered: 04/06/2018)
04/06/2018	60	MEMORANDUM in Opposition re 56 MOTION to Amend/Correct and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Exhibit A - Hearing Transcript)(Terry, Rachel) (Entered: 04/06/2018)
04/11/2018	61	Motions No Longer Referred: 56 MOTION to Amend/Correct and Memorandum in Support (mjm) (Entered: 04/11/2018)

04/13/2018	62	<u>NOTICE OF HEARING ON MOTION</u> re: 56 MOTION to Amend/Correct : (Notice generated by Mary Jane McNamee) Motion Hearing set for 7/12/2018 at 01:30 PM in Rm 7.300 before Judge Robert J. Shelby. (mjm) (Entered: 04/13/2018)
04/18/2018	63	<u>AMENDED NOTICE OF HEARING ON MOTION</u> re: 56 MOTION to Amend/Correct : (Notice generated by Mary Jane McNamee) Motion Hearing RESET for 7/17/2018 at 01:30 PM in Rm 7.300 before Judge Robert J. Shelby. <i>PLEASE NOTE: Hearing date moved to 7/17/2018 at 1:30 p.m.</i> (mjm) (Entered: 04/18/2018)
04/20/2018	64	REPLY to Response to Motion re 56 MOTION to Amend/Correct and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 04/20/2018)
05/14/2018	65	NOTICE of Unavailability by Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District (Goff, Darin) (Entered: 05/14/2018)
05/21/2018	66	MOTION for Reconsideration Pursuant to Rule 54(b) re 44 Order on Motion to Certify Class, Order on Motion for Partial Summary Judgment, and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. Motions referred to Dustin B. Pead.(Terry, Rachel) Modified on 6/15/2018: corrected text (alt) (Entered: 05/21/2018)
05/22/2018	67	MOTION to Certify Class and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 05/22/2018)
05/23/2018	68	Motions No Longer Referred: 66 Defendants' Motion for Reconsideration pursuant to Rule 54(b) will be handled by the District Court. (amn) (Entered: 05/23/2018)
05/25/2018		Transcript deadlines terminated. (rgj) (Entered: 05/25/2018)
06/03/2018	69	MEMORANDUM in Opposition re 66 MOTION for RECONSIDERATION Pursuant to Rule 54(b) re 44 Order on Motion to Certify Class,,, Order on Motion for Partial Summary Judgment,,, Motion Hearing,,, and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 06/03/2018)

06/04/2018	70	MOTION to Stay re 67 MOTION to Certify Class and Memorandum in Support filed by Defendant Utah High School Activities Association. Motions referred to Dustin B. Pead.(Parry, D.) (Entered: 06/04/2018)
06/05/2018	71	Motions No Longer Referred: 70 Defendant's Utah High School Activities Association's MOTION to Stay will be addressed by the District Court. (Entered: 06/05/2018)
06/05/2018	72	MOTION to Stay re 67 MOTION to Certify Class and Memorandum in Support and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 06/05/2018)
06/06/2018	73	Motions No Longer Referred: 72 Defendants' Bates, Briscoe, Canyons School District, Granite School District, Johnson and Jordan School District's MOTION to Stay will be addressed by the District Court. (amn) (Entered: 06/06/2018)
06/06/2018	74	ORDER granting 56 Motion to Amend/Correct Complaint. Plaintiffs are ORDERED to file the Proposed Second Amended Complaint on the docket within 3 days. Signed by Judge Robert J. Shelby on 6/6/2018. (jds) (Entered: 06/06/2018)
06/06/2018	75	<u>AMENDED NOTICE OF HEARING ON MOTION</u> re: 66 DISTRICT DEFENDANTS RULE 54(b) MOTION FOR RECONSIDERATION, 67 MOTION to Certify Class: (Notice generated by Mary Jane McNamee) Motion Hearing set for 7/17/2018 at 01:30 PM in Rm 7.300 before Judge Robert J. Shelby. Hearing will be held on 7/17/2018 at 1:30 re: docket entries 66 DISTRICT DEFENDANTS RULE 54(b) MOTION FOR RECONSIDERATION, 67 MOTION to Certify Class (mjm) (Entered: 06/06/2018)
06/07/2018	76	AMENDED COMPLAINT <i>SECOND</i> against All Defendants. filed by Manuel Nogales, Lisa Simmons, Bret Robison, Brent Gordon, I. C., Barbara Calchera, Jason Dixon. (Gordon, Brent) (Entered: 06/07/2018)
06/13/2018	77	MOTION for Extension of Time re: Briefing Deadlines filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 06/13/2018)
06/14/2018	78	MOTION for Leave to File Overlength Memorandum in Opposition to Plaintiffs' Motion to Certify Class filed by Defendant Utah High School Activities Association. (Attachments: # 1 Text of Proposed Order Order

		Granting Leave to File Overlength Memorandum in Opposition to Plaintiffs' Motion to Certify Class) Motions referred to Dustin B. Pead. Attorney Michael S. Lehr added to party Utah High School Activities Association(pty:dft)(Lehr, Michael) (Entered: 06/14/2018)
06/14/2018	79	Motions No Longer Referred: 77 MOTION for Extension of Time re: Briefing Deadlines will be addressed by the District Court. (amn) (Entered: 06/14/2018)
06/14/2018	80	DOCKET TEXT ORDER granting 78 Motion for Leave to File Overlength Memorandum. Signed by Magistrate Judge Dustin B. Pead on June 14, 2018. No attached document. (amn) (Entered: 06/14/2018)
06/14/2018	81	ORDER denying 77 Motion for Extension of Time. Signed by Judge Robert J. Shelby on 6/14/18 (alt) (Entered: 06/14/2018)
06/14/2018	82	MOTION for Extension of Time re: Briefing Schedules filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 06/14/2018)
06/15/2018	83	ORDER granting 82 District Defendants' Motion for Extension of Time: The briefing schedule is amended as follows: I) District Defendants have up to and including 6/22/2018, to respond to Plaintiffs' Motion to Certify Class. II) District Defendants have up to and including 6/29/2018, to file their reply memorandum in support of their Motion for Reconsideration. III) District Defendants have up to and including July 11, 2018, to file their answers to Plaintiffs' Second Amended Complaint. Signed by Judge Robert J. Shelby on 6/15/18. (dla) (Entered: 06/15/2018)
06/15/2018		Reset Deadlines: District Defendants' Answers to Plaintiffs' Second Amended Complaint 7/11/2018. District Defendants' response 6/22/2018. District Defendants' reply 6/29/18. (dla) (Entered: 06/15/2018)
06/15/2018	84	MEMORANDUM in Opposition re 67 MOTION to Certify Class and Memorandum in Support filed by Defendant Utah High School Activities Association. (Lehr, Michael) Modified by correcting docket entry association per attorney office request on 6/15/2018 (dla). (Entered: 06/15/2018)
06/21/2018	85	ANSWER to 76 Amended Complaint filed by Utah High School Activities Association.(Lehr, Michael) (Entered: 06/21/2018)

06/22/2018	86	MEMORANDUM in Opposition re 67 MOTION to Certify Class filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Exhibit A - Plaintiff's Initial Disclosures (Redacted))(Terry, Rachel) (Entered: 06/22/2018)
06/25/2018	87	ERRATA to 84 Memorandum in Opposition to Motion, filed by Defendant Utah High School Activities Association . (Attachments: # 1 Errata Table of Contents)(Lehr, Michael) (Entered: 06/25/2018)
06/28/2018	88	REPLY to Response to Motion re 67 MOTION to Certify Class (<i>UHSAA's Opposition</i>) filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 06/28/2018)
06/29/2018	89	REPLY to Response to Motion re 66 MOTION for Reconsideration Per Rule 54(b) re 44 Order on Motion to Certify Class, Order on Motion for Partial Summary Judgment, filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Exhibit Declaration of Vande Veegaete, # 2 Exhibit Declaration of Brad Sorensen, # 3 Exhibit Declaration of Robert Dowdle)(Terry, Rachel) (Entered: 06/29/2018)
07/05/2018	90	NOTICE of Change of Contact Information by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons (Fonnesbeck, Jacob) (Entered: 07/05/2018)
07/05/2018	91	REPLY to Response to Motion re 67 MOTION to Certify Class (<i>reply to Districts' Opposition</i>) filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 07/05/2018)
07/06/2018	92	SUBSTITUTION OF COUNSEL Philip S. Lott replacing Darin B. Goff as counsel on behalf of Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Lott, Philip) (Entered: 07/06/2018)
07/11/2018	93	<i>Jordan Defendants'</i> ANSWER to 76 Amended Complaint with Jury Demand filed by Patrice Johnson, Jordan School District.(Terry, Rachel) (Entered: 07/11/2018)
07/11/2018	94	<i>Granite Defendants'</i> ANSWER to 76 Amended Complaint with Jury Demand filed by Martin Bates, Granite School District.(Terry, Rachel) (Entered: 07/11/2018)

07/11/2018	95	<i>Canyons Defendants'</i> ANSWER to 76 Amended Complaint with Jury Demand filed by James Briscoe, Canyons School District.(Terry, Rachel) (Entered: 07/11/2018)
07/12/2018	96	MOTION for Leave to File Surreply and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Gordon, Brent) (Entered: 07/12/2018)
07/16/2018	97	ORDER granting 96 Motion for Leave to File Surreply to 66 Motion for Reconsideration. Plaintiffs shall file their surreply on or before July 17, 2018 and will limit the surreply to attaching UHSAA's discovery responses which were served on July 10, 2018, the UHSAA's board meeting minutes, and the UHSAA handbook. Signed by Magistrate Judge Dustin B. Pead on 7/16/2018. (jwt) (Entered: 07/16/2018)
07/16/2018	98	Sur-reply MEMORANDUM in Opposition re 66 MOTION for Reconsideration Per Rule 54(b) re 44 Order on Motion to Certify Class, Order on Motion for Partial Summary Judgment, filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A (UHSAA Discovery), # 2 Exhibit B (UHSAA Handbook), # 3 Exhibit C (BOT Minutes 3-23-17), # 4 Exhibit D (BOT Minutes 1-25-18))(Gordon, Brent) (Entered: 07/16/2018)
07/16/2018	99	RESPONSE to Motion re 96 MOTION for Leave to File Surreply and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Terry, Rachel) (Entered: 07/16/2018)
07/17/2018	100	Minute Order. Proceedings held before Judge Robert J. Shelby: Motion hearing held on 7/17/2018. The court hears oral argument and rules as follows: Docket entry 66 MOTION for Reconsideration Pursuant to Rule 54(b) re: 44 Order on Motion to Certify Class, Order on Motion for Partial Summary Judgment, and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District is DENIED. Docket entry 67 Motion to Certify Class filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons is TAKEN UNDER ADVISEMENT. Attorney for Plaintiff: Loren Washburn, Brent Gordon, Mark Smith; Attorney for Defendants Mark Van Wavoner, Rachel Terry, D. Craig Parry, Ryan Stevens. Court Reporter: Ed Young.(mjm) (Entered: 07/20/2018)

08/15/2018	101	Stipulated MOTION to Amend/Correct 51 Scheduling Order, filed by Defendant Utah High School Activities Association. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Lehr, Michael) (Entered: 08/15/2018)
08/20/2018	102	ORDER granting 101 Stipulated Motion to Amend Scheduling Order. Signed by Magistrate Judge Dustin B. Pead on 8/20/18. (dla) (Entered: 08/20/2018)
09/07/2018	103	Redacted MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class filed by Defendants Martin Bates, James Briscoe, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit 1 - REDACTED Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 09/07/2018)
09/07/2018	104	MOTION for Leave to File Sealed Document re 103 Redacted MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class filed by Defendants Martin Bates, James Briscoe, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 09/07/2018)
09/07/2018	105	**SEALED DOCUMENT** re 103 Redacted MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class filed by Defendants Martin Bates, James Briscoe, Granite School District, Patrice Johnson, Jordan School District NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties.. (Terry, Rachel) (Entered: 09/07/2018)
09/13/2018	106	DOCKET TEXT ORDER No attached document. Plaintiffs are ORDERED to file a joint briefing or separate briefings on the Federal Rule of Civil Procedure 23(g) factors by or on September 20th, 2018. Defendants must file their response, if any, by or on September 27th, 2018. Signed by Judge Robert J. Shelby on 9/13/2018. (mjm) (Entered: 09/13/2018)
09/17/2018	107	Motions No Longer Referred: 103 Redacted MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class will be addressed by the District Court. (amn) (Entered: 09/17/2018)

09/17/2018	108	ORDER granting 104 Motion for Leave to File Under Seal Exhibit 1 to Joint Supplemental Memorandum in Opposition to Plaintiff's Motion to Certify Class. Defendants are instructed to serve a copy of the sealed document on all parties. Signed by Magistrate Judge Dustin B. Pead on 9/17/18. (dla) (Entered: 09/17/2018)
09/20/2018	109	MEMORANDUM in Support re 67 MOTION to Certify Class <i>Containing Discussio of Rule 23(g) Factors</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 09/20/2018)
09/21/2018	110	MEMORANDUM in Opposition re 103 Redacted MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 09/21/2018)
09/27/2018	111	MEMORANDUM in Opposition re 67 MOTION to Certify Class <i>Containing Discussion of Rule 23(g) Factors</i> filed by Defendant Utah High School Activities Association. (Attachments: # 1 Exhibit Plaintiffs' Initial Disclosures, # 2 Exhibit Plaintiffs' Responses to UHSAA's First Set of Discovery to Plaintiffs)(Lehr, Michael) (Entered: 09/27/2018)
09/27/2018	112	RESPONSE re 109 Memorandum in Support of Motion, <i>Containing Discussion of 23(g) Factors</i> filed by Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Terry, Rachel) (Entered: 09/27/2018)
10/05/2018	113	MOTION for Extension of Time to File Response/Reply as to 103 Redacted MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 10/05/2018)
10/09/2018	114	ORDER granting 113 Motion for Extension of Time to File Response/Reply re 103 Redacted MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class. Replies due by 10/16/2018. Signed by Magistrate Judge Dustin B. Pead on 10/8/2018. (jwt) (Entered: 10/09/2018)
10/09/2018	115	MEMORANDUM DECISION AND ORDER granting in part 67 Plaintiff's Motion to Certify Class: The court hereby designates the following as class counsel: D. Loren Washburn, Mark Smith, and Jacob Fannesbeck. The court declines to appoint Brent Gordon as counsel

		because he is likely to be a necessary witness. The class representatives shall be the named student plaintiffs: S.G., L.D., B.S., M.C., D.R., I.N., and I.C. Signed by Judge Robert J. Shelby on 10/9/18. (dla) (Entered: 10/09/2018)
10/10/2018	116	DOCKET TEXT ORDER DENYING docket entry 103 Defendants' MOTION for Leave to File Joint Supplemental Memorandum in Opposition to Plaintiffs' Motion to Certify Class, docket entry 103 because it is moot. See Memorandum Decision and Order, docket entry 115 . Signed by Judge Robert J. Shelby on 10/10/2018. No attached document. (mjm) (Entered: 10/10/2018)
10/22/2018	117	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing held on 7/17/2018 before Judge Robert J. Shelby. Court Reporter/Transcriber Ed Young, Telephone number (801) 328-3202.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/13/2018. Redacted Transcript Deadline set for 11/23/2018. Release of Transcript Restriction set for 1/22/2019. (dla) Modified by removing restricted text on 1/22/2019 (rgj). (Entered: 10/22/2018)</p>
10/23/2018	119	DOCKET TEXT ORDER. The parties are ORDERED to submit a proposed scheduling order no later than 5 November 2018. Scheduling order forms are available on the court's website at http://www.utd.uscourts.gov/usdc-forms . No attached document Signed by Judge Robert J. Shelby on 10/23/2018. (mjm) (Entered: 10/23/2018)
11/05/2018	120	Second MOTION for Amended Scheduling Order filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 11/05/2018)

