

**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. 4:26-cv-00748-O

**MOTION: (1) TO STRIKE MOTION
OF MASSACHUSETTS AND OTHER
STATES FOR LEAVE TO FILE A
BRIEF AS AMICI CURIAE (ECF NO.
58); AND (2) TO EXTEND CERTAIN
RELATED PAGE LIMITS AND
RETURN DATES.**

Local Rule 7.1(a) requires movants to “confer with an attorney for each party affected by the requested relief” before filing. Proposed Amici failed to confer with the State Plaintiffs at all and failed to confer with the FTC in good faith. The Court should therefore strike Proposed Amici’s motion, *see* Fed. R. Civ. P. 12(f).

Should the Court strike the motion, the FTC also moves the Court to allow it up to 50 pages to oppose Defendants’ motion to dismiss (ECF No. 53) (July 28, 2026), and Defendants’ venue motion (ECF No. 55) (July 28, 2026), which is the same relief the Court afforded Defendants for their motions, *see* ECF No. 50 (July 27, 2026). Should the Court allow Proposed Amici to proceed—and it should not—then Plaintiffs ask for: (1) an additional 5 pages (or 55

total) to oppose Defendants' motions and respond to Proposed Amici; and (2) an additional eight days to oppose Defendants' motions and respond to Proposed Amici because, rather than file at the same time, Proposed Amici waited eight days after Defendants filed their motions to submit their brief.

Dated: August 10, 2026

Respectfully submitted,

Of Counsel

/s/ Jonathan Cohen
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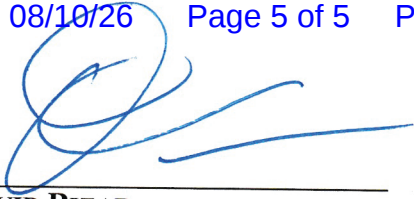
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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
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WORLD PROFESSIONAL ASSOCIATION FOR
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Defendants

Case No. 4:26-cv-00748-O

[PROPOSED] ORDER

Upon consideration of the Motion: (1) To strike motion of Massachusetts and other states for leave to file a brief as Amici Curiae (EFC No. 58); and (2) To extend certain related page limits and return dates by Plaintiffs, the Court find that (1) Proposed Amici's motion for leave (ECF No. 58) is stricken for failure to comply with L.R. 7.1(a); and (b) Plaintiffs are allowed 50 pages to respond to WPATH's motion to dismiss (ECF No. 53) and its venue/transfer motion (ECF No. 55). It is hereby ORDERED that the Motion is GRANTED.

Dated: _____

UNITED STATES DISTRICT JUDGE

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. 4:26-cv-00748-O

**MEMORANDUM IN SUPPORT OF
MOTION: (1) TO STRIKE MOTION
OF MASSACHUSETTS AND OTHER
STATES FOR LEAVE TO FILE A
BRIEF AS AMICI CURIAE (ECF NO.
58); AND (2) TO EXTEND CERTAIN
RELATED PAGE LIMITS AND
RETURN DATES.**

This Court is known for taking its Local Rules seriously, as well as its expectation that attorneys advocate zealously but with courtesy. *See, e.g., Dondi Props. Corp. v. Com. Sav. & Loan Ass'n*, 121 F.R.D. 284, 288 (N.D. Tex. 1988) (adopting standards of professional conduct); *see also The Texas Lawyer's Creed* (Nov. 7, 1989). As the Court is well aware, L.R. 7.1(a) requires movants to “confer with an attorney for each party affected by the requested relief” before filing. However, Proposed Amici refused to confer with any State Plaintiff—despite the FTC directing them to their obligation under L.R. 7.1(a), and despite certain State Plaintiffs’ express requests that Proposed Amici do so.

Moreover, when Proposed Amici conferred separately with the FTC (at the FTC's request rather than Proposed Amici's invitation), the FTC and Proposed Amici agreed that they would resume the conference with both WPATH and the State Plaintiffs present (which the FTC further agreed to organize on Proposed Amici's behalf). Yet after the FTC had started to coordinate the larger conference, Proposed Amici inexplicably breached the agreement and filed their motion anyway. Accordingly, because Proposed Amici failed to confer with the State Plaintiffs at all, and failed to confer with the FTC in good faith, the Court should strike Proposed Amici's motion, *see* Fed. R. Civ. P. 12(f).

Should the Court strike the motion, the FTC also moves the Court to allow it up to 50 pages to oppose Defendants' motion to dismiss (ECF No. 53) (July 28, 2026), and Defendants' venue motion (ECF No. 55) (July 28, 2026), which is the same relief the Court afforded Defendants for their motions, *see* ECF No. 50 (July 27, 2026). Should the Court allow Proposed Amici to proceed—and it should not—then Plaintiffs ask for: (1) an additional 5 pages (or 55 total) to oppose Defendants' motions and respond to Proposed Amici; and (2) an additional eight days to oppose Defendants' motions and respond to Proposed Amici because, rather than file at the same time, Proposed Amici waited eight days after Defendants filed their motions to submit their brief.

Background

Throughout this matter's early stages, WPATH and its supporters have treated Plaintiffs' representatives with uncommon hostility. The most paramount example is WPATH's public allegation, filed before Chief Judge Boasberg, that the undersigned FTC lawyers violated Judge Boasberg's injunction by conspiring with DOJ attorneys to seek materials through grand jury processes that the FTC could not obtain through its Civil Investigative Demand—allegations

that, if true, would likely result in disbarment, or worse. *See WPATH v. FTC*, No. 26-cv-532 (“D.C. Action”) (ECF No. 46-1) (June 30, 2026). In the face of substantial contrary evidence, *see* D.C. Action (ECF No. 60) (July 28, 2026), WPATH quietly withdrew its allegations, without comment, before Judge Boasberg could address them, *see* D.C. Action (ECF No. 62) (July 31, 2026).

