

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS, FORT WORTH DIVISION**

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

WORLD PROFESSIONAL ASSOCIATION FOR
TRANSGENDER HEALTH, INC., a Texas
corporation, *et al.*,

Defendants

Case No. _____

**BRIEF IN SUPPORT OF
PLAINTIFFS' MOTION FOR LEAVE
TO FILE COMPLAINT AND OTHER
DOCUMENTS UNDER SEAL**

Plaintiffs Federal Trade Commission (“FTC” or “Commission”), and the States of Texas, Alaska, Iowa, and Nebraska (collectively, “Plaintiffs”) hereby move for leave to file their Complaint and exhibits (collectively, “Initial Filing”) under seal. Plaintiffs ask the Court to seal temporarily—for only 14 days—certain material obtained pursuant to Civil Investigative Demands (“CIDs”) the Commission issued and a single declaration from a represented declarant who may have reservations about disclosure. This is to allow potentially affected parties an opportunity to raise objections to disclosure, if any. In certain cases, Plaintiffs also ask the Court to permanently seal limited information that would identify certain witnesses.

First, Plaintiffs request that the Court seal the CID information temporarily in

accordance with 16 C.F.R. § 4.10(g), which protects such material (“4.10(g) Material”).

Consistent with 16 C.F.R. § 4.10(g), a 14 day temporary seal will protect the 4.10(g) Material long enough to enable CID recipients to assert objections (if any) to its potential disclosure.

Second, the Court should permanently seal certain personally identifying information or other information that would identify certain witnesses (collectively, “PII Material”) because their privacy interests, and those of their children, outweigh any value to the public of disclosure. Notably, the public can still view the entire substance of their declarations.

Background

As described more fully in the Complaint, Defendants World Professional Association for Transgender Health, Inc., a Texas corporation, and two affiliated entities, (collectively “WPATH”) provide the means to deceptively market pediatric medical transition services to minor patients and their parents (collectively “consumers”) in violation of Section 5(a) of the Federal Trade Commission Act, 15 U.S.C. § 45(a), the Alaska Consumer Protection Act (“AK CPA”), AS § 45.50.471 *et. seq.*, the Iowa Consumer Fraud Act. Iowa Code § 714.16, the Nebraska Uniform Deceptive Trade Practices Act, Neb. Rev. Stat. § 87-301 *et. seq.*, and the Texas Deceptive Trade Practices Act, Tex. Bus. & Com. Code §§ 17.41-17.63.

WPATH works to ensure that its members and other clinicians receive payment for transition services from health insurance providers. The Commission issued CIDs to certain providers. The Complaint references material that the providers produced in response to the CIDs. The providers designated this material “confidential” under 16 C.F.R. § 4.10(g). As discussed below, Plaintiffs request that the Court temporarily seal this 4.10(g) Material for 14 days.

Finally, witnesses with information concerning WPATH's unlawful conduct include clinicians, patients and their parents. The Complaint references and attaches declarations from such witnesses. As discussed below, to protect the privacy of witnesses, the Court should permanently seal certain PII Material.

Proposed Temporarily Sealed Material

First, during its investigation, the Commission used CIDs to obtain information that appears in the Complaint. Under 16 C.F.R. § 4.10(g), parties submitting information pursuant to such process may designate trade secret, commercial and financial information as “confidential,” and if submitters do so, they must be “afforded an opportunity” to seek a sealing order before the material is disclosed. The submitters in this matter designated material as “confidential.” Accordingly, Plaintiffs ask the Court to seal § 4.10(g) material for 14 days.

Proposed Permanently Sealed PII Material

In the Fifth Circuit, “the working presumption is that judicial records should not be sealed.” *Bank of Am., N.A. v. Ztar Mobile Inc.*, 2024 U.S. Dist. LEXIS 181622 at *1 (N.D. Tex. Oct. 4, 2024). In determining whether to seal records, “[j]udges must undertake a case-by-case, document-by-document, line-by-line balancing of the public’s common law right of access against the interests favoring nondisclosure.” *Arup United States Inc. v. Akmansoy*, 2025 U.S. Dist. LEXIS 114673 at *3 (N.D. Tex. May 8, 2025) quoting *Le v. Exter Fin. Corp.*, 990 F.3d 410, 419 (5th Cir. 2021). Although the public interest in access to judicial proceedings is very strong, “the need to protect sensitive personal and medical information is among those that courts have found justify nondisclosure.” *Id.* quoting *Williams v. Luminator Holdings, LP*, 2012 U.S. Dist. LEXIS 166220 (N.D. Tex. Nov. 21, 2012).

In this matter, Plaintiffs seek to have the Court permanently seal only two types of PII Materials from certain witness declarations: (1) names of individuals and (2) individuals' addresses, including their cities or towns. These declarations contain sensitive biographical and medical treatment information, including information about children that is highly sensitive. Allowing the PII Material to remain redacted provides the public with the right of access to information provided by these individuals while balancing these individuals' privacy interests in their personal and contact information. To underscore the point: the permanent seal would only cover names, addresses, and the like – not the substance of anyone's declaration.

Conclusion

For the foregoing reasons, Plaintiffs respectfully request an order:

- (1) Allowing Plaintiffs to file their Initial Filing under temporary seal;
- (2) Automatically lifting the temporary seal, except for material designated as PII Material, on July 1, 2026, unless the Court orders otherwise; and
- (3) Permanently sealing all PII Material.

Dated: June 17, 2026

Respectfully submitted,

/s/ R. Cooper Vaughan

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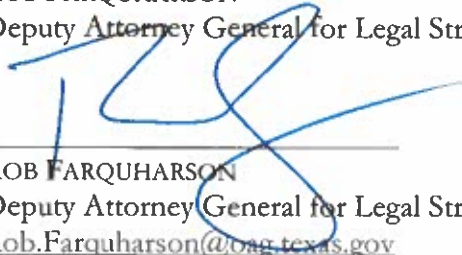
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CERTIFICATE OF SERVICE

I, R. Cooper Vaughan, hereby certify that on June 17, 2026, I electronically filed this brief with the Court using the CM/ECF system, a copy of which will be served along with the complaint.

/s/ R. Cooper Vaughan

R. Cooper Vaughan

CERTIFICATE OF COMPLIANCE

I, R. Cooper Vaughan, hereby certify that this brief complies with the form and length requirements of Local Rule 7.2 as it uses 12-point, double-spaced, Times New Roman font and does not exceed 25 pages in length.

/s/ R. Cooper Vaughan

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