11/07/2018	121	SUBSTITUTION OF COUNSEL Michael J. Teter replacing Philip S. Lott as counsel on behalf of Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Teter, Michael) (Entered: 11/07/2018)
11/19/2018	122	NOTICE of Plaintiffs' Joinder in the Motion for Amended Scheduling Order by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons re 120 Second MOTION for Amended Scheduling Order (Fonnesbeck, Jacob) (Entered: 11/19/2018)
11/21/2018	123	SECOND AMENDED SCHEDULING ORDER: Expert Discovery due by 6/28/2019. Dispositive or Potentially Dispositive Motions due by 7/31/2019. Signed by Magistrate Judge Dustin B. Pead on 11/21/18. (dla) (Entered: 11/21/2018)
02/08/2019	124	MOTION to Expedite Plaintiffs' Short Form Discovery Motion and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit 1 Districts' Responses to 2nd Set, # 2 Exhibit 2 Plaintiffs' Meet and Confer Letter, # 3 Exhibit 3 Districts' Response to Meet and Confer Letter, # 4 Exhibit 4 Email Correspondence, # 5 Exhibit 5 Districts' Amended Responses, # 6 Exhibit 6 Plaintiffs' Motion to Compel, # 7 Text of Proposed Order) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 02/08/2019)
02/11/2019	125	DOCKET TEXT ORDER. Plaintiffs' Short Form Discovery Motion objects to numerous discovery responses, seeks to expand the number of depositions allowed and requests an opportunity to file further briefing 124 . Given the number and complexity of the matters at issue, the court concludes that short form briefing is not appropriate. See, DUCivR 37-1(7)(C). Accordingly, Plaintiff may file its motion to compel [124-6] on the case docket to which standard briefing times will apply. See, DUCivR 7-1. Signed by Magistrate Judge Dustin B. Pead on 02/11/2019. No attached document. (amn) (Entered: 02/11/2019)
02/11/2019	126	MOTION to Compel Discovery Responses, Number of Depositions, and Sanctions and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Text of Proposed Order) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 02/11/2019)
02/19/2019	127	MOTION for Leave to File Overlength Brief in Response to Plaintiffs' Motion to Compel Discovery filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice

		Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 02/19/2019)
02/20/2019	128	ORDER granting 127 Defendant Districts' Motion to File Overlength Brief in Response to Plaintiffs' Motion to Compel Discovery: Districts may file an overlength memorandum not exceeding fifteen pages, plus exhibits. Signed by Magistrate Judge Dustin B. Pead on 2/20/19. (dla) (Entered: 02/20/2019)
02/20/2019	129	MEMORANDUM in Opposition re 126 MOTION to Compel Discovery Responses, Number of Depositions, and Sanctions and Memorandum in Support filed by Defendant Utah High School Activities Association. (Parry, D.) (Entered: 02/20/2019)
02/20/2019	130	Third MOTION to Amend/Correct and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A - Third Amended Complaint) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 02/20/2019)
02/20/2019	131	MOTION to Conduct Survey of Female Students' Interests in Football filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A - 2010 Part Three Clarification, # 2 Exhibit B - Declaration of Larry Ledgerwood, # 3 Exhibit C - UT Girls Football Interest Survey) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 02/20/2019)
02/20/2019	132	RESPONSE to Motion re 126 MOTION to Compel Discovery Responses, Number of Depositions, and Sanctions and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Exhibit 1 - B. Gordon Deposition, # 2 Exhibit 2 - S.G. Deposition, # 3 Exhibit 3 - Plaintiffs' Response to UHSAA's First Set of Discovery, # 4 Exhibit 4 - UHSAA's Regions & Classifications)(Terry, Rachel) (Entered: 02/20/2019)
02/27/2019	133	REPLY to Response to Motion re 126 MOTION to Compel Discovery Responses, Number of Depositions, and Sanctions and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Washburn, D.) (Entered: 02/27/2019)
03/04/2019	134	MOTION for Extension of Time to File Response/Reply as to 131 MOTION to Conduct Survey of Female Students' Interests in Football <i>Unopposed</i> filed by Defendants Martin Bates, James Briscoe, Canyons

		School District, Granite School District, Patrice Johnson, Jordan School District, Utah High School Activities Association. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 03/04/2019)
03/04/2019	135	ORDER granting 134 Motion for Extension of Time to File Response/Reply re 131 MOTION to Conduct Survey of Female Students' Interests in Football: Responses due by 3/15/2019. Signed by Magistrate Judge Dustin B. Pead on 3/4/19 (alt) (Entered: 03/04/2019)
03/06/2019	136	MEMORANDUM in Opposition re 130 Third MOTION to Amend/Correct and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Exhibit 1 - Redacted Deposition of M.C., # 2 Exhibit 2 - Redacted Deposition of I.C.)(Terry, Rachel) (Entered: 03/06/2019)
03/06/2019	137	MEMORANDUM in Opposition re 130 Third MOTION to Amend/Correct and Memorandum in Support filed by Defendant Utah High School Activities Association. (Parry, D.) (Entered: 03/06/2019)
03/07/2019	138	Motions No Longer Referred: Plaintiffs' Third Motion to Amend Complaint 130 will be addressed by the District Court. (amn) (Entered: 03/07/2019)
03/13/2019	139	<u>NOTICE OF HEARING ON MOTIONS</u> A motion hearing on Plaintiffs' Motion to Compel Discovery Responses 126 and Plaintiffs' Motion to Conduct Survey of Female Students' Interests in Football 131 is set before Magistrate Judge Dustin B. Pead on 4/26/2019 at 9:30 a.m. in Courtroom 8.400. (Entered: 03/13/2019)
03/15/2019	140	MEMORANDUM in Opposition re 131 MOTION to Conduct Survey of Female Students' Interests in Football filed by Defendant Utah High School Activities Association. (Parry, D.) (Entered: 03/15/2019)
03/15/2019	141	MEMORANDUM in Opposition re 131 MOTION to Conduct Survey of Female Students' Interests in Football filed by Defendants Canyons School District, Granite School District, Jordan School District. (Attachments: # 1 Exhibit 1: Defendants' Proposed Survey, # 2 Exhibit 2: LifeTrack Washington Survey, # 3 Exhibit 3: Joseph Quinn Monson Survey Analysis)(Terry, Rachel) (Entered: 03/15/2019)
03/18/2019	142	ERRATA to 141 Memorandum in Opposition to Motion, filed by Defendants Canyons School District, Granite School District, Jordan School District . (Attachments: # 1 Exhibit 2: Joseph Quinn Monson Survey Analysis, # 2 Exhibit 3: LifeTrack Washington Survey)(Terry, Rachel) (Entered: 03/18/2019)

03/20/2019	143	REPLY to Response to Motion re 130 Third MOTION to Amend/Correct and Memorandum in Support of <i>Third Amended Complaint</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 03/20/2019)
03/29/2019	144	REPLY to Response to Motion re 131 MOTION to Conduct Survey of Female Students' Interests in Football filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 03/29/2019)
04/11/2019	145	DOCKET TEXT ORDER. In preparation for the upcoming hearing 139 , each party is instructed to file a separate table for the specific category of discovery at issue (interrogatory, request for production, request for admission). Each table shall succinctly identify the discovery request, outstanding dispute and proposed resolution. The parties shall file the tables with the court no later than close of business on April 19, 2019. Signed by Magistrate Judge Dustin B. Pead on 04/11/2019. (amn) (Entered: 04/11/2019)
04/19/2019	146	RESPONSE re 145 Order,,, <i>Districts' Table Summarizing Discovery Dispute</i> filed by Canyons School District, Granite School District, Jordan School District. (Attachments: # 1 Exhibit)(Terry, Rachel) (Entered: 04/19/2019)
04/19/2019	147	RESPONSE re 145 Order,,, <i>Plaintiffs' Table Summarizing Discovery Disputes</i> filed by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 04/19/2019)
04/26/2019	148	Minute Order. Proceedings held before Magistrate Judge Dustin B. Pead: Motion Hearing held on 4/26/2019 re 131 MOTION to Conduct Survey of Female Students' Interests in Football filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 126 MOTION to Compel Discovery Responses, Number of Depositions, and Sanctions and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison. The Court hears argument from the parties. Written Order to follow. Written Order to follow oral order: Yes. Attorney for Plaintiff: Loren Washburn and Jacob Fannesbeck, Attorney for Defendant Rachel Terry and Michael Teter. Court Reporter: Electronic.(Time Start: 9:29:18, Time End: 11:01:24, Room 8.400.) (tls) (Entered: 04/26/2019)
04/29/2019	149	RULING & ORDER: Plaintiffs' Motion to Compel 126 is DENIED; and as set forth in the Order, Plaintiffs' Motion to Conduct Survey is

		GRANTED in PART and DENIED in PART. Signed by Magistrate Judge Dustin B. Pead on 4/29/19. (dla) (Entered: 04/29/2019)
04/30/2019	150	Stipulated MOTION for Extension of Time to Complete Discovery and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) Modified docket event on 5/1/2019 (jds). (Entered: 04/30/2019)
05/01/2019	151	ORDER granting 150 Stipulated MOTION for Extension of Time to Complete Discovery: Discovery due by 7/8/2019. Signed by Magistrate Judge Dustin B. Pead on 5/1/2019. (jds) (Entered: 05/01/2019)
05/10/2019	152	DESIGNATION OF EXPERTS Rob Cuff and Brenan Jackson filed by Defendant Utah High School Activities Association.(Parry, D.) (Entered: 05/10/2019)
05/10/2019	153	DESIGNATION OF EXPERTS Quin Monson, Scott Riding, Jody Morgan, David Vande Veegaete, Robert Dowdle, Rob Cuff, and Brenan Jackson filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District.(Terry, Rachel) (Entered: 05/10/2019)
05/13/2019	154	ORDER denying 130 Plaintiffs' Third Motion for Leave to Amend Without Prejudice: Plaintiffs may file within seven (7) days of this Order a Fourth Motion to Amend applying the relevant legal standards, and providing a sufficient explanation to support the relief requested. Signed by Judge Robert J. Shelby on 5/13/19. (dla) (Entered: 05/13/2019)
05/17/2019	155	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing held on 4/16/2019 before Judge Dustin B. Pead. Court Reporter/Transcriber Patti Walker, Telephone number 801-364-5440. NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.

		Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/7/2019. Redacted Transcript Deadline set for 6/17/2019. Release of Transcript Restriction set for 8/15/2019. (las) Modified by removing restricted text on 8/15/2019 (rgj). (Entered: 05/17/2019)
05/20/2019	157	Fourth MOTION to Amend/Correct 76 Amended Complaint and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. Motions referred to Dustin B. Pead.(Gordon, Brent) (Entered: 05/20/2019)
05/21/2019	158	Motions No Longer Referred: 157 Fourth MOTION to Amend/Correct 76 Amended Complaint to be addressed by the District Court. See, 154 . (amn) (Entered: 05/21/2019)
05/24/2019	159	NOTICE of Plaintiffs' Statement of Results of Meet and Confer Process Regarding Plaintiffs' Motion to Conduct Survey of Female Students' Interests in Football by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons re 149 Order on Motion to Compel,, Order on Motion for Miscellaneous Relief, (Attachments: # 1 Exhibit, # 2 Exhibit) (Washburn, D.) (Entered: 05/24/2019)
05/24/2019	160	Redacted MOTION for Summary Judgment and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Appendix of Evidence, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19 to 19-5, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22, # 24 Exhibit 23, # 25 Exhibit 24, # 26 Exhibit 25, # 27 Exhibit 26, # 28 Exhibit 27, # 29 Exhibit 28, # 30 Exhibit 29, # 31 Exhibit 30, # 32 Exhibit 31, # 33 Exhibit 32, # 34 Exhibit 33, # 35 Exhibit 34, # 36 Exhibit 35, # 37 Exhibit 36, # 38 Exhibit 37, # 39 Exhibit 38, # 40 Exhibit 39, # 41 Exhibit 40, # 42 Exhibit 41, # 43 Exhibit 42, # 44 Exhibit 43, # 45 Exhibit 44, # 46 Exhibit 45, # 47 Exhibit 46, # 48 Exhibit 47, # 49 Exhibit 48, # 50 Exhibit 49, # 51 Exhibit 50, # 52 Exhibit 51 to 51-1, # 53 Exhibit 52, # 54 Exhibit 53, # 55 Exhibit 54)(Washburn, D.) (Entered: 05/24/2019)
05/24/2019	161	MOTION to Seal and Memorandum in Support re 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed

		by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 05/24/2019)
05/24/2019	162	<p>**SEALED DOCUMENT** re 161 MOTION to Seal and Memorandum in Support re 160 Redacted MOTION for Summary Judgment and Memorandum in Support , 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons</p> <p>NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties.. (Attachments: # 1 Exhibit 27, # 2 Exhibit 30, # 3 Exhibit 31, # 4 Exhibit 32, # 5 Exhibit 40, # 6 Exhibit 44, # 7 Exhibit 45, # 8 Exhibit 46, # 9 Exhibit 51, # 10 Exhibit 53)(Washburn, D.) (Entered: 05/24/2019)</p>
05/24/2019	163	MOTION / Request for Judicial Notice re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 05/24/2019)
05/24/2019	164	NOTICE of DISTRICTS STATEMENT OF DISPUTED ISSUES AND PROPOSED SOLUTIONS by Canyons School District, Granite School District, Jordan School District re 149 Order on Motion to Compel,, Order on Motion for Miscellaneous Relief, (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit) (Terry, Rachel) (Entered: 05/24/2019)
05/28/2019	165	Motions No Longer Referred: Plaintiffs' Motion for Judicial Notice 163 of documents submitted in support of Plaintiffs' Motion for Summary Judgment 160 shall be addressed by the District Court. (amn) (Entered: 05/28/2019)
05/31/2019	166	Supplemental BRIEF re 164 Notice (Other), 131 MOTION to Conduct Survey of Female Students' Interests in Football filed by Defendants Canyons School District, Granite School District, Jordan School District. (Terry, Rachel) (Entered: 05/31/2019)
06/03/2019	167	DOCKET TEXT ORDER. Defendants filing entitled "Supplemental Briefing" 166 seeks specific relief outside the scope of the original motion 131 and should be filed as a separate motion consistent with local rule DUCivR 7-1. Signed by Magistrate Judge Dustin B. Pead on 06/03/2019. (amn) (Entered: 06/03/2019)