The acrimonious approach WPATH and its supporters have used when dealing with Plaintiffs’ representatives is not limited to the D.C. Action. As the Court will recall, it had to order WPATH to confer with the FTC about ministerial issues, including the FTC’s request to keep victims’ names confidential. *See* ECF No. 30 (July 1, 2026). In another instance, the FTC asked to review what it understood would be a basic consent motion to afford WPATH additional pages. PXA ¶ 10.¹ However, WPATH gave the FTC less than an hour to review the motion and filed it before the FTC could respond.² *See id.* at PXA ¶ 11; *see also* PXA1 (FTC’s response to WPATH); PXA2 (WPATH’s reply).

The current situation involving Proposed Amici began last week, when six days after WPATH moved to dismiss, Proposed Amici asked the FTC to consent to a filing supporting WPATH’s motion to dismiss:

- On August 3, Proposed Amici emailed the FTC. PXA3. Proposed Amici did not identify who they were (except that Massachusetts represented a “coalition”), or what they proposed to say. Nevertheless, Proposed Amici demanded that the FTC respond in less than a day. *See id.*
- The FTC replied promptly, explaining that it could not meet Proposed Amici’s arbitrary deadline, particularly in the absence of essentially any information about the proposed brief. PXA4. However, the FTC asked to confer the following day, and expressed optimism that the parties could resolve any issues with the potential amicus filing. *Id.*

¹ PXA refers to Plaintiffs’ Exhibit A.

² PXA1 refers to Plaintiffs’ Exhibit A, Attachment 1.

- Massachusetts accepted the FTC’s invitation, yet oddly still declined to identify any other states in its “coalition.” *See* PXA5 (stating only that “we will be filing as MA and a number of other jurisdictions”).
- On August 4, a seemingly productive meet-and-confer occurred. PXA ¶ 12. During the conference, Massachusetts identified its state partners and answered other questions. Significantly, the FTC indicated a willingness (indeed, a preference) to consent to the proposed amicus brief as long as it received additional time and pages to respond. PXA ¶ 13. The FTC also asked whether Massachusetts had already spoken with the State Plaintiffs, and when Massachusetts indicated it had not, the FTC directed Massachusetts to L.R. 7.1(a). Massachusetts appeared surprised to learn about L.R. 7.1(a).³ PXA ¶ 14.
- Importantly, because Massachusetts could not consent to the additional time and pages, and because Massachusetts had not yet conferred with the State Plaintiffs, the FTC proposed a four-way call involving the FTC, the State Plaintiffs, WPATH, and Massachusetts. This would enable the parties to resolve these outstanding issues. Massachusetts agreed to this sensible next step, and the FTC volunteered to coordinate the four-way call. PXA ¶ 16. After the call, and later on August 4, Massachusetts wrote (and despite its apparent surprise to learn about L.R. 7.1(a)): “Thank you for the productive call just now. As we stated, we planned to reach out to the state co-plaintiffs, but appreciate you offering to reach out and coordinate a call of all the parties at once for purposes of the additional negotiations around scheduling and logistics, and your agreement that such a call will constitute our meet and confer with plaintiff states.” PXA6.
- The FTC promptly began that process by contacting State Plaintiffs, explaining the situation, and asking for availability on August 7 (to allow time to coordinate the many schedules involved). PXA7; PXA ¶ 17. But later the same day (August 4), and before the FTC could finish doing the work it had started on Massachusetts’ behalf, Massachusetts backtracked. It informed the FTC that, notwithstanding the reasonable process to which Massachusetts agreed, Massachusetts had “reached out to your co-plaintiffs independently,” and would file “tomorrow afternoon.” PXA7; *see also* PXA8 (FTC response).
- Exactly as it had done with the FTC, Massachusetts gave State Plaintiffs less than a day to respond and did not offer to confer. PXA9. But several Plaintiff States responded quickly and asked to talk. For instance, on August 5, Iowa’s Solicitor General wrote: “I know that when we [Iowa]

³ Counsel stated, in words or substance, “thank you for pointing this out.” PXA ¶ 15.

did an amicus in the Question 3 case that y'all were involved in that your office [Massachusetts] felt very strongly about a meet-and-confer first and I made it work. I hope the same courtesy will be extended our way!" *Id.*

- Massachusetts extended no such reciprocity. Instead, Massachusetts offered to confer—but only if Iowa could be available within the next three hours. *Id.* Massachusetts offered no reason for the incredible urgency. *See id.*

Iowa responded: "I think this internal deadline for a brief that does not have a filing deadline is unreasonable and fails to match the spirit of our past attempts on amicus to accommodate your office—in a very similar situation."⁴ *Id.* Unfazed, Massachusetts immediately filed the coalition's motion anyway. Thus, Massachusetts broke its promise to the FTC to have a (likely constructive) four-way call, and did not confer with any State Plaintiff.

Argument

I. The Court Should Strike Proposed Amici's Motion.

A. Proposed Amici Failed To Confer with the State Plaintiffs.

L.R. 7.1(a) requires a movant to "confer" before filing a motion, unless the motion is subject to certain exceptions inapplicable here. If the movant learns that another party will oppose the motion, then the movant's motion must include a certificate detailing when the conference occurred, with whom, and most important, "why agreement could not be reached." L.R. 7.1(b)(2); *see also Dairy v. Harry Shelton Livestock, LLC*, No. 18-cv-6357 (N.D. Cal. Oct. 23, 2020) (explaining that the meet-and-confer requirement "is not a meaningless formality, nor is it optional; instead, the purpose of a meet and confer requirement is for the parties to engage in a meaningful dialogue about their respective positions on disputed issues to see whether they can

⁴ *Cf. GmbH v. Omega Liner Co., Inc.*, No. 22-cv-04112, 2023 WL 4980031, *4 (D.S.D. Aug. 3, 2023) ("In evaluating good faith, courts 'frown upon the movant's setting of an arbitrary deadline.'") (quoting *Jim Hawk Truck-Trailers of Sioux Falls, Inc. v. Crossroads Trailer Sales & Serv., Inc.*, No. 20-cv-04058, 2023 WL 356121, at *4 (D.S.D. Jan. 23, 2023) (cleaned up).

resolve (or at least refine) the disputes without court intervention, saving time and money for the litigants as well as the court system”).