06/03/2019	168	MEMORANDUM in Opposition re 157 Fourth MOTION to Amend/Correct 76 Amended Complaint and Memorandum in Support filed by Defendant Utah High School Activities Association. (Lehr, Michael) (Entered: 06/03/2019)
06/03/2019	169	ORDER granting 161 Motion for Leave to File Exhibits Under Seal: The following Exhibits may be filed under seal and remain sealed indefinitely, or until otherwise ordered by the Court: Exhibit 27, Exhibits 30-32, Exhibit 40, Exhibits 44-46, Exhibit 51 and Exhibit 53. Signed by Magistrate Judge Dustin B. Pead on 6/3/19. (dla) (Entered: 06/03/2019)
06/03/2019	170	MEMORANDUM in Opposition re 157 Fourth MOTION to Amend/Correct 76 Amended Complaint and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Exhibit Deposition of M.C. (Redacted), # 2 Exhibit Deposition of I.C. (Redacted), # 3 Exhibit Email Exchange Re: Second Amended Scheduling Order)(Terry, Rachel) (Entered: 06/03/2019)
06/10/2019	171	REPLY to Response to Motion re 157 Fourth MOTION to Amend/Correct 76 Amended Complaint and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 06/10/2019)
06/10/2019	172	DESIGNATION OF EXPERTS Brent Gordon filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons.(Gordon, Brent) (Entered: 06/10/2019)
06/12/2019	173	REQUEST to Submit for Decision re 157 Fourth MOTION to Amend/Correct 76 Amended Complaint and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Gordon, Brent) (Entered: 06/12/2019)
06/12/2019	174	Defendant's MOTION for Extension of Time Motions for Summary Judgment filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 06/12/2019)
06/14/2019	175	REASSIGNMENT to Newly Appointed District Judge. Case Reassigned to District Judge Howard C. Nielson, Jr. Judge Robert J. Shelby no longer assigned to the case.

		<p>Orders of the prior judge are affirmed including the order of reference to Magistrate Judge Dustin B. Pead under 28:636 (b)(1)(A) re 29 Order Referring Case to Magistrate Judge,.</p> <p>Case number will now read 2:17-cv-00677-HCN-DBP. Please make changes to document captions accordingly. (las) (Entered: 06/14/2019)</p>
06/14/2019	176	<p>DOCKET TEXT ORDER. Plaintiffs and counsel for Defendant Utah High School Activities Association to file an opposition, or notice of non-opposition, to the remaining Defendants' Motion for Extension of Time to Re: Motions for Summary Judgment 174 on or before Tuesday June 18, 2019. Any opposition should be no more than three (3) pages in length. Defendants, excluding Utah High School Activities Association, do not need to file a reply unless requested to do so by the court. (See DUCivR 7-1 permitting the court to shorten briefing periods.) Signed by Magistrate Judge Dustin B. Pead on 06/14/2019. No attached document. (tmb) (Entered: 06/14/2019)</p>
06/14/2019	177	<p>NOTICE of Non-Opposition to Defendant Districts Motion for Extension of Time to Respond To Motion for Summary Judgment 174 by Utah High School Activities Association (Parry, D.) (Entered: 06/14/2019)</p>
06/18/2019	178	<p>MEMORANDUM in Opposition re 174 Defendant's MOTION for Extension of Time Motions for Summary Judgment filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 06/18/2019)</p>
06/18/2019	179	<p>ORDER granting 174 Motion for Extension of Time re: 160 Motion for Summary Judgment and Memorandum in Support. Districts' response to Plaintiffs' Motion for Summary Judgment is due fifteen days after a ruling on Plaintiffs' Fourth Motion to Amend Complaint. The deadline for filing dispositive motions, currently set for July 31, 2019, is amended to thirty days following a ruling on Plaintiffs' Fourth Motion to Amend. Signed by Magistrate Judge Dustin B. Pead on 6/18/2019. (jwt) (Entered: 06/18/2019)</p>
08/30/2019	180	<p>MOTION to Exclude Expert Testimony and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. Motions referred to Dustin B. Pead.(Gordon, Brent) (Entered: 08/30/2019)</p>
09/04/2019	181	<p>Motions No Longer Referred: 180 Plaintiffs' MOTION to Exclude Expert Testimony will be addressed by the District Court. (amn) (Entered: 09/04/2019)</p>

09/13/2019	182	MEMORANDUM in Opposition re 180 MOTION to Exclude Expert Testimony and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Exhibit District Defendants' Expert Disclosures and Report)(Terry, Rachel) (Entered: 09/13/2019)
09/27/2019	183	MEMORANDUM DECISION AND ORDER denying 157 Motion to Amend/Correct Complaint. Signed by Judge Howard C. Nielson, Jr. on 9/27/2019. (las) (Entered: 09/27/2019)
09/27/2019	184	NOTICE of Districts' Supplement to Statement of Disputed Issues and Proposed Solutions Re: Student Survey by Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District re 164 Notice (Other), (Terry, Rachel) (Entered: 09/27/2019)
10/02/2019	185	NOTICE OF WITHDRAWAL OF COUNSEL of Michael J. Teter filed by Michael J. Teter on behalf of Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District (Teter, Michael) (Entered: 10/02/2019)
10/04/2019	186	MOTION for Extension of Time to File Response/Reply as to 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Defendants Canyons School District, Granite School District, Jordan School District. (Attachments: # 1 Text of Proposed Order Text of proposed order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 10/04/2019)
10/07/2019	187	ORDER granting 186 Motion for Extension of Time to File Response/Reply as to 160 Redacted MOTION for Summary Judgment and Memorandum in Support. Responses due by 10/28/2019. Signed by Magistrate Judge Dustin B. Pead on 10/07/2019. (nl) (Entered: 10/07/2019)
10/28/2019	188	MOTION to Seal <i>Districts' Exhibits to Motion for Summary Judgment and Opposition to Plaintiffs' Motions for Summary Judgment</i> , filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Jordan School District. (Attachments: # 1 Text of Proposed Order Text of proposed order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 10/28/2019)
10/28/2019	189	MOTION for Summary Judgment filed by Defendant Utah High School Activities Association. (Attachments: # 1 Appendix, # 2 Exhibit A - Plaintiffs' Response to UHSAA's First Set of Discovery, # 3 Exhibit B - Deposition of I.C., # 4 Exhibit C - Deposition of M.C., # 5 Exhibit D - Deposition of I.N, # 6 Exhibit E - Deposition of B.S., # 7 Exhibit F

		- Deposition of Kaleo Teritpaia, # 8 Exhibit G - Deposition of Leon Wilcox, # 9 Exhibit H - Deposition of Pala Vaitu'u, # 10 Exhibit I - Deposition of Jody Morgan)(Lehr, Michael) (Entered: 10/28/2019)
10/28/2019	190	NOTICE of Substitution, by Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District (Terry, Rachel) (Entered: 10/28/2019)
10/28/2019	191	MOTION for Summary Judgment and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Terry, Rachel) (Entered: 10/28/2019)
10/28/2019	192	MEMORANDUM in Opposition re 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District. (Terry, Rachel) (Entered: 10/28/2019)
10/28/2019	193	APPENDIX to 191 MOTION for Summary Judgment and Memorandum in Support , 188 MOTION to Seal <i>Districts' Exhibits to Motion for Summary Judgment and Opposition to Plaintiffs' Motions for Summary Judgment</i> , , 192 Memorandum in Opposition to Motion, filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District . (Attachments: # 1 Exhibit Ex. A - UHSAA Handbook, # 2 Exhibit Ex. B - Dist. Defs Expert Disclosures, # 3 Exhibit Ex. C - Plaintiffs' Initial Disclosures, # 4 Exhibit Ex. D - Plaintiffs' Supplemental Disclosures, # 5 Exhibit Ex. E - Players Statement Spreadsheet, # 6 Exhibit Ex. F - UGTFLL Youth Sports, # 7 Exhibit Ex. G - Posters, # 8 Exhibit Ex. H - HS Canyons Team Roster - REDACTED, # 9 Exhibit Ex. I - HS West Granite Roster - REDACTED, # 10 Exhibit Ex. J - HS West Granite 2 Roster - REDACTED, # 11 Exhibit Ex. K - West Jordan Team Roster - REDACTED, # 12 Exhibit Ex. L - Herriman I & II Roster - REDACTED, # 13 Exhibit Ex. M - Riverton Roster - REDACTED, # 14 Exhibit Ex. N - Copper Hills Roster - REDACTED, # 15 Exhibit Ex. O - Bingham Team Roster - REDACTED, # 16 Exhibit Ex. P - Plaintiffs' Discovery Responses, # 17 Exhibit Ex. Q - Plaintiff S.G. Discovery Responses, # 18 Exhibit Ex. R - UHSSA Sports and Season List, # 19 Exhibit Ex. S - Forbes Article, # 20 Exhibit Ex. T - KSL Article, # 21 Exhibit Ex. U - I.N. Depo - REDACTED, # 22 Exhibit Ex. V - B.S. Depo - REDACTED, # 23 Exhibit Ex. W - D.R. Depo - REDACTED, # 24 Exhibit Ex. X - L.D. Depo - REDACTED, # 25 Exhibit Ex. Y - S.G. Depo - REDACTED, # 26 Exhibit Ex. Z - UHSAA Regions)(Terry, Rachel) (Entered: 10/28/2019)

10/28/2019	194	<p>**SEALED DOCUMENT** re 191 MOTION for Summary Judgment and Memorandum in Support , 193 Appendix,,,,,, 188 MOTION to Seal <i>Districts' Exhibits to Motion for Summary Judgment and Opposition to Plaintiffs' Motions for Summary Judgment,</i>, 192 Memorandum in Opposition to Motion, filed by Defendants Martin Bates, James Briscoe, Canyons School District, Granite School District, Patrice Johnson, Jordan School District</p> <p>NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties. (Attachments: # 1 Exhibit Ex. E - Player Statement Spreadsheet, # 2 Exhibit Ex. H - Canyons HS Roster, # 3 Exhibit Ex. I - West Granite HS Roster, # 4 Exhibit Ex. J - West Granite 2 HS Roster, # 5 Exhibit Ex. K - West Jordan HS Roster, # 6 Exhibit Ex. L - Heriman I & II Roster, # 7 Exhibit Ex. M - Riverton HS Roster, # 8 Exhibit Ex. N - Copper Hills Roster, # 9 Exhibit Ex. O - Bingham HS Roster, # 10 Exhibit Ex. U - I.N. Deposition, # 11 Exhibit Ex. W - D.R. Deposition)(Terry, Rachel) (Entered: 10/28/2019)</p>
10/28/2019	195	<p>Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Appendix, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J (under seal), # 12 Exhibit K (under seal), # 13 Exhibit L (under seal), # 14 Exhibit M (under seal), # 15 Exhibit N (under seal), # 16 Exhibit O (under seal), # 17 Exhibit P, # 18 Exhibit Q)(Fonnesbeck, Jacob) (Entered: 10/28/2019)</p>
10/29/2019	196	<p>Plaintiff's MOTION for Leave to File Sealed Document re 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Fonnesbeck, Jacob) (Entered: 10/29/2019)</p>
10/29/2019	197	<p>**SEALED DOCUMENT** re 196 Plaintiff's MOTION for Leave to File Sealed Document re 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> , 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons</p> <p>NOTE: Filer is instructed to serve the <u>sealed document</u> on all other</p>

		parties.. (Attachments: # 1 Exhibit J - S.G. Depo (under seal), # 2 Exhibit K - M.C. Depo (under seal), # 3 Exhibit L - B.S. Depo (under seal), # 4 Exhibit M - L.D. Depo (under seal), # 5 Exhibit N - I.N. Depo (under seal), # 6 Exhibit O - D.R. Depo (under seal))(Fonnesbeck, Jacob) (Entered: 10/29/2019)
10/29/2019	198	Remark - Anthony Godfrey was added as a defendant and defendant Patrice Johnson was terminated per 160 Notice of Substitution. (rks) (Entered: 10/29/2019)
10/29/2019	199	ORDER granting 196 Motion for Leave to File Sealed Document. Signed by Magistrate Judge Dustin B. Pead on 10/29/2019. (nl) (Entered: 10/29/2019)
11/04/2019	200	ORDER granting 188 Motion to Seal. Signed by Magistrate Judge Dustin B. Pead on 11/4/2019. (las) (Entered: 11/04/2019)
11/25/2019	201	Stipulated MOTION for Extension of Time Motions for Summary Judgment filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) Modified on 11/26/2019 by correcting motion type (las). (Entered: 11/25/2019)
11/26/2019	202	ORDER granting 201 Motion for Extension of Time to File Response/Reply re 191 MOTION for Summary Judgment and Memorandum in Support , 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of their Equal Protection Claim, 160 Redacted MOTION for Summary Judgment and Memorandum in Support , 189 MOTION for Summary Judgment Replies due by 1/9/2020. Responses due by 12/12/2019 Signed by Magistrate Judge Dustin B. Pead on 11/26/2019. (las) (Entered: 11/26/2019)
12/12/2019	203	MEMORANDUM in Opposition re 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of their Equal Protection Claim filed by Defendant Utah High School Activities Association. (Attachments: # 1 Appendix of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J)(Lehr, Michael) (Entered: 12/12/2019)
12/12/2019	204	MEMORANDUM in Opposition re 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of their Equal Protection Claim filed by Defendants Martin Bates, James Briscoe, Anthony Godfrey. (Terry, Rachel) (Entered: 12/12/2019)

12/12/2019	205	MEMORANDUM in Opposition re 189 MOTION for Summary Judgment filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Appendix of Evidence, # 2 Exhibit R)(Washburn, D.) (Entered: 12/12/2019)
12/12/2019	206	REPLY to Response to Motion re 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit 55)(Gordon, Brent) (Entered: 12/12/2019)
12/12/2019	207	MEMORANDUM in Opposition re 191 MOTION for Summary Judgment and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Appendix of Evidence in Support of Plaintiffs' Memorandum in Opposition to Districts' Motion for Summary Judgment, # 2 Exhibit R)(Washburn, D.) (Entered: 12/12/2019)
01/07/2020	208	MOTION for Leave to File Overlength Reply in Support of Motion for Summary Judgment and Memorandum in Support filed by Defendant Utah High School Activities Association. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Lehr, Michael) (Entered: 01/07/2020)
01/08/2020	209	ORDER granting 208 Motion for Leave to File Overlength Document. Signed by Magistrate Judge Dustin B. Pead on 1/8/2020. (las) (Entered: 01/08/2020)
01/09/2020	210	Defendant's REPLY to Response to Motion re 189 MOTION for Summary Judgment filed by Defendant Utah High School Activities Association. (Parry, D.) (Entered: 01/09/2020)
01/09/2020	211	REPLY to Response to Motion re 191 MOTION for Summary Judgment and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District. (Terry, Rachel) (Entered: 01/09/2020)
01/09/2020	212	REPLY to Response to Motion re 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Appendix of Evidence, # 2 Exhibit S)(Washburn, D.) (Entered: 01/09/2020)

01/10/2020	213	REQUEST to Submit for Decision re 189 MOTION for Summary Judgment filed by Defendant Utah High School Activities Association. (Lehr, Michael) (Entered: 01/10/2020)
01/14/2020	214	<u>NOTICE OF HEARING ON MOTION</u> re: 191 MOTION for Summary Judgment and Memorandum in Support , 180 MOTION to Exclude Expert Testimony and Memorandum in Support , 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> , 160 Redacted MOTION for Summary Judgment and Memorandum in Support , 189 MOTION for Summary Judgment , 163 MOTION / Request for Judicial Notice re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support : (Notice generated by HCN chambers. Motion Hearing set for 3/17/2020 at 02:00 PM in Rm 7.300 before Judge Howard C. Nielson, Jr. (mlp) (Entered: 01/14/2020)
01/22/2020	215	<u>AMENDED NOTICE OF HEARING ON MOTION</u> re: 191 MOTION for Summary Judgment and Memorandum in Support , 180 MOTION to Exclude Expert Testimony and Memorandum in Support , 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> , 160 Redacted MOTION for Summary Judgment and Memorandum in Support , 189 MOTION for Summary Judgment , 163 MOTION / Request for Judicial Notice re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support : (Notice generated by HCN chambers. Motion Hearing RESET for 2/20/2020 at 03:00 PM in Rm 7.300 before Judge Howard C. Nielson, Jr. (mlp) (Entered: 01/22/2020)
01/24/2020	216	REQUEST to Submit for Decision re 166 Brief, 159 Notice (Other), 184 Notice (Other), filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 01/24/2020)
02/03/2020	217	MOTION to Deny or Stay Plaintiffs' Request to Conduct Survey re 216 Request to Submit for Decision and Memorandum in Support filed by Defendants Canyons School District, Granite School District, Jordan School District. (Attachments: # 1 Exhibit A - Girl and Boy Athletic Interest Survey, # 2 Exhibit B - Athletic Survey Instructions, # 3 Exhibit C - Email Re Request From Brent Gordon) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 02/03/2020)

02/04/2020	218	Motions No Longer Referred: MOTION to Deny or Stay Plaintiffs' Request to Conduct Survey 217 will be handled by the District Court. (Entered: 02/04/2020)
02/18/2020	219	MEMORANDUM in Opposition re 217 MOTION to Deny or Stay Plaintiffs' Request to Conduct Survey re 216 Request to Submit for Decision and Memorandum in Support filed by Plaintiffs Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 02/18/2020)
02/20/2020	220	<p>Minute Order. Proceedings held before Judge Howard C. Nielson, Jr.</p> <p>Motion Hearing held on 2/20/2020 re 191 MOTION for Summary Judgment and Memorandum in Support filed by Jordan School District, Canyons School District, Martin Bates, Granite School District, James Briscoe, Patrice Johnson, 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support of <i>their Equal Protection Claim</i> filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 180 MOTION to Exclude Expert Testimony and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 189 MOTION for Summary Judgment filed by Utah High School Activities Association, 163 MOTION / Request for Judicial Notice re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison.</p> <p>Court heard argument and took under advisement 160 Motion for Summary Judgment; took under advisement 163 Motion; took under advisement 180 Motion to Exclude; took under advisement 189 Motion for Summary Judgment ; took under advisement 191 Motion for Summary Judgment; took under advisement 195 Motion for Partial Summary Judgment.</p> <p>Attorney for Plaintiff: D. Loren Washburn, Mark L. Smith, Brent Gordon, Attorney for Defendant: Rachel G. Terry, D. Craig Parry, Mark O. VanWagoner, Michael S. Lehr. Court Reporter: Teena Green.(Time Start: 3:11, Time End: 5:10, Room 7.3.) (mlp) (Entered: 02/25/2020)</p>
03/03/2020	221	REPLY to Response to Motion re 217 MOTION to Deny or Stay Plaintiffs' Request to Conduct Survey re 216 Request to Submit for

		Decision and Memorandum in Support filed by Defendants Canyons School District, Granite School District, Jordan School District. (Attachments: # 1 Exhibit A-Survey Report Email, # 2 Exhibit B-Girls HS Sports Interest Report, # 3 Exhibit C-Questionnaire, # 4 Exhibit D-Classroom Instructions, # 5 Exhibit E-Plaintiffs' Survey, # 6 Exhibit F-Plaintiffs' Amended Survey, # 7 Exhibit G-2010 Policy Clarification)(Terry, Rachel) (Entered: 03/03/2020)
03/09/2020	222	MOTION to Supplement the Record on the Parties' Motion for Summary Judgment and to File Overlength Brief re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support filed by Plaintiffs Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit 1 - Plaintiffs' Supplemental Brief in Support of Their Motion for Summary Judgment) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 03/09/2020)
03/10/2020	223	Motions No Longer Referred: Plaintiffs' Motion to Supplement the Record on the Parties' Motion for Summary Judgment and to File Overlength Brief 222 will be handled by the District Court. (amn) (Entered: 03/10/2020)
03/10/2020	224	Supplemental BRIEF <i>Clarifying Plaintiffs' Dates of Birth and Anticipated Graduation Dates</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 03/10/2020)
03/10/2020	225	MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion,, and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 03/10/2020)
03/11/2020	226	Motions No Longer Referred: Plaintiffs' Motion to Strike 225 will be addressed by the District Court. (amn) (Entered: 03/11/2020)
03/17/2020	227	***RESTRICTED DOCUMENT*** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of held on February 20, 2020 before Judge Howard C. Nielson, Jr.. Court Reporter/Transcriber Teena Green, Telephone number 801-910-4092. NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact

		<p>must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/7/2020. Redacted Transcript Deadline set for 4/17/2020. Release of Transcript Restriction set for 6/15/2020. (las) Modified by removing restricted text on 6/15/2020 (nl). (Entered: 03/17/2020)</p>
03/23/2020	229	<p>MOTION for Extension of Time to File Response/Reply as to 222 MOTION to Supplement the Record on the Parties' Motion for Summary Judgment and to File Overlength Brief re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support , 225 MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion,, and Memorandum in Support and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 03/23/2020)</p>
03/25/2020	230	<p>ORDER granting 229 Motion for Extension of Time to File Response/Reply re 225 MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion,, and Memorandum in Support , 222 MOTION to Supplement the Record on the Parties' Motion for Summary Judgment and to File Overlength Brief re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support. Responses due by 3/27/2020. Signed by Magistrate Judge Dustin B. Pead on 3/25/2020. (las) (Entered: 03/25/2020)</p>
03/27/2020	231	<p>MEMORANDUM in Support re 225 MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion,, and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District. (Terry, Rachel) (Entered: 03/27/2020)</p>
03/27/2020	232	<p>MEMORANDUM in Opposition re 222 MOTION to Supplement the Record on the Parties' Motion for Summary Judgment and to File Overlength Brief re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support filed by</p>

		Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District. (Terry, Rachel) (Entered: 03/27/2020)
04/01/2020	233	DOCKET TEXT ORDER. 222 Motion to Supplement the Record on the Parties' Motion for Summary Judgment and to File Overlength Brief is GRANTED. Plaintiffs are directed to file the Supplemental Brief attached to the Motion. No later than April 17, 2020, Defendants may file a brief addressing the Districts' Survey and its results, <i>see</i> Dkt. 221-1 to Dkt. 221-4, and responding to Plaintiffs' Supplemental Brief. Signed by Judge Howard C. Nielson Jr., on April 1, 2020. (mtw) (Entered: 04/01/2020)
04/02/2020	234	Plaintiffs' Supplemental Brief in Support of Their Motion for Summary Judgment on Title IX Issues Addressing the District Defendants' Recently Produced Survey Results BRIEF re 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Washburn, D.) (Entered: 04/02/2020)
04/03/2020	235	REPLY to Response to Motion re 225 MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion,, and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Fonnesbeck, Jacob) (Entered: 04/03/2020)
04/17/2020	236	RESPONSE re 234 Brief,, filed by Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Utah High School Activities Association. (Attachments: # 1 Exhibit A-Board of Trustees Meeting 11-22-2019) Attorney Rachel G. Terry added to party Utah High School Activities Association(pty:dft)(Terry, Rachel) (Entered: 04/17/2020)
05/15/2020	237	REQUEST to Submit for Decision re 234 Brief,, 225 MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion,, and Memorandum in Support , 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 05/15/2020)
05/26/2020	238	<u>NOTICE OF HEARING ON MOTION</u> re: 160 Redacted MOTION for Summary Judgment and Memorandum in Support , 225 MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion,, and Memorandum in Support , 217 MOTION to Deny or Stay Plaintiffs' Request to Conduct Survey re 216 Request to Submit for Decision and

		<p>Memorandum in Support , 191 MOTION for Summary Judgment and Memorandum in Support , 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support <i>of their Equal Protection Claim</i>, 180 MOTION to Exclude Expert Testimony and Memorandum in Support , 189 MOTION for Summary Judgment , 163 MOTION / Request for Judicial Notice re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support : (Notice generated by HCN chambers.</p> <p>Telephonic Oral Ruling Hearing set for 6/1/2020 at 01:00 PM before Judge Howard C. Nielson, Jr.</p> <p>Information will be emailed to counsel prior to hearing. Members of the public or media who are interested in listening to this hearing may contact chambers at utdecf_nielson@utd.uscourts.gov (mlp) (Entered: 05/26/2020)</p>
06/01/2020	239	<p>Minute Order. Proceedings held before Judge Howard C. Nielson, Jr. Motion Hearing held on 6/1/2020 re 191 MOTION for Summary Judgment and Memorandum in Support filed by Jordan School District, Canyons School District, Martin Bates, Granite School District, James Briscoe, Patrice Johnson, 225 MOTION to Strike 221 Reply Memorandum/Reply to Response to Motion and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 189 MOTION for Summary Judgment filed by Utah High School Activities Association, 163 MOTION / Request for Judicial Notice re 160 Redacted MOTION for Summary Judgment and Memorandum in Support and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 160 Redacted MOTION for Summary Judgment and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 217 MOTION to Deny or Stay Plaintiffs' Request to Conduct Survey re 216 Request to Submit for Decision and Memorandum in Support filed by Jordan School District, Canyons School District, Granite School District, 131 MOTION to Conduct Survey of Female Students' Interests in Football filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 195 Plaintiff's MOTION for Partial Summary Judgment and Memorandum in Support <i>of their Equal Protection Claim</i> filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison, 180 MOTION to Exclude Expert Testimony and Memorandum in Support filed by Barbara Calchera, Brent Gordon, Manuel Nogales, Lisa Simmons, Jason Dixon, I. C., Bret Robison.</p>

	<p>All parties appearing telephonically. Court made the following rulings: 191 MOTION for Summary Judgment is GRANTED with respect to all Title IX claims against Canyons School District and with respect to Count III against all Defendants. This motion is otherwise DENIED. 160 MOTION for Summary Judgment, 189 MOTION for Summary Judgment, and 195 MOTION for Partial Summary Judgment are DENIED. 163 Motion for Judicial Notice and 217 Motion to Deny or Stay Plaintiffs' Request to Conduct Survey are GRANTED. 180 Motion to Exclude Expert Testimony and 225 Motion to Strike are DENIED. To the extent it remained outstanding, 131 Motion to Conduct a Survey is DENIED.</p> <p>The Court ordered a joint report from the parties regarding potential trial dates to be filed no later than Wednesday, June 10, 2020.</p> <p>Written Order to follow oral order: no.</p> <p>Attorney for Plaintiff: Mark L. Smith, Brent Gordon, D. Loren Washburn, Attorney for Defendant: Rachel G. Terry, D. Craig Parry, Mark O. VanWagoner, Michael S. Lehr. Court Reporter: Teena Green.(Time Start: 1:00, Time End: 1:10, Room telephonic.) (mlp) (Entered: 06/01/2020)</p>
06/05/2020	<p>240 ***RESTRICTED DOCUMENT*** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Telephonic Oral Ruling held on 6/1/2020 before Judge Howard C. Nielson, Jr.. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/26/2020. Redacted Transcript Deadline set for 7/6/2020. Release of Transcript Restriction set for 9/3/2020. (lnp) Modified by removing restricted text on 9/3/2020 (nl). (Entered: 06/05/2020)</p>