Significantly, in most jurisdictions, including this one, a genuine meet-and-confer requires a “conference” rather than merely email correspondence. Indeed, this Court’s Local Rules require movants to certify “that a conference was held[.]” L.R. 7.2(b)(2) (emphasis added); *see also Hiers as Next Friend of D.H. v. Blackwell*, No. 24-cv-123, 2024 WL 4895707, at *1 n.2 (M.D. Ala. Nov. 26, 2024) (“Written communications such as letters, emails, and text message exchanges are correspondence, not a conference.”); *Robinson v. Napolitano*, No. 08-cv-4084, 2009 WL 1586959, at *3 (D.S.D. June 4, 2009) (explaining that “conferment” requires the parties to have had an actual meeting or conference”) (quotation omitted).⁵

It is undisputed that Proposed Amici did not have a “conference” with any State Plaintiff. Accordingly, Proposed Amici violated L.R. 7.1(a), and the Court should strike their motion.

B. Proposed Amici Failed To Confer with the FTC in Good Faith.

To satisfy L.R. 7.1(a), the movant must not merely confer, but do so in good faith. *See, e.g., In re Presto*, 358 B.R. 290, 293 (Bankr. S.D. Tex. 2006) (“It is vitally important that counsel

⁵ Defending Proposed Amici, WPATH argued to the FTC that Proposed Amici need not meet-and-confer because, under the Federal Rules of Appellate Procedure, “a state may file an amicus brief without the consent of the parties or leave of court.” Fed. R. App. P. 29(a)(2). However, the Rules of Appellate Procedure do not override this Court’s rules, or the rules of any District Court. *See, e.g., City of San Antonio, Texas v. Hotels.com, L.P.*, 593 U.S. 330, 336 (2021) (explaining that, because the Rules of Appellate Procedure “‘govern procedure in the United States courts of appeals,’ Rule 1(a)(1), references to a ‘court’ [in the Rules of Appellate Procedure] are naturally read to refer to a court of appeals unless the text or context clearly indicates otherwise”). And this Court’s rules make plain that “[a]n amicus brief may not be filed without leave of the presiding judge.” L.R. 7.2(b) (emphasis added). Equally important, trial and appellate practice are different and amicus filings at the trial level raise different issues. Notably, the Rules of Appellate Procedure have entire rule devoted to amicus filings (Rule 29), whereas the Rules of Civil Procedure do not. In short, the Rules of Appellate procedure do not exempt Proposed Amici from their obligations under this Court’s Local Rules.

confer with one another in good faith, and so represent to the Court, before taking up court time.”). “Good faith” requires a “genuine attempt” to resolve the dispute. *See, e.g., Robinson v. Napolitano*, No. 08-4084, 2009 WL 1586959, *3 (D.S.D. June 4, 2009) (discovery meet-and-confer context) (citation omitted); *cf. Brentwood Equities, Inc. v. Taco Maker, Inc.*, No. 1:15-cv-29, 2015 WL 5883325, *6 (D. Utah Oct. 8, 2015) (admonishing counsel “to make every possible effort to reach agreement”). Proposed Amici failed to confer with the FTC in good faith because, although the Proposed Amici and the FTC agreed to resume the meet-and-confer with the absent parties present, Proposed Amici inexplicably reneged.⁶

Notably, Proposed Amici’s Certificate of Conference does not “explain why agreement could not be reached,” despite the requirement that the Certificate do so, as Local Rule 7.1(b)(2) expressly requires. *See* L.R. 7.1(b). This is because an agreement almost certainly could have been reached, but for Massachusetts’ baffling determination to file its motion—despite there being no deadline—and without regard for the ongoing coordination among all parties. In short, because Massachusetts agreed to continue the meet-and-confer with all affected parties present, then breached that agreement, Massachusetts failed to confer in good faith. Accordingly, the Court should strike Proposed Amici’s motion for this reason as well.

⁶ The motion’s carefully-worded Certificate of Conference elides the agreement to have a subsequent four-way call. *See* ECF 58 at 5. Specifically, the Certificate asserts: “Counsel for the FTC suggested a subsequent meeting with counsel for movants and all parties to further confer regarding the motion, to which counsel for movants were initially receptive.” *Id.* (emphasis added). This phrasing is technically accurate, in the sense that a party that later breaches an agreement may have been “initially receptive” to it. However, the Certificate’s artful phrasing creates a misimpression that the parties had not collectively determined, during the conference, to set up a further four-way call. They had. In any event, because “[t]he meet-and-confer process is more than a mere formality . . . courts may look beyond the certification made to determine whether a sufficient meet-and-confer actually took place.” *OOIDA Risk Retention Grp., Inc. v. Bordeaux*, No. 15-cv-81, 2016 WL 427066, at *3 (D. Nev. Feb. 3, 2016) (quotations and alterations omitted).

Conclusion

For the aforementioned reasons, the Court should: (a) strike Proposed Amici's motion for leave (ECF No. 58) for failure to comply with L.R. 7.1(a); and (b) consistent with the relief WPATH received, allow Plaintiffs 50 pages to respond to WPATH's motion to dismiss (ECF No. 53) and its venue/transfer motion (ECF No. 55), which is the same amount that WPATH received, *see* ECF 50.⁷ Alternatively, if the Court declines to strike Proposed Amici's motion, Plaintiffs' ask that the Court allow them: (a) 55 total pages to respond to ECF No. 53, ECF No. 55, and the amicus brief (ECF No. 58-1), and (b) 8 additional days to respond to these briefs.

⁷ As the Certificate of Conference for the instant motion explains, WPATH consents to the 50 total pages if the Court strikes Proposed Amici's motion, as well as the 55 total pages, and 8 additional days, if the Court declines to strike Proposed Amici's motion.

Dated: August 10, 2026

Respectfully submitted,

Of Counsel

/s/ Jonathan Cohen
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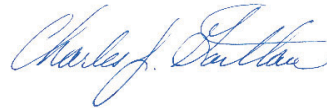
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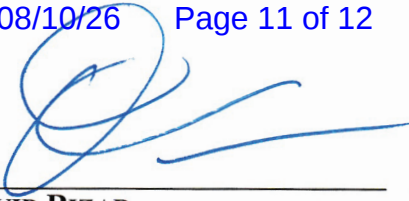
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**ATTORNEY FOR PLAINTIFF,
THE STATE OF TEXAS**

Certificate of Conference

On August 7, 2026, all parties conferred via Teams regarding this motion. Approximately two dozen attorneys accepted the Teams invitation on behalf of the FTC, State Plaintiffs, Proposed Amici, WPATH. Counsel for Proposed Amici (Morgan Blair Carmen) represented, in words or substance, “I believe we complied with the Local Rules” and, accordingly, the FTC and Proposed Amici failed to reach an agreement.