06/10/2020	242	STATUS REPORT - <i>Joint Report Regarding Potential Trial Dates</i> by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 06/10/2020)
06/10/2020	243	NOTICE of Appearance by S. Shane Stroud on behalf of Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District (Stroud, S.) (Entered: 06/10/2020)
06/18/2020	244	<u>NOTICE OF HEARING</u> : (Notice generated by HCN chambers) Twelve Day Bench Trial set for 9/8/2020 - 9/18/2020 at 10:00 AM and to continue 9/23/2020 - 9/25/2020 in Rm 7.300 before Judge Howard C. Nielson, Jr. (mlp) (Entered: 06/18/2020)
06/18/2020	245	<u>NOTICE OF HEARING</u> : (Notice generated by HCN chambers) Final Pretrial Conference set for 9/1/2020 at 01:00 PM in Rm 7.300 before Judge Howard C. Nielson, Jr. (mlp) (Entered: 06/18/2020)
06/29/2020	246	TRIAL ORDER signed by Judge Howard C. Nielson, Jr., on June 29, 2020. (See attached order) (mtw) (Entered: 06/29/2020)
07/01/2020	247	MOTION to Disqualify Counsel and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Utah High School Activities Association. (Attachments: # 1 Exhibit A - Plaintiffs' Initial Disclosures) Motions referred to Dustin B. Pead.(Lehr, Michael) (Entered: 07/01/2020)
07/02/2020	248	Motions No Longer Referred: 247 Defendants' MOTION to Disqualify Counsel will be addressed by the District Court. (Entered: 07/02/2020)
07/06/2020	249	NOTICE of Appearance by Trinity S. Jordan on behalf of I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons (Jordan, Trinity) (Entered: 07/06/2020)
07/06/2020	250	NOTICE of Intent to Offer Survey Expert Testimony at Trial by Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District (Terry, Rachel) (Entered: 07/06/2020)
07/07/2020	251	NOTICE of Appearance by Tyler Anne Dever on behalf of I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons (Dever, Tyler) (Entered: 07/07/2020)
07/15/2020	252	MEMORANDUM in Opposition re 247 MOTION to Disqualify Counsel and Memorandum in Support filed by Plaintiffs I. C., Barbara

		Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Jordan, Trinity) (Entered: 07/15/2020)
07/20/2020	253	DESIGNATION OF EXPERTS Donna Lopiano, Ph.D. filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons.(Washburn, D.) (Entered: 07/20/2020)
07/22/2020	254	Defendant's MOTION for Leave to File Excess Pages and Memorandum in Support <i>re Motion to Decertify Class</i> filed by Defendant Utah High School Activities Association. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Lehr, Michael) (Entered: 07/22/2020)
07/23/2020	255	ORDER granting 254 Motion for Leave to File Excess Pages re 247 Motion. Signed by Magistrate Judge Dustin B. Pead on 7/23/20 (alt) (Entered: 07/23/2020)
07/23/2020	256	MOTION to Decertify Class and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Utah High School Activities Association. (Attachments: # 1 Exhibit A - I.N. Deposition Transcript) Motions referred to Dustin B. Pead.(Lehr, Michael) (Entered: 07/23/2020)
07/23/2020	257	MOTION in Limine and Memorandum in Support <i>to Limit Testimony of Donna A. Lopiano (Expedited) Briefing and Ruling Requested</i> filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District. (Attachments: # 1 Exhibit A - Transcript of 6-1-2020 Telephonic Ruling, # 2 Exhibit B - Expert Report of Donna A. Lopiano)(Terry, Rachel) (Entered: 07/23/2020)
07/23/2020	258	Defendant's MOTION to Expedite Briefing Schedule for Motion in Limine to Limit Testimony of Donna A. Lopiano filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 07/23/2020)
07/23/2020	259	DOCKET TEXT ORDER. 258 Motion to Expedite is GRANTED. Plaintiffs shall respond to 257 Motion in Limine to Limit Testimony of Donna A. Lopiano no later than July 31, 2020. The District Defendants may file a reply no later than August 7, 2020. Signed by Judge Howard C. Nielson, Jr., on July 23, 2020. (mtw) (Entered: 07/23/2020)
07/27/2020	260	Motions No Longer Referred: Defendants' MOTION to Decertify Class 256 (Entered: 07/27/2020)

07/29/2020	261	REPLY to Response to Motion re 247 MOTION to Disqualify Counsel and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Utah High School Activities Association. (Attachments: # 1 Exhibit A - Gordon Deposition 1, # 2 Exhibit B - Gordon Deposition 2)(Lehr, Michael) (Entered: 07/29/2020)
07/29/2020	262	REQUEST to Submit for Decision re 247 MOTION to Disqualify Counsel and Memorandum in Support filed by Defendant Utah High School Activities Association. (Lehr, Michael) (Entered: 07/29/2020)
07/31/2020	263	MEMORANDUM in Opposition re 257 MOTION in Limine and Memorandum in Support to <i>Limit Testimony of Donna A. Lopiano (Expedited) Briefing and Ruling Requested</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A - Larson Deposition Transcript)(Washburn, D.) (Entered: 07/31/2020)
08/03/2020	264	NOTICE of Substitution of Rick L. Robins for James Briscoe by Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District (Terry, Rachel) (Entered: 08/03/2020)
08/06/2020	265	MEMORANDUM in Opposition re 256 MOTION to Decertify Class and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A- West Jordan High webpage screenshot)(Washburn, D.) (Entered: 08/06/2020)
08/07/2020	266	MEMORANDUM in Support re 257 MOTION in Limine and Memorandum in Support to <i>Limit Testimony of Donna A. Lopiano (Expedited) Briefing and Ruling Requested</i> filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins. (Stroud, S.) (Entered: 08/07/2020)
08/07/2020	267	REQUEST to Submit for Decision re 257 MOTION in Limine and Memorandum in Support to <i>Limit Testimony of Donna A. Lopiano (Expedited) Briefing and Ruling Requested</i> filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins. (Stroud, S.) (Entered: 08/07/2020)
08/10/2020	268	REQUEST for Judicial Notice filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit 1- UHSAA Screenshots, # 2

		Exhibit 2- UT State Board of Education Website, # 3 Exhibit 3- 1996 Three-Part Test Clarification, # 4 Exhibit 4- 1996 Three-Part Test Clarification, # 5 Exhibit 5- 1975 OCR Memo, # 6 Exhibit 6- 1976 OCR Manual, # 7 Exhibit 7- 1990 Title IX Investigator's Manual, # 8 Text of Proposed Order)(Washburn, D.) (Entered: 08/10/2020)
08/10/2020	269	Ex Parte (Not Sealed) MOTION for Extension of Time to Object to Defendants Rebuttal Expert Witness Designation and Expedited Briefing filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order Proposed Order) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 08/10/2020)
08/10/2020	270	MOTION in Limine <i>to Preclude Defendants from Contesting Judicial Admissions</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order Proposed Order)(Washburn, D.) (Entered: 08/10/2020)
08/10/2020	271	MOTION in Limine <i>to Limit the Expert Testimony of R. Cuff and B. Jackson</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A- B. Jackson Deposition 10.29.19, # 2 Exhibit B- R. Cuff Deposition 10.29.19, # 3 Text of Proposed Order Proposed Order)(Washburn, D.) (Entered: 08/10/2020)
08/10/2020	272	MOTION for Extension of Time to Contest Authenticity of Defendants' Exhibits filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order Proposed Order) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 08/10/2020)
08/10/2020	273	MOTION in Limine <i>to Establish UHSAA as a State Actor</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order Proposed Order)(Washburn, D.) (Entered: 08/10/2020)
08/10/2020	274	MOTION to Exclude Rebuttal Expert Brent Gordon and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Attachments: # 1 Exhibit A - Gordon Deposition 1, # 2 Exhibit B - Gordon Deposition 2, # 3 Exhibit C - Morgan Deposition, # 4 Exhibit D - Jackson Deposition, # 5 Text of Proposed Order) Motions referred to Dustin B. Pead.(Lehr, Michael) (Entered: 08/10/2020)

08/10/2020	275	MOTION for Leave to File Sealed Document filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 08/10/2020)
08/10/2020	276	MOTION in Limine and Memorandum in Support filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit 126 part 1 redacted, # 3 Exhibit 126 part 2 redacted, # 4 Exhibit 127 redacted)(Terry, Rachel) (Entered: 08/10/2020)
08/10/2020	277	OBJECTIONS <i>to Authenticity of Plaintiffs' Proposed Exhibits</i> filed by Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Attachments: # 1 Exhibit A - NFHS Participation Survey, # 2 Exhibit B - NFHS Handbook Participation Survey, # 3 Exhibit C - NFHS Participation Survey, # 4 Exhibit D - High School Yearbook Pages, # 5 Exhibit E - C.B. Instagram Post 10-6-2019, # 6 Exhibit F - Screenshot of P.H. Message, # 7 Exhibit G - Group Message Screenshot, # 8 Exhibit H - Screenshot of M.S.'s Instagram Post, # 9 Exhibit I - 2nd Image of Screenshot, # 10 Exhibit J - Group Message Screenshot, # 11 Exhibit K - Photo of Football Player, # 12 Exhibit L - Screenshot of Instagram Post, # 13 Exhibit M - Ute Conference Tax Doc, # 14 Exhibit N - Plaintiffs Trial Witness, # 15 Text of Proposed Order)(Lehr, Michael) (Entered: 08/10/2020)
08/10/2020	278	**SEALED DOCUMENT** re 277 Objections,, 275 MOTION for Leave to File Sealed Document filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties.. (Attachments: # 1 Exhibit D - High School Yearbook Pages, # 2 Exhibit E - C.B. Instagram Post 10-6-2019, # 3 Exhibit F - Screenshot of P.H. Message, # 4 Exhibit G - Group Message Screenshot, # 5 Exhibit H - M.S.'s Instagram Post, # 6 Exhibit I - M.S.'s Instagram Post, # 7 Exhibit J - Group Message Screenshot, # 8 Exhibit K- Photo of Football Player, # 9 Exhibit L - Instagram Post)(Lehr, Michael) (Entered: 08/10/2020)
08/10/2020	279	**SEALED DOCUMENT** re 276 MOTION in Limine and Memorandum in Support , 275 MOTION for Leave to File Sealed

		<p>Document filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins</p> <p>NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties.. (Attachments: # 1 Exhibit under seal, # 2 Exhibit under seal)(Terry, Rachel) (Entered: 08/10/2020)</p>
08/10/2020	280	<p>Defendant's MOTION in Limine and Memorandum in Support <i>to Exclude Evidence of Alleged Sexual Harassment</i> filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins. (Attachments: # 1 Exhibit A - Plaintiffs Proposed Trial Exhibits 137-145 (Filed Under Seal))(Terry, Rachel) (Entered: 08/10/2020)</p>
08/10/2020	281	<p>**SEALED DOCUMENT** re 280 Defendant's MOTION in Limine and Memorandum in Support <i>to Exclude Evidence of Alleged Sexual Harassment</i>, 275 MOTION for Leave to File Sealed Document filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association</p> <p>NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties.. (Attachments: # 1 Exhibit A - Plaintiffs Proposed Trial Exhibits 137-145)(Terry, Rachel) (Entered: 08/10/2020)</p>
08/10/2020	282	<p>MOTION in Limine and Memorandum in Support filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit A-Plaintiffs' Initial Disclosures, # 3 Exhibit B-Plaintiffs Supplemental Rule 26 Disclosures 2-22-2019, # 4 Exhibit C-Witness Subpoena, # 5 Exhibit D-Plaintiffs' Supplemental Rule 26 Disclosures 7-31-2020, # 6 Exhibit E-Plaintiffs Exhibit List, # 7 Exhibit F-Aug 3 Witness and Exhibit Exchange, # 8 Exhibit G part 1-Plaintiffs' Proposed Exhibits 20-23, 30-49, 72-74, 75-79, 121, and 147, # 9 Exhibit G part 2-Plaintiffs' Proposed Exhibits 20-23, 30-49, 72-74, 75-79, 121, and 147, # 10 Exhibit H-under seal)(Terry, Rachel) (Entered: 08/11/2020)</p>
08/11/2020	283	<p>MOTION to Seal Document 282 MOTION in Limine and Memorandum in Support , 275 MOTION for Leave to File Sealed Document and Memorandum in Support filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Attachments: # 1 SEALED - Exhibit H-</p>

		Plaintiffs' Proposed Exhibits 127, 137-145) Motions referred to Dustin B. Pead.(Terry, Rachel) Modified on 8/18/2020 removed termination date - motion to be readdressed(jwt). Modified on 8/20/2020 by terming the motion and sealing Exhibit H. (lnp). (Entered: 08/11/2020)
08/11/2020	284	Motions No Longer Referred: 269 Plaintiffs' Ex Parte Motion for Extension of Time to Object to Defendants' Rebuttal Expert Witness Designation, 272 Plaintiffs' Motion for Extension of Time to Contest Authenticity of Defendants' Exhibits, 274 Defendants' Motion to Exclude Rebuttal Expert Brent Gordon, 275 Defendants' Motion for Leave to File Sealed Document, and 283 Defendants' Motion to Seal Document. (amn) (Entered: 08/11/2020)
08/11/2020	285	MEMORANDUM in Opposition re 272 MOTION for Extension of Time to Contest Authenticity of Defendants' Exhibits , 269 Ex Parte (Not Sealed) MOTION for Extension of Time to Object to Defendants Rebuttal Expert Witness Designation and Expedited Briefing filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 08/11/2020)
08/11/2020	286	DOCKET TEXT ORDER. Based on its review of the briefing regarding Dr. Lopiano's expert report, and for good cause appearing, Dkt. No. 257, Expedited Motion in Limine to Limit Testimony of Donna A. Lopiano is GRANTED in part and DENIED in part. Dr. Lopiano will be permitted to testify about the appropriate interpretation of the survey results. She will also be permitted to testify regarding the weight that should be accorded these results, which may include identifying flaws in the survey's methodology. Dr. Lopiano will not, however, be permitted to testify about the history and legal requirements of Title IX or matters unrelated to the survey results. In her expert report, Dr. Lopiano identifies twelve topics of potential testimony. The court will not permit her to testify regarding topics 1-4, 9, or 12. In addition, Dr. Lopiano's testimony regarding topics 10 and 11 shall be limited to interpreting the survey results and identifying any flaws in the survey's methodology. To the extent Defendants seek to continue the trial to allow them time to retain an expert to respond to Dr. Lopiano's proposed testimony, the motion is DENIED . The court finds that Defendants' currently designated experts should suffice to offer any rebuttal testimony in response to Dr. Lopiano's proposed testimony as limited by this order. IT IS SO ORDERED. Signed by Judge Howard C. Nielson, Jr., on August 11, 2020. (mtw) (Entered: 08/11/2020)