However, Plaintiffs and WPATH (principally Sarah Cummings Stewart and Schuyler J. Standley) agreed that:

- (a) if the motion to strike is granted, Plaintiffs may have 50 total pages to respond to WPATH’s pending motion to dismiss (ECF No. 53) and its venue/transfer motion (ECF No. 55) (which is the same relief WPATH received); and
- (b) if the motion to strike is denied, then Plaintiffs may have: (i) 55 total pages to respond to ECF No. 53, ECF No. 55, and the amicus brief (ECF No. 58-1), and (ii) 8 additional days to respond to these briefs.

Certificate of Service

I certify that on August 10, 2026, I electronically filed this document with the Court using the CM/ECF system.

/s/ Jonathan Cohen
Jonathan Cohen

DECLARATION OF JONATHAN COHEN
Pursuant to 28 U.S.C. § 1746

My name is Jonathan Cohen. I am over 18 years of age, and I have personal knowledge of the facts stated below and am competent to testify about them:

1. Attached as Plaintiffs' Exhibit A, Attachment 1 is a true and correct copy of the FTC's email reply to WPATH.
2. Attached as Plaintiffs' Exhibit A, Attachment 2 is a true and correct copy of WPATH's email reply to the FTC.
3. Attached as Plaintiffs' Exhibit A, Attachment 3 is a true and correct copy of Proposed Amici's email to the FTC.
4. Attached as Plaintiffs' Exhibit A, Attachment 4 is a true and correct copy of the FTC's email reply to Proposed Amici.
5. Attached as Plaintiffs' Exhibit A, Attachment 5 is a true and correct copy of Massachusetts' email reply accepting the FTC's invitation.
6. Attached as Plaintiffs' Exhibit A, Attachment 6 is a true and correct copy of Massachusetts' emails to the FTC.
7. Attached as Plaintiffs' Exhibit A, Attachment 7 is a true and correct copy of emails between Massachusetts and the FTC.
8. Attached as Plaintiffs' Exhibit A, Attachment 8 is a true and correct copy of the FTC's response to Massachusetts.
9. Attached as Plaintiffs' Exhibit A, Attachment 9 is a true and correct copy of Massachusetts' emails to State Plaintiffs.
10. In one instance, the FTC asked WPATH to review what it understood would be a basic consent motion to afford WPATH additional pages.
11. However, WPATH gave the FTC less than an hour to review the motion and filed it before the FTC could respond.
12. On August 4, a seemingly productive meet-and-confer occurred.
13. During the conference, Massachusetts identified its state partners and answered other questions. Significantly, the FTC indicated a willingness (indeed, a preference) to consent to the proposed amicus brief as long as it received additional time and pages to respond.

14. The FTC also asked whether Massachusetts had already spoken with the State Plaintiffs, and when Massachusetts indicated it had not, the FTC directed Massachusetts to L.R. 7.1(a). Massachusetts appeared surprised to learn about L.R. 7.1(a).
15. Counsel stated, in words or substance, “thank you for pointing this out.”
16. Importantly, because Massachusetts could not consent to the additional time and pages, and because Massachusetts had not yet conferred with the State Plaintiffs, the FTC proposed a four-way call involving the FTC, the State Plaintiffs, WPATH, and Massachusetts. This would enable the parties to resolve these outstanding issues. Massachusetts agreed to this sensible next step, and the FTC volunteered to coordinate the four-way call.
17. The FTC promptly began that process by contacting State Plaintiffs, explaining the situation, and asking for availability on August 7 (to allow time to coordinate the many schedules involved).

I state under penalty of perjury that the foregoing is true and correct. Executed on this day of August 10, 2026, in Washington, D.C.

/s/ Jonathan Cohen

Jonathan Cohen

Plaintiffs' Exhibit A, Attachment 1

From: [Cohen, Jonathan](#)
To: [Stewart, Sarah Cummings](#)
Subject: FTC v. WPATH, 26-cv-748 (N.D. Tex.) -
Date: Friday, July 24, 2026 12:53:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Sarah,

I wanted to write to you separately. Yesterday, as a courtesy to both you and your client, we quickly consented to WPATH's request for additional pages. We consented quickly in part because you indicated your desire to file something yesterday. As is commonplace, however, we asked that you provide us a copy of what you proposed to file, and indicated that, assuming our agreement, the filing would include our signatures as well.

Despite the indicated urgency, you did not send us anything to review yesterday. Instead, you sent us something this morning, not styled as a joint motion, which you then filed without further notice less than an hour later. To be clear, we did not consent to the representation of our position that your unilateral filing contains. Specifically, WPATH's filing misstates our position, to our detriment, in at least two respects: (1) we did not merely decline to oppose the specific relief you requested; rather, we consented to it; and (2) we are not ambivalent toward the rationale you provided for that relief; indeed, we disagree with it.

As a further courtesy to you and WPATH, and to help deescalate the situation between the parties generally, we will not request that you withdraw or modify your filing. In the future, we ask that WPATH not file anything purporting to represent the government's position without giving us a genuine opportunity, in advance, to review what you intend to file.

Finally, and also per your request, we are available to meet-and-confer with you on other issues at 4:00 PM on Monday, which was one of the times you identified.

Thanks,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

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From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Friday, July 24, 2026 9:40 AM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Thank you, Jonathan. We appreciate Plaintiffs' consent.

Attached is the unopposed motion we intend to file shortly. We do not view it as necessary for the FTC to apply its signature, as this is an unopposed motion by Defendants, not a joint motion by all parties. Nonetheless, we are happy to share a copy of our filing with you in advance.

Additionally, we can be available to confer on Monday between 12:00-3:30 pm CDT / 1:00-4:30 pm EDT. Please let us know what time works for Plaintiffs.