08/11/2020	287	<p>DOCKET TEXT ORDER. After pressing for an expedited trial schedule, Plaintiffs waited until after the close of business on the very day that all objections to the authenticity of proposed exhibits and all motions in limine were due to seek extensions of these deadlines. <i>See</i> Dkt. Nos. 269, 272. Not only are the justifications offered by Plaintiffs for the requested extensions far from compelling, these justifications were almost certainly known to Plaintiffs well before the deadline. Plaintiffs have offered no justification for waiting until the eleventh hour to seek these extensions. 269 MOTION for Extension of Time to Object to Defendants' Rebuttal Expert Witness Designation is DENIED IN PART. Professor Monson has long been designated as one of Defendants' experts and Plaintiffs had every reason to expect that he would be designated as the rebuttal expert witness well in advance of his designation. Given the expedited context of these pretrial proceedings, the court rejects Plaintiffs' argument that they lacked sufficient time to review Professor Monson's rebuttal report. If, but only if, Professor Monson's deposition reveals a ground for moving to exclude some or all of his proposed rebuttal testimony that could not have been known to Plaintiffs, in the exercise of due diligence, before the deposition, the court will entertain an untimely motion in limine filed no later than August 21, 2019 at 5:00 PM. If Plaintiffs file such a motion, Defendants may file a response no later than August 28, 2019, at 5:00 PM. No reply will be permitted. 272 Motion for Extension of Time to Contest Authenticity of Defendants' Exhibits is GRANTED IN PART. Plaintiffs may file any objections to the authenticity of Defendants' proposed exhibits no later than Wednesday, August 12. Defendants may respond to any objections no later than Wednesday, August 19. Given Plaintiffs' failure to comply with the trial order, the court will not entertain any objections that are not clearly well taken. SO ORDERED. Signed by Judge Howard C. Nielson, Jr., on August 11, 2020. (mtw) (Entered: 08/11/2020)</p>
08/12/2020	288	<p>DOCKET TEXT ORDER. 287 DOCKET TEXT ORDER is amended to include the following sentence: The deadline for filing a reply brief in support of any objection to the authenticity of Defendants proposed exhibits shall remain as stated in 246 TRIAL ORDER. SO ORDERED. Signed by Judge Howard C. Nielson, Jr., on August 12, 2020. (mtw) (Entered: 08/12/2020)</p>
08/12/2020	289	<p>Redacted OBJECTIONS to Authenticity of Defendants' Proposed Exhibits filed by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit 1011, # 2 Exhibit 1013, # 3 Exhibit 1137, # 4 Exhibit 1142, # 5 Exhibit 1143, # 6 Exhibit 1145, # 7 Exhibit 1146, # 8 Exhibit 1150, # 9 Exhibit 1178 - Redacted, # 10 Exhibit 1194 - Redacted, # 11 Exhibit 1195, # 12 Exhibit 1196 - Redacted, # 13 Exhibit 1197 - Redacted, # 14</p>

		Exhibit 1198 - Redacted, # 15 Exhibit 1199 - Redacted, # 16 Exhibit 1201 - Redacted, # 17 Exhibit 1202 - Redacted, # 18 Exhibit 1203 - Redacted, # 19 Exhibit 1204 - Redacted, # 20 Exhibit 1205 - Redacted, # 21 Exhibit 1206 - Redacted, # 22 Exhibit 1207 - Redacted, # 23 Exhibit 1209 - Redacted, # 24 Exhibit 1210 - Redacted, # 25 Exhibit 1215, # 26 Exhibit 1219, # 27 Exhibit 1383, # 28 Exhibit 1385, # 29 Exhibit 1386, # 30 Exhibit 1402, # 31 Exhibit 1404)(Washburn, D.) (Entered: 08/12/2020)
08/12/2020	290	MOTION for Leave to File Sealed Document re 289 Objections,,,, <i>to Authenticity of Defendants' Proposed Exhibits</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 08/12/2020)
08/12/2020	291	**SEALED DOCUMENT** re 289 Objections,,,, 290 MOTION for Leave to File Sealed Document re 289 Objections,,,, <i>to Authenticity of Defendants' Proposed Exhibits</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties.. (Attachments: # 1 Exhibit 1011, # 2 Exhibit 1013, # 3 Exhibit 1137, # 4 Exhibit 1142, # 5 Exhibit 1143, # 6 Exhibit 1145, # 7 Exhibit 1146, # 8 Exhibit 1150, # 9 Exhibit 1178, # 10 Exhibit 1194, # 11 Exhibit 1195, # 12 Exhibit 1196, # 13 Exhibit 1197, # 14 Exhibit 1198, # 15 Exhibit 1199, # 16 Exhibit 1201, # 17 Exhibit 1202, # 18 Exhibit 1203, # 19 Exhibit 1204, # 20 Exhibit 1205, # 21 Exhibit 1206, # 22 Exhibit 1207, # 23 Exhibit 1208, # 24 Exhibit 1209, # 25 Exhibit 1210, # 26 Exhibit 1215, # 27 Exhibit 1219, # 28 Exhibit 1383, # 29 Exhibit 1385, # 30 Exhibit 1386, # 31 Exhibit 1402, # 32 Exhibit 1404)(Washburn, D.) (Entered: 08/12/2020)
08/13/2020	292	RESPONSE to Motion re 273 MOTION in Limine <i>to Establish UHSAA as a State Actor</i> filed by Defendant Utah High School Activities Association. (Parry, D.) (Entered: 08/13/2020)
08/14/2020	293	MOTIONS REFERRED - 290 MOTION for Leave to File Sealed Document re 289 Objections <i>to Authenticity of Defendants' Proposed Exhibits</i> , 275 MOTION for Leave to File Sealed Document , 283 MOTION to Seal Document 282 MOTION in Limine and Memorandum in Support , 275 MOTION for Leave to File Sealed Document and Memorandum in Support Motions referred to Dustin B. Pead.(mlp) (Entered: 08/14/2020)

08/17/2020	294	MEMORANDUM in Opposition re 270 MOTION in Limine <i>to Preclude Defendants from Contesting Judicial Admissions</i> filed by Defendant Utah High School Activities Association. (Parry, D.) (Entered: 08/17/2020)
08/17/2020	295	REPLY BRIEF re 289 Objections,,,,, filed by Defendant Utah High School Activities Association. (Parry, D.) (Entered: 08/17/2020)
08/17/2020	296	MEMORANDUM in Opposition re 276 MOTION in Limine and Memorandum in Support (<i>Plaintiffs' Trial Exhibits 126 and 127</i>) filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/17/2020)
08/17/2020	297	MEMORANDUM in Opposition re 274 MOTION to Exclude Rebuttal Expert Brent Gordon and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/17/2020)
08/17/2020	298	MEMORANDUM in Opposition re 282 MOTION in Limine and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit 1-Plaintiffs' Supplemental Rule 26 Disclosures, # 2 Exhibit 2-Email Exchange re Supplemental Dsiclosures, # 3 Exhibit 3-Defendants' Trial Exhibit List, # 4 Exhibit 4-Gordon Disclosures, # 5 Exhibit 5-GRAMA Request, # 6 Exhibit 6-Plaintiffs' First Set of Discovery to UHSAA)(Washburn, D.) (Entered: 08/17/2020)
08/17/2020	299	MEMORANDUM in Opposition re 280 Defendant's MOTION in Limine and Memorandum in Support <i>to Exclude Evidence of Alleged Sexual Harassment</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/17/2020)
08/17/2020	300	MEMORANDUM in Opposition re 271 MOTION in Limine <i>to Limit the Expert Testimony of R. Cuff and B. Jackson</i> filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Attachments: # 1 Exhibit A - Expert Disclosure, # 2 Exhibit B - Deposition Ex. 2, # 3 Exhibit C - NFHS Guidelines)(Lehr, Michael) (Entered: 08/17/2020)
08/17/2020	301	RESPONSE re 277 Objections,,,,, <i>to Authenticity of Plaintiffs' Proposed Exhibits</i> filed by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1

		Exhibit 1- [D.E. 14-6], # 2 Exhibit 2-Defendants' Trial Exhibit List)(Washburn, D.) (Entered: 08/17/2020)
08/17/2020	302	Defendant's RESPONSE re 289 Objections,,,,, filed by Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins. (Terry, Rachel) (Entered: 08/17/2020)
08/17/2020	303	Joint RESPONSE re 268 Request,,, filed by Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Terry, Rachel) (Entered: 08/17/2020)
08/17/2020	304	MEMORANDUM DECISION AND ORDER denying 247 Motion to Disqualify Counsel. Signed by Judge Howard C. Nielson, Jr., on 08/17/2020. (dz) (Entered: 08/17/2020)
08/18/2020	305	DOCKET TEXT ORDER granting 275 Motion for Leave to File Sealed Document. Signed by Magistrate Judge Dustin B. Pead on 08/18/2020. (Entered: 08/18/2020)
08/18/2020	306	STRICKEN DOCKET TEXT ORDER granting 283 Motion to Seal Document. Signed by Magistrate Judge Dustin B. Pead on 08/18/2020. Modified on 8/18/2020 (jwt). (Entered: 08/18/2020)
08/18/2020	307	Modification of Docket: re 306 Order on Motion to Seal Document. The court strikes the order and will clarify the motion relief in 283 Motion to Seal with the parties. (jwt) (Entered: 08/18/2020)
08/18/2020	308	REQUEST to Submit for Decision re 273 MOTION in Limine <i>to Establish UHSAA as a State Actor</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/18/2020)
08/20/2020	309	ORDER granting 290 Motion for Leave to File Exhibits Under Seal. Signed by Magistrate Judge Dustin B. Pead on 8/20/2020. (Inp) (Entered: 08/20/2020)
08/20/2020	310	REPLY to Response to Motion re 256 MOTION to Decertify Class and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 08/20/2020)

08/20/2020	311	REQUEST to Submit for Decision re 256 MOTION to Decertify Class and Memorandum in Support filed by Defendant Utah High School Activities Association. (Lehr, Michael) (Entered: 08/20/2020)
08/21/2020	312	REPLY to Response to Motion re 276 MOTION in Limine and Memorandum in Support filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Terry, Rachel) (Entered: 08/21/2020)
08/21/2020	313	REPLY to Response to Motion re 270 MOTION in Limine <i>to Preclude Defendants from Contesting Judicial Admissions</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)
08/21/2020	314	REQUEST to Submit for Decision re 294 Memorandum in Opposition to Motion, 270 MOTION in Limine <i>to Preclude Defendants from Contesting Judicial Admissions</i> , 313 Reply Memorandum/Reply to Response to Motion, filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)
08/21/2020	315	REPLY to Response to Motion re 271 MOTION in Limine <i>to Limit the Expert Testimony of R. Cuff and B. Jackson</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)
08/21/2020	316	REQUEST to Submit for Decision re 271 MOTION in Limine <i>to Limit the Expert Testimony of R. Cuff and B. Jackson</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)
08/21/2020	317	REPLY to Response to Motion re 282 MOTION in Limine and Memorandum in Support filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Terry, Rachel) (Entered: 08/21/2020)
08/21/2020	318	REPLY BRIEF re 289 Objections,,,, filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)
08/21/2020	319	REPLY BRIEF re 268 Request,, <i>for Judicial Notice</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)

08/21/2020	320	REQUEST to Submit for Decision re 268 Request,, 303 Response (NOT to motion), 319 Reply Brief (<i>Motion for Judicial Notice</i>) filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)
08/21/2020	321	REQUEST to Submit for Decision re 289 Objections,,,, filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/21/2020)
08/21/2020	322	MOTION for Leave to File Sealed Document re 282 MOTION in Limine and Memorandum in Support filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 08/21/2020)
08/21/2020	323	**SEALED DOCUMENT** re 282 MOTION in Limine and Memorandum in Support filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties.. (Terry, Rachel) (Entered: 08/21/2020)
08/21/2020	324	REPLY to Response to Motion re 274 MOTION to Exclude Rebuttal Expert Brent Gordon and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 08/21/2020)
08/21/2020	325	REPLY to Response to Motion re 280 Defendant's MOTION in Limine and Memorandum in Support <i>to Exclude Evidence of Alleged Sexual Harassment</i> filed by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Terry, Rachel) (Entered: 08/21/2020)
08/21/2020	326	REPLY BRIEF re 277 Objections,,, filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 08/21/2020)

08/24/2020	327	ORDER granting 322 Motion for Leave to File Sealed Document. Signed by Magistrate Judge Dustin B. Pead on 8/24/2020. (Inp) (Entered: 08/24/2020)
08/24/2020	328	TRIAL BRIEF by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Parry, D.) (Entered: 08/24/2020)
08/24/2020	329	TRIAL BRIEF by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 08/24/2020)
08/28/2020	330	NOTICE of Intent to Invoke Rule 615 by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons (Attachments: # 1 Text of Proposed Order) (Washburn, D.) (Entered: 08/28/2020)
08/28/2020	331	NOTICE of TO THE COURT REGARDING DEFENDANTS' EXHIBITS by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons (Attachments: # 1 Exhibit 1) (Washburn, D.) (Entered: 08/28/2020)
08/31/2020	332	<u>NOTICE OF HEARING</u> : (Notice generated by HCN chambers) Final Pretrial Conference set for 9/1/2020 at 01:00 PM in Rm 7.300 before Judge Howard C. Nielson, Jr. **Counsel - this hearing will be held IN-PERSON. Please see the court's website for the COVID-19 requirements for entering the building. (mlp) (Entered: 08/31/2020)
08/31/2020	333	RESPONSE re 330 Notice (Other), filed by Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 08/31/2020)
09/01/2020	334	Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Final Pretrial Conference held on 9/1/2020. All parties appearing in-person. The court and parties discussed and determined the bench trial will proceed in-person on the following days: September 8-10; 14-18, 21-25 with possibly a few additional days. The court and parties discussed 256 Defendants' Motion to Decertify Class, 268 Plaintiffs' Motion for Judicial Notice, 270 Plaintiffs' Motion in Limine to Preclude Defendants from Contesting Judicial Admissions, 271 Plaintiffs' Motion to Limit the Expert Testimony of R. Cuff and B. Jackson, 274 Defendants' Motion to Exclude Testimony of Rebuttal Expert Brent Gordon, 273 Plaintiffs' Motion in Limine to Establish

UHSAA as a State Actor, [276](#) Defendants' Motion in Limine to Exclude Plaintiffs' Trial Exhibits 126 and 127, [291](#) Plaintiffs' Objection to Authenticity of Defendants' Proposed Exhibits, [277](#) Defendants' Objections to Authenticity of Plaintiffs' Proposed Exhibits, [281](#) Defendants' Motion in Limine to Exclude Evidence of Alleged Sexual Harassment, [330](#) Notice of Intent to Invoke Rule 615, and [282](#) Defendants' Motion in Limine to Exclude Plaintiffs Undisclosed Witnesses and Documents.