Thanks,

Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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M: +1 724.679.8271

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Suite 1500
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reedsmith.com



[Book time to meet with me](#)

From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Thursday, July 23, 2026 5:39 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; Benjamin Swanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

We consent to up to 50 pages, in total, for both motions, whether two separate motions or combined into the same document. We'll talk with you further regarding reciprocal relief once we see what you submit on Tuesday.

Please send us something when you're ready; after I take a quick look, I'll consent to have the FTC's signature applied.

And let us know about Monday when convenient.

Thanks,

Jonathan Cohen

Acting Deputy Director
Bureau of Consumer Protection | Federal Trade Commission
600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Thursday, July 23, 2026 5:47 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Jonathan,

We have not yet determined whether we will file a single motion to dismiss/transfer, or two separate motions (one to dismiss, one to transfer). By "globally" I mean that either way, the total number of pages will not exceed 50. Please let us know if Plaintiffs consent.

We will be in touch with proposed times for a conferral Monday.

Thanks,
Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Thursday, July 23, 2026 4:28 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Can you clarify what you mean by “globally”? WPATH wants to file a single, fifty-page motion that will seek to dismiss our Complaint, or alternatively, to transfer it?

Please propose some times to confer on Monday afternoon.

Thanks,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Thursday, July 23, 2026 5:13 PM

To: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact

<Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Counsel,

Defendants plan to file a Motion to Dismiss and Transfer Venue next Tuesday. We plan to ask the court for leave to exceed the page limit and expand from 25 to 50 pages globally. We believe this is justified given the extensive nature of the allegations brought by five plaintiffs under numerous federal and state laws, the breadth of issues we need to address, and the 120-page complaint to which we are responding. Of course, Defendants are amenable to a commensurate extension of Plaintiffs' page limits in your response. Please let us know if Plaintiffs consent to this motion. We would like to file this motion **today**.

Additionally, are Plaintiffs available on Monday to confer regarding the Motion to Transfer? And though we have not received a response to Caleb's email below, we are also happy to discuss our proposal regarding the motion for discovery at that time.

Thanks,
Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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M: +1 724.679.8271

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Suite 1500

Dallas, TX 75201

T: +1 469 680 4200

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reedsmith.com



[Book time to meet with me](#)

From: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Sent: Wednesday, July 22, 2026 2:33 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna

<ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>
Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>

Jonathan,

You asked us to consider withdrawing our motion. We asked you for information about Mr. Bugbee's proposed testimony to help us evaluate the request. We considered the information you provided and concluded that it was not responsive to our concern, but decided that the representation we requested from Mr. Womble would be. If the FTC did not play any role in causing Mr. Womble to issue the grand jury subpoenas, it should be easy for you to ask him say so. We made the offer in a good faith effort to resolve this issue without taking up the Court's time, which should be in both parties' interest.

Sincerely,
Caleb



Caleb Hayes-Deats | Partner

Lowell & Associates, PLLC

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☐ chayes-deats@lowellandassociates.com
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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Wednesday, July 22, 2026 2:05 PM

To: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Can you explain what's changed over the past few days? The fact that WPATH filed this motion in the first place means that, after reasonable inquiry, you concluded the factual contentions therein – which include the claims that the FTC or its employees committed crimes and acted contemptuously – have evidentiary support. And presumably, you must still believe this, because if we've changed your mind about the merits of WPATH's motion, then the minimum WPATH must do is withdraw the motion unconditionally—not conditioned upon us doing something for WPATH in return.

So can you help us understand what's different now?

One final, quick note: at this point, we've already invested considerable time and energy preparing our opposition. It's not clear to me that it's appropriate to withdraw a motion once we've done so.

Thanks,

Jonathan

From: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Sent: Monday, July 20, 2026 4:20 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>;

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Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Some people who received this message don't often get email from chayes-deats@lowellandassociates.com. [Learn why this is important](#)

Jonathan,

As to the pending motion for discovery (ECF 46), WPATH can agree to withdraw it without prejudice to refiling if new facts are discovered. To make us comfortable with doing that, would you arrange for a representation from Ethan Womble, the AUSA identified on the three grand jury subpoenas referenced in the motion, that neither he nor, to his knowledge, anyone else from the DOJ discussed those grand jury subpoenas or WPATH with any representative of the FTC before issuing the subpoenas? An email from Mr. Womble would be sufficient.

Sincerely,

Caleb



Caleb Hayes-Deats | Partner

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Monday, July 13, 2026 9:11 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact

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Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Sarah,

A few points, but my overall suggestions are that: (1) you consider a slightly revised version of the Status Report I propose below; or (2) that we set up a call tomorrow, and if that fails, then let's jointly submit a Status Report that notes our inability to agree and includes our respective positions separately.

- Your request for “reciprocity” is insincere because we are not planning to file an antisuit injunction to force you to litigate the Texas Action Complaint in D.C. If we did that after everything that's happened over the past several weeks – and we won't – it would be sanctionable. Asking us to commit not to engage in sanctionable or otherwise ludicrous tactics would give the Court a gross misimpression and isn't something a joint Status Report ought to include.
- Under FRCP 45(a)(2), the Northern District of Texas will issue any subpoenas. The fact that those subpoenas could, in theory, lead to third party litigation somewhere else would not deprive the Northern District of Texas of jurisdiction over this case, nor do you explain how our proposed language would prevent you from participating in such proceedings to the extent otherwise appropriate (and it would not).
- I may misunderstand what you mean, but isn't your consent motion regarding the deadlines already pending? See ECF42 (July 10, 2026). If you want to mention it again to nudge the Court, we support that.

Regarding Jay's work, we'd be happy to discuss it with you, but given WPATH's approach to date, we've given some further consideration to our request that you take down the discovery motion. Our preference is to get this resolved one way or other now, in accordance with the agreed schedule, rather than leaving it hanging.

Finally, in the interest of taking one last stab at compromise, I've included another option below. And we're available to speak tomorrow at 4:00 or 5:00 Eastern about Jay or the Status Report (or both).

Status Report

Pursuant to ECF No. 37, the Court directed the parties to file a Status Report following a ruling by Chief Judge Boasberg. Accordingly, the parties jointly report:

- As the Court is aware, on June 30, 2026, a Defendant in this action ("Texas Action") moved for a Temporary Restraining Order and Antisuit Injunction in WPATH v. FTC, No. 26-cv-532 (D.D.C.) (ECF No. 45) ("D.C. Action").
- As the Court is also aware, on July 2, 2026, Plaintiffs in the Texas Action moved for a Temporary Restraining Order and Preliminary Injunction. ECF No. 34.
- On July 9, 2026, Chief Judge Boasberg heard oral argument concerning the motion pending in his Court.
- On July 10, 2026, Chief Judge Boasberg denied the motion. D.C. Action, ECF No. 58.
- Plaintiffs in the Texas Action ask that the Court hold ECF No. 34 in abeyance, and Plaintiffs will file an additional submission asking for a ruling if Defendants renew efforts to divest this Court of jurisdiction.

Additionally, the parties request that the Court address two ministerial issues. First, Plaintiffs' request to temporarily seal certain information is moot, see ECF No. 6 (June 17, 2026), as the period for third party objections to disclosure has elapsed. Defendants have further stated that they do not oppose the balance of the relief Plaintiffs seek through the sealing motion. Accordingly, Plaintiffs will promptly file a version of the Complaint with additional redactions removed. Second, the parties ask that the Court grant the pending consent motion

regarding certain deadlines. See ECF42 (July 10, 2026).

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Monday, July 13, 2026 7:40 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Jonathan,

WPATH cannot prospectively agree that it will “not seek any further relief from any court (other than the Northern District of Texas, the Fifth Circuit, or the Supreme Court) that would deprive this Court of jurisdiction over this matter or otherwise restrain Plaintiffs from litigating this matter in the Northern District of Texas.” The FTC is not offering any reciprocal agreement, and the phrase is so broad, we have no idea what applications may be appropriate in the future which would be encompassed by it. For example, third-party subpoena recipients could raise challenges in other districts under FRCP 45, and WPATH may want to participate in litigation of those challenges.

Regarding the discovery motion, to help us evaluate the FTC’s request, can you please explain what testimony the FTC was going to offer from Agent Bugbee at last week’s hearing. The FTC represented to the Court that he would testify concerning “factual allegations in WPATH’s submissions related to grand jury materials,” which we understood to mean that Agent Bugbee had personal knowledge of matters relating to the grand jury subpoenas. That is precisely the information the discovery motion seeks to uncover.

Finally, your proposal omits language regarding the parties’ reciprocal agreement to extend deadlines, which remains in front of Judge O’Connor. We will need to add that language back into the status report.

Thanks,
Sarah

Sarah Cummings Stewart

Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

sarah.stewart@reedsmith.com

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[Book time to meet with me](#)

From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Sunday, July 12, 2026 11:59 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Sarah,

Below is draft Status language that's meant to be neutral and clarify what the parties believe will happen next vis-à-vis the issues the TRO motions raised.

We also ask that you withdraw the pending D.D.C. discovery motion. The six declarations we've already filed should make clear that the motion's allegation isn't correct, nothing about Thursday's proceedings suggests the motion is likely to succeed, and withdrawing it would help all parties conserve resources. Of course, withdrawing it would be without prejudice, and we would furthermore agree not to use the fact that you did not pursue the relief now against you should WPATH choose to re-file the motion later.

Separately, we should also address the outstanding administrative issue vis-à-vis some portions of the Complaint that are currently sealed, but shouldn't be.

Here's what we propose:

-

Status Report

Pursuant to ECF No. 37, the Court directed the parties to file a Status Report following a ruling by Chief Judge Boasberg. Accordingly, the parties jointly report:

- As the Court is aware, on June 30, 2026, a Defendant in this action ("Texas Action") moved for a Temporary Restraining Order and Antisuit Injunction in WPATH v. FTC, No. 26-cv-532 (D.D.C.) (ECF No. 45) ("D.C. Action").
- As the Court is also aware, on July 2, 2026, Plaintiffs in the Texas Action moved for a Temporary Restraining Order and Preliminary Injunction. ECF No. 34.
- On July 9, 2026, Chief Judge Boasberg heard oral argument concerning the motion pending in his Court.
- On July 10, 2026, Chief Judge Boasberg denied the motion. D.C. Action, ECF No. 58.
- Defendants in the Texas Action agree that they will not challenge Chief

Judge Boasberg's ruling, and that they will not seek any further relief from any court (other than the Northern District of Texas, the Fifth Circuit, or the Supreme Court) that would deprive this Court of jurisdiction over this matter or otherwise restrain Plaintiffs from litigating this matter in the Northern District of Texas. Defendants reserve all other rights.

- Plaintiffs in the Texas Action hereby withdraw ECF No. 34 without prejudice. Plaintiffs reserve all other rights.

Additionally, Plaintiffs' request to temporarily seal certain information is moot, see ECF No. 6 (June 17, 2026), as the period for third party objections to disclosure has elapsed. Defendants have further stated that they do not oppose the balance of the relief Plaintiffs seek through the sealing motion. Accordingly, Plaintiffs will promptly file a version of the Complaint with additional redactions removed.

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Cohen, Jonathan

Sent: Sunday, July 12, 2026 2:02 PM

To: 'Stewart, Sarah Cummings' <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

We don't think this will work. We'll prepare and circulate an alternative for you

to consider.

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Sunday, July 12, 2026 11:52 AM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;

Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley

<sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans

<hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>;

Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein,

Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar

<david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov;

BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov;

Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B.

<KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Good morning Jonathan,

We have not heard from you, nor have we received an invite or dial-in for a conferral. Could you let us know if a conferral is still necessary, or if the language below works for plaintiffs?

Thanks,

Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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 [Book time to meet with me](#)

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Saturday, July 11, 2026 7:58 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;

Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley

<sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans

<hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>;

Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein,

Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar

<david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>;

Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact

<Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>;

Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B.

<KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Jonathan,

Below please find proposed language for the status report the parties owe to Judge O'Connor. Please let us know if plaintiffs agree. If so, we can forego the conferral tomorrow and will prepare a joint status report to file on Monday.