The court issued the following instructions and orders:

1-The court will reserve ruling on [256](#) Defendants' Motion to Decertify Class until after trial.

2- The court grants [268](#) Plaintiffs' Motion for Judicial Notice on the understanding that the motion only asks the court to take notice of the fact that the websites refer to high school football as "boys football" but does not ask the court to take notice of the accuracy of that phrase.

3- The court grants [270](#) Plaintiffs' Motion in Limine to Preclude Defendants from Contesting Judicial Admissions to the extent that Plaintiffs' Motion asks the court to bar Defendants from denying that some of the Defendants have sometimes referred to high school football as "boys football" or classified high school football as a boys sport. To the extent Plaintiffs' seek to bar Defendants from presenting evidence of what their policies governing girls' participation in high school actually are, the motion is denied.

4- The court reserves judgment on [271](#) Plaintiffs' Motion to Limit the Expert Testimony of R. Cuff and B. Jackson and [274](#) Defendants' Motion to Exclude Testimony of Rebuttal Expert Brent Gordon. The court will permit the parties to conduct voir dire before each expert begins his testimony, and the court may at that time rule on the Daubert challenge, or it may decide to allow the proposed expert to testify and reserve ruling until after trial.

5- [273](#) Plaintiffs' Motion in Limine to Establish UHSAA as a State Actor is denied as moot given that UHSAA has agreed that it is a state actor.

6- The court grants in part and denies in part [276](#) Defendants' Motion in Limine to Exclude Plaintiffs' Trial Exhibits 126 and 127. The court will exclude statements made by coaches, and statements from girls who do not attend schools in the Jordan and Granite Districts. Subject to Plaintiffs offering an appropriate foundation, statements made by girls who attend schools in the Jordan and Granite Districts will be admitted

	<p>only as evidence of the fact the statements were made. On the understanding that Exhibit 127 summarizes only statements made by girls who attend schools in the Jordan District, this exhibit may be admitted under Rule 1006. The Plaintiffs will provide a substitute exhibit that replaces proposed Exhibit 126 and is limited to statements made by girls who attend schools in the Jordan and Granite Districts.</p> <p>7- With respect to 291 Plaintiffs' Objection to Authenticity of Defendants' Proposed Exhibits and 277 Defendants' Objections to Authenticity of Plaintiff's Proposed Exhibits, the court ruled that it will not entertain objections at trial to the authenticity of a) any exhibit listed by either party, the authenticity of which has not been challenged or b) any exhibit to which a party has withdrawn its challenge. The court will allow the party seeking to admit any exhibit that remains subject to objection the opportunity to attempt to authenticate the exhibit through a witness at trial.</p> <p>8- The court denies 281 Defendants' Motion in Limine to Exclude Evidence of Alleged Sexual Harassment. The parties are directed to arrange for an expedited deposition of L.G. that is limited in subject matter to her claims of sexual harassment.</p> <p>9- The parties shall attempt to resolve the issues raised by 330 Notice of Intent to Invoke Rule 615.</p> <p>10- The court grants in part and denies in part 282 Defendants' Motion in Limine to Exclude Plaintiffs' Undisclosed Witnesses and Documents. Plaintiffs chose to withdraw a number of contested witnesses. The court grants 282 as to Mr. Ruiz, Ms. Cook, and Ms. Goetz. The court denies 282 as to Mr. Jaeger, Exhibit 23, Exhibit 30, Exhibit 31-47, Exhibit 75-79, 127, 137-144, and 147. The court will take judicial notice of Exhibit 49.</p> <p>SO ORDERED. Signed by Judge Howard C. Nielson, Jr., on September 2, 2020.</p> <p>Attorney for Plaintiff: Loren Washburn, Brent Gordon, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 1:00, Time End: 4:00, Room: 7.3.)(mlp) (Entered: 09/02/2020)</p>
09/03/2020	<p><i>(Court only)*** Motion terminated 280 Motion in Limine to Exclude Evidence of Alleged Sexual Harassment filed by Rachel Terry, Mark O. Van Wagoner, D. Craig Parry, Attorneys for Jordan School District, Granite School District, Canyons School District, Anthony Godfrey,</i></p>

	<p>Martin Bates, and Rick Robins. Signed by Judge Howard C. Nielson, Jr., on 9/3/2020. (jcp) (Entered: 09/03/2020)</p>
<p>09/04/2020</p>	<p>DOCKET TEXT ORDER Establishing health and safety guidelines for the bench trial in this case:</p> <p>1.In order to enter the courthouse, you must wear a mask, sanitize your hands, and stay at least 6 feet away from others. Additionally, you must meet the following requirements:</p> <p>a.You have not, in the past 14 days, tested positive for COVID-19 or suspected that you have had COVID-19</p> <p>b.You have not, in the past 14 days, had close contact with someone who has tested positive for COVID-19 or is suspected to have had COVID-19</p> <p>c.You do not unexpectedly have any symptoms associated with COVID-19 including, but not limited to, fever or chills, shortness of breath, cough, or new loss of taste or smell.</p> <p>These requirements apply to all trial participants as well as any members of the public or media who wish to attend the trial.</p> <p>2.Counsel is not permitted to approach the witness box or the bench, whether before, during, or after trial. This includes approaching the courtroom deputy, court reporter, or law clerk. Counsel must stay at their tables unless using the podium.</p> <p>3.Witnesses must wear masks while being escorted to the witness box but will remove their masks while testifying. Sanitizing spray, gloves, and paper towels will be provided for witnesses who wish to clean the area prior to testifying. Witnesses should not attempt to clean the plexiglass, however. Hand sanitizer will also be provided.</p> <p>4.Counsel will not be permitted to approach witnesses. Counsel may question witnesses from counsel tables or from the podium.</p> <p>5.Counsel, parties, and witnesses should not touch or attempt to clean the Plexiglas. The plexiglass requires special cloth and cleaner. Using the cloths and cleaner provided to clean other surfaces will damage the plexiglass.</p> <p>6.Evidence must be presented entirely electronically. Essential physical evidence must be supplemented by photos of the physical evidence that can be displayed. Any physical evidence permitted by a judge will be</p>

		<p>handled using gloves. Counsel must be prepared to question witnesses using electronically displayed evidence, rather than paper copies or binders.</p> <p>7.Counsel must wipe down the microphone and/or podium controls if counsel touches or adjusts them. Counsel must also sanitize their hands before and after using the podium.</p> <p>8.Water carafes will not be provided. Cases of bottled water will be available in the courtroom for participant use.</p> <p>9.The court will provide war rooms for the Plaintiffs and for Defendants upon request. Counsel will be permitted to order lunch to be delivered to their rooms. Counsel will also be permitted to bring water into their individual rooms. More information about the location of these rooms will be provided before the trial begins.</p> <p>10.All participants are instructed to bring any symptoms or illnesses to the courts attention promptly during trial.</p> <p>11.Counsel, parties, witnesses, and members of the press and public shall maintain appropriate distance from other individuals and follow all signs and verbal instructions from courtroom personnel regarding social distancing and health safeguards.</p> <p>12.Counsel, witnesses, and parties shall not move or rearrange chairs, tables, or other objects in the courtroom without permission from courtroom personnel.</p> <p>SO ORDERED, Signed by Judge Howard C. Nielson, Jr., on 9/4/2020. (jcp) (Entered: 09/04/2020)</p>
09/07/2020	335	NOTICE OF WITHDRAWAL OF COUNSEL of Brent Gordon filed by Brent Gordon on behalf of I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons (Gordon, Brent) (Entered: 09/07/2020)
09/08/2020	336	<u>NOTICE OF HEARING:</u> (Notice generated by HCN chambers) Bench Trial set for 9/8/2020 through 9/25/2020 at 10:00 AM in Rm 7.300 before Judge Howard C. Nielson, Jr. (mlp) (Entered: 09/08/2020)
09/08/2020	337	Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/8/2020. All parties present for parties. Court discussed procedural matters as well as covid-19 protocol. Opening statements made by Loren Washburn, Rachel Terry and Craig Parry.

		<p>Mr. Washburn called Brad Sorenson. Witness is sworn, testimony given. Mr. Washburn offered exhibits 64, 132, 1, 128, 93. No objection. Court received. Exhibit 145 offered and court took judicial notice. Exhibits 126, 127, 95, 96, 97, 99, 100 and 103 offered and provisionally accepted.</p> <p>Court adjourned until 9/9/2020 at 10:00 a.m.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green.(Time Start: 10:00, Time End: 5:00, Room 7.300.)(mlp) (Entered: 09/09/2020)</p>
09/09/2020	338	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr.</p> <p>Bench Trial held on 9/9/2020. Counsel are present for all parties. Witness Brad Sorenson, who is still under oath, resumes the stand. Mr. Washburn offered exhibits 122, 434. No objection. Court received. Witness excused.</p> <p>Mr. Jordan calls Baylee Simmons. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Washburn calls Rob Cuff. Witness is sworn, testimony given. Exhibit 12, 23, 28, 673, 24, 25, 26, 14- 22, 85, 662, 670 offered. No objection. Court received.</p> <p>Court adjourned until 9/10/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green.(Time Start: 10:00, Time End: 4:26, Room 7.300.)(mlp) (Entered: 09/10/2020)</p>
09/10/2020	339	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/10/2020. Counsel are present for all parties.</p> <p>Witness Rob Cuff, who is still under oath, resumes the stand. Mr. Washburn offered exhibits 55, 56, 11. No objection. Court received. Witness excused.</p> <p>Ms. Dever calls Lauren Dixon. Witness is sworn, testimony given. Witness excused.</p>

		<p>Mr. Jordan calls Jeff Cluff. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Washburn calls Doug Larson. Witness is sworn, testimony given. Mr. Washburn offered exhibits 2, 413 (provisionally accepted), 177, 178, 179, 60, 61, 62. Court received. Witness excused.</p> <p>Court adjourned at 4:20 pm until 9/14/2020 at 10:00 a.m.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan. Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 4:30, Room 7.300.)(mlp) (Entered: 09/10/2020)</p>
09/14/2020	340	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/14/2020. Counsel present for all parties.</p> <p>Mr. Washburn calls Donna Lopiano who appears via video conference. Witness is sworn, testimony given. Mr. Washburn offered exhibit 13 and discussed. Court received. Demonstrative exhibits 131.3, 131.4, 131.6 and 131.9 discussed. Witness excused.</p> <p>Mr. Jordan calls Dalainee Robinson. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Washburn calls Quin Monson. Witness is sworn, testimony given. Mr. Washburn offered exhibits 130-134. No objection. Court received.</p> <p>Court adjourned at 4:30 pm until 9/15/2020 at 10:00 a.m.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 4:30, Room 7.300.)(mlp) (Entered: 09/14/2020)</p>
09/15/2020	341	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/15/2020. Counsel are present for all parties.</p> <p>Witness Quin Monson, who is still under oath, resumes the stand. Testimony given. Witness excused.</p> <p>Mr. Jordan calls Carson Mund. Witness is sworn, testimony given. Witness excused.</p>

		<p>Mr. Jordan calls Jason Dixon. Witness is sworn, testimony given. Witness excused.</p> <p>Ms. Dever calls James Briscoe. Witness is sworn, testimony given. Ms. Dever offered exhibits 57, 59. No objections. Court received. Witness excused.</p> <p>Mr. Washburn calls Laura Goetz. Witness is represented by Ms. Tara Isaacson. Witness is sworn, testimony given. Mr. Washburn offered exhibits 139, 142. Court received. Mr. Washburn offered exhibits 140, 141, 144, 143. Court received. Ms. Isaacson moved that the courtroom be sealed for a short portion of testimony. Court asked questions and granted the motion. Witness excused.</p> <p>Mr. Washburn calls David Van de Veegaete. Witness is sworn, testimony given. Mr. Washburn offered exhibits 123, 329, 325, 326, 327, 328, 366. No objections. Court received. Witness excused.</p> <p>Court adjourned at 4:15 pm until 9/16/2020 at 10:00 a.m.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 4:15, Room 7.300.)(mlp) (Entered: 09/15/2020)</p>
09/16/2020	342	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/16/2020. Counsel are present for all parties. Court addressed briefing logistics and closing argument dates.</p> <p>Mr. Jordan calls Brent Winch. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Jordan calls Martin Bates. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Jordan calls Anthony Godfrey. Witness is sworn, testimony given. Witness excused.</p> <p>Ms. Dever calls Isabele Calchera. Witness is sworn, testimony given. Witness excused.</p> <p>Court further discussed post trial briefing. Court set November 2, 2020 as briefs due date and closing arguments set for November 12, 2020 at 10:00 am.</p>

		<p>Ms. Dever calls Isabella Nogales. Witness is sworn, testimony given. Witness excused.</p> <p>Ms. Dever calls Madelyn Calchera. Witness is sworn, testimony given. Witness excused.</p> <p>Ms. Dever calls Barbara Calchera. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Washburn calls Brent Gordon. Witness is sworn, testimony given. Mr. Washburn offered exhibits 537-560 (they will file redacted versions). No Objections. Court received redacted versions.</p> <p>Court adjourned at 4:35 pm until 9/17/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 4:35, Room: 7.300.)(mlp) (Entered: 09/16/2020)</p>
09/17/2020	343	Redacted MOTION for Judgment as a Matter of Law and Memorandum in Support <i>re Equal Protection Claim</i> filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 09/17/2020)
09/17/2020	344	Redacted MOTION to Decertify Class (Renewed) and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. Motions referred to Dustin B. Pead.(Lehr, Michael) (Entered: 09/17/2020)
09/17/2020	345	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/17/2020. Counsel are present for all parties.</p> <p>Witness Brent Gordon, who is still under oath, resumes the stand. Testimony given. Mr. Washburn offered exhibits 126, 127. Objections made. Court received. Mr. Washburn offered exhibits 24, 66, 67, 68, 146. No objections. Court received. Mr. Parry offered exhibit 135. No objections. Court received. Witness excused.</p> <p>Mr. Washburn calls Samatha Gordon. Witness is sworn, testimony given. Witness excused.</p>