- The FTC and two States sought to bar WPATH from litigating its request for TRO and antisuit injunction in the DDC, which motion Judge Boasberg has now denied. The parties agree that the FTC and States' motion for TRO and antisuit injunction in the NDTX should be withdrawn as now moot. The FTC and States will so move.
- The parties have further conferred regarding deadlines in this case and in the DDC action and have filed consent motions accordingly. The FTC consented to extending WPATH's deadline for its responsive pleading in the NDTX matter, and WPATH consented to extending the FTC's deadlines to respond to the complaint and motion for discovery in the DDC matter. Both motions were filed on July 10. If both motions are granted, each of the aforementioned filing deadlines will be the same day, July 28, 2026. The DDC granted the FTC's deadline extensions on July 10; WPATH's motion is currently before this court.
- Finally, following the filing of WPATH's responsive pleading on July 28, the parties agree to confer as necessary regarding a schedule for further proceedings.

Thanks,

Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Friday, July 10, 2026 5:30 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Okay. Please send us what you have in mind.

Jonathan

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Friday, July 10, 2026 6:08 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>;

Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Jonathan,

We agree that the parties need to provide a status report to Judge O'Connor. The earliest our lawyers can be available to confer this weekend is Sunday at 12 pm ET. In the meantime, we may be able to propose something in writing that will satisfy the requirement and perhaps obviate the need for a conferral.

Thanks,
Sarah

Sarah Cummings Stewart
Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

sarah.stewart@reedsmith.com

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M: +1 724.679.8271

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Friday, July 10, 2026 4:31 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>;

Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Sarah,

In light of Judge Boasberg's decision, and consistent with Judge O'Connor's direction that we prepare a joint statement following Judge Boasberg's decision, we would like to confer with WPATH as soon as possible regarding that statement.

We are available to speak this evening at 8:30 (Eastern), or tomorrow at 1:30.

Thanks,

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Friday, July 10, 2026 1:00 PM

To: Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;

Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley

<sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans

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Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein,

Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar

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BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov;

Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B.

<KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Cooper,

Sure, we will style our motion as a consent motion and will include commensurate language regarding the parties' conferral and agreement to deadline extensions in both cases.

Thanks,
Sarah

Sarah Cummings Stewart
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She/Her/Hers

sarah.stewart@reedsmith.com

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[Book time to meet with me](#)

From: Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Sent: Friday, July 10, 2026 9:13 AM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM rvaughan@ftc.gov <rvaughan@ftc.gov>

Hi Sarah,

In line with our discussion below, and to accurately reflect the spirit of cooperation between

the parties with respect to these motions, we would ask that you reflect our consent to your motion. I am similarly attaching our proposed consent motion and order in the D.D.C. matter. Please let us know if this looks good to you.

Best,
Cooper

R. Cooper Vaughan

Senior Counsel to the Director
Bureau of Consumer Protection
Federal Trade Commission
rvaughan@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>
Sent: Thursday, July 9, 2026 5:46 PM
To: Cohen, Jonathan <jcohen2@ftc.gov>
Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>
Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

You don't often get email from sarah.stewart@reedsmith.com. [Learn why this is important](#)
Jonathan,

Per our discussion, we plan to file the attached motion to extend WPATH's deadline to respond to plaintiffs' complaint in the NDTX to July 28. We will reflect plaintiffs as unopposed, per your representations below.

Thanks,
Sarah

Sarah Cummings Stewart
Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

sarah.stewart@reedsmith.com

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[Book time to meet with me](#)

From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Tuesday, July 7, 2026 7:49 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;

Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Schuyler Standley

<sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman,

Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna

<ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR

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Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>;

charles.gartland@alaska.gov <charles.gartland@alaska.gov>;

Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact

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Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

We accept that modification. Please send us what you propose to file when convenient.

Thanks,

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Tuesday, July 7, 2026 5:42 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; Benjamin Swanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Jonathan,

We can agree to all three deadlines being extended to July 28, unless on Thursday Judge Boasberg says he needs discovery sooner in order to rule on any of the motions before him. With that slight modification, we are in agreement.

Thanks,
Sarah

Sarah Cummings Stewart

Partner

She/Her/Hers

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reedsmith.com

From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Tuesday, 07 July 2026 15:58:22

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley

<sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>
Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

That's not the full picture; WPATH also filed a discovery motion in D.D.C. that we have to address between now and July 28. So we propose that the FTC and WPATH agree to extend all three dates to July 28, including WPATH's pending discovery motion.

Jonathan Cohen

Chief Litigation Counsel
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(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>
Sent: Tuesday, July 7, 2026 4:28 PM
To: Cohen, Jonathan <jcohen2@ftc.gov>
Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>
Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

You don't often get email from sarah.stewart@reedsmith.com. [Learn why this is important](#)

Jonathan,

Thank you for your prompt response. As you know we're new to the case, but it is our understanding

that the FTC has already received several weeks (maybe months) of extensions in the D.D.C. action, and this is our first request. That said, we're certainly amenable to a reasonable extension for the FTC. What seems fair and equitable is for both of our responsive pleadings to be due on the same day – July 28. That gives the FTC still another three weeks from now.

Thanks,

Sarah

Sarah Cummings Stewart

Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

sarah.stewart@reedsmith.com

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Tuesday, July 7, 2026 3:01 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Welcome.

The FTC consents to your request, subject to WPATH consenting to, or at least not opposing, our similar request to extend the FTC's return date in D.D.C. by two weeks as well.

Sound good?

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Tuesday, July 7, 2026 3:07 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov

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Subject: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

You don't often get email from sarah.stewart@reedsmith.com. [Learn why this is important](#)
Counsel,

Reed Smith has been retained to represent WPATH in the Northern District of Texas proceedings. We are reaching out to request a short extension of WPATH's deadline to answer the complaint. As we have just been retained, it would be helpful to have a bit of time to get up to speed. Additionally, we understand there are proceedings occurring in the D.C. District Court and the Northern District regarding the parties' antisuit injunctions, the outcome of which will likely inform the nature of WPATH's response, which makes a short extension all that more sensible.