		<p>Plaintiffs rested their case. Discussion and argument begun on three motions brought by defendants; additional discussion and argument will be heard on the motions by the court tomorrow.</p> <p>Court adjourned at 4:40 pm until 9/18/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 4:30, Room 7.300.)(mlp) (Entered: 09/18/2020)</p>
09/18/2020	346	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/18/2020. Counsel are present for all parties. Court resumed discussion and argument on motions. Court reserves ruling on all three motions.</p> <p>Ms. Parry calls David Vande Veegaete. Witness sworn, testimony given. Ms. Parry offers exhibits 338, 340, 351, 357, 358, 362, 363, 365, 385, 331, 333, 339, 387, 382, 341, 352, 354, 405, 407, 410, 411, 412, 448, 450, 452, 453, 472, 463, 333, 385. No objections. Court received. Witness excused.</p> <p>Court adjourned at 4:45 pm until 9/21/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 5:00, Room 7.300.)(mlp) (Entered: 09/18/2020)</p>
09/18/2020	347	<p>Supplemental BRIEF re 343 Redacted MOTION for Judgment as a Matter of Law and Memorandum in Support <i>re Equal Protection Claim (Monell's Applicability to UHSAA)</i> filed by Defendant Utah High School Activities Association. (Lehr, Michael) (Entered: 09/18/2020)</p>
09/21/2020	348	<p>Motions No Longer Referred: Defendants' Renewed MOTION to Decertify Class 344 will be addressed by the District Court. (Entered: 09/21/2020)</p>
09/21/2020	349	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/21/2020. Counsel are present for all parties. Court reminded all parties of courthouse covid protocol. Plaintiff stipulates to the admission of the following exhibits: 27, 28, 53, 54, 145, 367, 375, 462, 671, 672. Court received.</p>

		<p>Ms. Terry calls Eric Kjar. Witness sworn, testimony given. Mr. Jordan offers exhibits 185 and 186 for rebuttal and impeachment. Objections heard. Court received provisionally. Witness excused.</p> <p>Mr. Parry calls Jan Whittaker. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Stroud calls Glen Varga. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Stroud calls Curtis Hagen. Witness is sworn, testimony given. Witness excused.</p> <p>Court adjourned at 4:15 pm until 9/22/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 4:30, Room 7.300.)(mlp) (Entered: 09/21/2020)</p>
09/22/2020	350	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/22/2020. Counsel are present for all parties.</p> <p>Ms. Terry calls Mikel Meifu. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Shroud calls Matt Rickards. Witness is sworn, testimony given. Mr. Jordan offers exhibit 188 for rebuttal and impeachment. Court received. Witness excused.</p> <p>Mr. Shroud calls Emily Williams. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Shroud calls John Olson. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Shroud calls Justin Matagi. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Shroud calls Sara Little. Witness is sworn, testimony given. Witness excused.</p> <p>Ms. Terry calls Chris Shipman. Witness is sworn, testimony given. Witness excused.</p>

		<p>Court adjourned at 3:30 pm until 9/23/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 3:30, Room 7.300.)(mlp) Modified on 9/22/2020 (mlp). (Entered: 09/22/2020)</p>
09/23/2020	351	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/23/2020. Counsel are present for all parties.</p> <p>Mr. Shroud calls Aaron Whitehead. Witness is sworn, testimony given. Witness excused.</p> <p>Ms. Terry calls Gary Erickson. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Shroud calls Morgan Brown. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Shroud calls Pam Olsen. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Parry calls Jeff Cluff. Witness is sworn, testimony given. Mr. Jordan offers exhibit 189 for rebuttal and impeachment. Court received. Mr. Jordan offers exhibits 190, 191 and 192 for rebuttal and impeachment. Court heard objections and received for rebuttal only. Witness excused.</p> <p>Court adjourned at 2:30 pm until 9/24/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 2:30, Room 7.300.)(mlp) (Entered: 09/23/2020)</p>
09/24/2020	352	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial held on 9/24/2020. Counsel are present for all parties.</p> <p>Ms. Terry calls James Birch appearing via zoom. Witness is sworn, testimony given. Witness excused.</p> <p>Ms. Terry calls Jody Morgan. Witness is sworn, testimony given. Ms. Terry moves to admit this witness as an expert. No objection. Witness</p>

		<p>excused.</p> <p>Ms. Terry calls Jenicee Jacobson via zoom. Witness is sworn, testimony given. Witness excused.</p> <p>Mr. Van Wagoner calls Brenan Jackson. Witness is sworn, testimony given. Mr. Van Wagoner moves to admit this witness as an expert. No objection. Mr. Jordan offers exhibit 30. No objection. Court received. Witness excused.</p> <p>Ms. Terry calls Robert Dowdle. Witness is sworn, testimony given. Ms. Terry moves to admit this witness as an expert. No objection. Ms. Terry offers exhibits 679 and 301. No objection. Court received. Witness to return tomorrow.</p> <p>Court adjourned at 5:00 pm until 9/25/2020 at 10:00 am.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 5:00, Room 7.300.)(mlp) (Entered: 09/24/2020)</p>
09/25/2020	353	<p>Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Bench Trial completed on 9/25/2020. Counsel are present for all parties. Court discussed closing arguments and reset for Wednesday, October 28, 2020 at 10:00 am. Briefing due Wednesday, October 21, 2020.</p> <p>Witness Robert Dowdle, who is still under oath, resumes the stand. Mr. Washburn offers exhibits 196, 197 and 198 as rebuttal. Provisionally accepted. Witness excused.</p> <p>Ms. Terry calls Anthony Godfrey. Witness is sworn, testimony given. Ms. Terry offers exhibits 437, 680 and 681. No objection. Court received. Witness excused.</p> <p>Mr. Van Wagoner calls Rob Cuff. Witness is sworn, testimony given. Witness excused.</p> <p>Defense rests.</p> <p>Mr. Jordan calls Brent Gordon. Witness is sworn, testimony given. Witness excused.</p> <p>Parties rest.</p>

		<p>Court adjourned at 4:00 pm.</p> <p>Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry, Michael Lehr. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 4:00, Room 7.300.)(mlp) (Entered: 09/25/2020)</p>
09/25/2020	354	<p>DOCKET TEXT ORDER.Section E of 246 Trial Order is modified as follows: no later than October 21, 2020, each party shall file an amended trial brief adding citations from the trial record that support each of the factual propositions that the party believes was established at trial. Each party's amended trial brief shall be accompanied by proposed findings of fact and conclusions of law. Each proposed finding of fact shall be accompanied by one or more citations that support the proposed finding from the trial record or from materials subject to judicial notice. Each proposed conclusion of law shall be accompanied by one or more citations of legal authorities that support the proposed conclusion. No later than October 21, 2020, the parties may also submit supplemental briefs addressing 256 Defendants Motion to Decertify Class, 274 Defendants Motion to Exclude Testimony of Rebuttal Expert Brent Gordon, and 271 Plaintiffs Motion to Limit the Testimony of R. Cuff and B. Jackson. Closing argument will be held on October 28, 2020 at 10am. Signed by Judge Howard C. Nielson, Jr., on 9/25/2020. (jcp) (Entered: 09/25/2020)</p>
10/05/2020	355	<p>MOTION for Leave to File Overlength Motion to Reconsider and Memorandum in Support filed by Defendants Granite School District, Jordan School District. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 10/05/2020)</p>
10/07/2020	356	<p>ORDER granting 355 Motion for Leave to File Overlength Motion to Reconsider. Signed by Magistrate Judge Dustin B. Pead on 10/7/2020. (lnp) (Entered: 10/07/2020)</p>
10/07/2020	357	<p>MOTION re 44 Order on Motion to Certify Class,,, Order on Motion for Partial Summary Judgment,,, Motion Hearing,,, and Memorandum in Support filed by Defendants Granite School District, Jordan School District. Motions referred to Dustin B. Pead.(Terry, Rachel) (Entered: 10/07/2020)</p>
10/08/2020	358	<p>**RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day One held on 9/8/2020</p>

	<p>before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	<p>359 **RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Two held on 9/9/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>

10/08/2020	360	<p>**RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Three held on 9/10/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	361	<p>**RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Four held on 9/14/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript</p>

		Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)
10/08/2020	362	<p>RESTRICTED DOCUMENT NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Five held on 9/15/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	363	<p>SEALED DOCUMENT NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Five (Pages 1025-1037) are SEALED held on 9/15/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092. (lnp) (Entered: 10/08/2020)</p>
10/08/2020	364	<p>RESTRICTED DOCUMENT NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Six held on 9/16/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green. RPR, CRR, CBC, Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's</p>

		<p>website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	365	<p>RESTRICTED DOCUMENT NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Seven held on 9/17/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	366	<p>RESTRICTED DOCUMENT NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Eight held on 9/18/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by</p>

		<p>filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	367	<p>**RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Nine held on 9/21/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	368	<p>**RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Ten held on 9/22/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p>

		<p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	369	<p>RESTRICTED DOCUMENT NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Eleven held on 9/23/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>

10/08/2020	370	<p>**RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Twelve held on 9/24/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)</p>
10/08/2020	371	<p>**RESTRICTED DOCUMENT** NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Bench Trial - Day Thirteen held on 9/25/2020 before Judge Howard C. Nielson, Jr. Court Reporter/Transcriber Teena Green, RPR, CRR, CBC. Telephone number 801-910-4092.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2020. Redacted Transcript</p>

		Deadline set for 11/9/2020. Release of Transcript Restriction set for 1/6/2021. (lnp) Modified by removing restricted text on 1/7/2021 (nl). (Entered: 10/08/2020)
10/12/2020	373	Motions No Longer Referred: 357 Jordan and Granite School Districts' Rule 54(b) Motion to Reconsider February 2018 Order. (Entered: 10/12/2020)
10/20/2020	374	MOTION for Leave to File Excess Pages of <i>Plaintiffs' Opposition to Motion to Reconsider</i> filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Text of Proposed Order) Motions referred to Dustin B. Pead.(Washburn, D.) (Entered: 10/20/2020)
10/20/2020	375	ORDER granting 374 Motion for Permission to File Over-Page Opposition to Motion to Reconsider. Plaintiffs are given the leave requested to file an additional 12 pages. Signed by Magistrate Judge Dustin B. Pead on 10/20/2020. (lnp) (Entered: 10/20/2020)
10/20/2020	376	<u>NOTICE OF HEARING</u> : (Notice generated by HCN chambers) Closing Arguments set for 10/28/2020 at 10:00 AM before Judge Howard C. Nielson, Jr. (Hearing was previously set. Notice is being issued for administrative/calendaring purposes). (mlp) (Entered: 10/20/2020)
10/21/2020	377	MEMORANDUM in Opposition re 357 MOTION re 44 Order on Motion to Certify Class,,,, Order on Motion for Partial Summary Judgment,,,, Motion Hearing,,, and Memorandum in Support filed by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Attachments: # 1 Exhibit A- 2.13.2018 Transcript, # 2 Exhibit B- 7.17.2018 Transcript)(Washburn, D.) (Entered: 10/21/2020)
10/21/2020	378	Proposed Findings of Fact by Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Parry, D.) (Entered: 10/21/2020)
10/21/2020	379	TRIAL BRIEF <i>Post-Trial Brief</i> by Defendant Utah High School Activities Association. (Lehr, Michael) (Entered: 10/21/2020)
10/21/2020	380	Supplemental MEMORANDUM in Support re 256 MOTION to Decertify Class and Memorandum in Support , 344 Redacted MOTION to Decertify Class (Renewed) and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan

		School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 10/21/2020)
10/21/2020	381	Supplemental RESPONSE to Motion re 271 MOTION in Limine to Limit the Expert Testimony of R. Cuff and B. Jackson, 274 MOTION to Exclude Rebuttal Expert Brent Gordon and Memorandum in Support filed by Defendants Martin Bates, James Briscoe, Canyons School District, Anthony Godfrey, Granite School District, Patrice Johnson, Jordan School District, Rick L. Robins, Utah High School Activities Association. (Lehr, Michael) (Entered: 10/21/2020)
10/21/2020	382	TRIAL BRIEF <i>Post-Trial Brief</i> by Plaintiffs I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 10/21/2020)
10/21/2020	383	TRIAL BRIEF by Defendants Martin Bates, Canyons School District, Anthony Godfrey, Granite School District, Jordan School District, Rick L. Robins. (Terry, Rachel) (Entered: 10/21/2020)
10/21/2020	384	Proposed Findings of Fact by I. C., Barbara Calchera, Jason Dixon, Brent Gordon, Manuel Nogales, Bret Robison, Lisa Simmons. (Washburn, D.) (Entered: 10/21/2020)
10/27/2020	385	REPLY to Response to Motion re 357 MOTION re 44 Order on Motion to Certify Class,,, Order on Motion for Partial Summary Judgment,,, Motion Hearing,,, and Memorandum in Support filed by Defendants Granite School District, Jordan School District. (Terry, Rachel) (Entered: 10/27/2020)
10/28/2020	386	<u>NOTICE OF HEARING:</u> (Notice generated by HCN chambers) Closing Arguments set for 10/28/2020 at 10:00 AM before Judge Howard C. Nielson, Jr. **Hearing will be held via ZOOM. Link has been emailed to counsel. Members of the public or media who are interested in viewing this hearing may contact chambers at utdecf_nielson@utd.uscourts.gov. (mlp) (Entered: 10/28/2020)
10/28/2020	387	Minute Entry for proceedings held before Judge Howard C. Nielson, Jr. Closing Arguments held on 10/28/2020. Court heard argument from all parties. Case has been submitted. Attorney for Plaintiff: Loren Washburn, Tyler Dever, Trinity Jordan, Attorney for Defendant: Rachel Terry, Shane Stroud, Mark VanWagoner, Craig Parry. Court Reporter: Teena Green. (Time Start: 10:00, Time End: 6:15, Room: zoom video.)(mlp) (Entered: 10/29/2020)
11/19/2020	388	Court Trial Exhibit List (mlp) (Entered: 11/19/2020)

11/24/2020	389	Plaintiff's Trial Witness List. (mlp) (Entered: 11/24/2020)
11/24/2020	390	Defendant's Trial Witness List. (mlp) (Entered: 11/24/2020)

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