We request a modest 14-day extension of the deadline to answer, i.e. July 28. Please let us know if plaintiffs are unopposed.

Best,
Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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RSUSv12021

Plaintiffs' Exhibit A, Attachment 2

From: [Stewart, Sarah Cummings](#)
To: [Cohen, Jonathan](#)
Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) -
Date: Sunday, July 26, 2026 9:25:26 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image.png](#)

Jonathan,

I appreciate you reaching out and remain committed to maintaining clear communication and a productive working relationship between the parties. It is not commonplace in our experience for parties to review or co-sign filings that are not jointly presented to Court, and it is certainly not required by the rules. We do not believe routinely sharing drafts pre-filing or jointly signing simple motions like unopposed requests for additional pages or time would be productive, with the exception being when the parties are jointly requesting relief (such as the consent motions the parties filed in the NDTX and DDC wherein each party's request for extra time was conditioned upon the other). In any event, I am certain we can continue to work together cooperatively and amicably going forward.

I will circulate an invite for a conferral at 4 pm ET tomorrow. Look forward to speaking with you then.

Best,
Sarah

Sarah Cummings Stewart
Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

sarah.stewart@reedsmith.com

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M: +1 724.679.8271

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Friday, July 24, 2026 11:53 AM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Subject: FTC v. WPATH, 26-cv-748 (N.D. Tex.) -

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Sarah,

I wanted to write to you separately. Yesterday, as a courtesy to both you and your client, we quickly consented to WPATH's request for additional pages. We consented quickly in part because you indicated your desire to file something yesterday. As is commonplace, however, we asked that you provide us a copy of what you proposed to file, and indicated that, assuming our agreement, the filing would include our signatures as well.

Despite the indicated urgency, you did not send us anything to review yesterday. Instead, you sent us something this morning, not styled as a joint motion, which you then filed without further notice less than an hour later. To be clear, we did not consent to the representation of our position that your unilateral filing contains. Specifically, WPATH's filing misstates our position, to our detriment, in at least two respects: (1) we did not merely decline to oppose the specific relief you requested; rather, we consented to it; and (2) we are not ambivalent toward the rationale you provided for that relief; indeed, we disagree with it.

As a further courtesy to you and WPATH, and to help deescalate the situation between the parties generally, we will not request that you withdraw or modify your filing. In the future, we ask that WPATH not file anything purporting to represent the government's position without giving us a genuine opportunity, in advance, to review what you intend to file.

Finally, and also per your request, we are available to meet-and-confer with you on other issues at 4:00 PM on Monday, which was one of the times you identified.

Thanks,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Friday, July 24, 2026 9:40 AM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Thank you, Jonathan. We appreciate Plaintiffs' consent.

Attached is the unopposed motion we intend to file shortly. We do not view it as necessary for the FTC to apply its signature, as this is an unopposed motion by Defendants, not a joint motion by all parties. Nonetheless, we are happy to share a copy of our filing with you in advance.

Additionally, we can be available to confer on Monday between 12:00-3:30 pm CDT / 1:00-4:30 pm EDT. Please let us know what time works for Plaintiffs.

Thanks,

Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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M: +1 724.679.8271

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[Book time to meet with me](#)

From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Thursday, July 23, 2026 5:39 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; Benjamin Swanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

We consent to up to 50 pages, in total, for both motions, whether two separate motions or combined into the same document. We'll talk with you further regarding reciprocal relief once we see what you submit on Tuesday.

Please send us something when you're ready; after I take a quick look, I'll consent to have the FTC's signature applied.

And let us know about Monday when convenient.

Thanks,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>
Sent: Thursday, July 23, 2026 5:47 PM
To: Cohen, Jonathan <jcohen2@ftc.gov>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>
Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>
Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Jonathan,

We have not yet determined whether we will file a single motion to dismiss/transfer, or two separate motions (one to dismiss, one to transfer). By "globally" I mean that either way, the total number of pages will not exceed 50. Please let us know if Plaintiffs consent.

We will be in touch with proposed times for a conferral Monday.

Thanks,
Sarah

Sarah Cummings Stewart
Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

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 [Book time to meet with me](#)

From: Cohen, Jonathan <jcohen2@ftc.gov>
Sent: Thursday, July 23, 2026 4:28 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Can you clarify what you mean by “globally”? WPATH wants to file a single, fifty-page motion that will seek to dismiss our Complaint, or alternatively, to transfer it?

Please propose some times to confer on Monday afternoon.

Thanks,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Thursday, July 23, 2026 5:13 PM

To: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>;

Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Counsel,

Defendants plan to file a Motion to Dismiss and Transfer Venue next Tuesday. We plan to ask the court for leave to exceed the page limit and expand from 25 to 50 pages globally. We believe this is justified given the extensive nature of the allegations brought by five plaintiffs under numerous federal and state laws, the breadth of issues we need to address, and the 120-page complaint to which we are responding. Of course, Defendants are amenable to a commensurate extension of Plaintiffs' page limits in your response. Please let us know if Plaintiffs consent to this motion. We would like to file this motion **today**.

Additionally, are Plaintiffs available on Monday to confer regarding the Motion to Transfer? And though we have not received a response to Caleb's email below, we are also happy to discuss our proposal regarding the motion for discovery at that time.

Thanks,
Sarah

Sarah Cummings Stewart

Partner
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She/Her/Hers

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M: +1 724.679.8271

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[Book time to meet with me](#)

From: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Sent: Wednesday, July 22, 2026 2:33 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Stewart, Sarah Cummings
<sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;
Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>;
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Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>

Jonathan,

You asked us to consider withdrawing our motion. We asked you for information about Mr. Bugbee's proposed testimony to help us evaluate the request. We considered the information you provided and concluded that it was not responsive to our concern, but decided that the representation we requested from Mr. Womble would be. If the FTC did not play any role in causing Mr. Womble to issue the grand jury subpoenas, it should be easy for you to ask him say so. We made the offer in a good faith effort to resolve this issue without taking up the Court's time, which should be in both parties' interest.

Sincerely,
Caleb



Caleb Hayes-Deats | Partner

Lowell & Associates, PLLC

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☐ chayes-deats@lowellandassociates.com
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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Wednesday, July 22, 2026 2:05 PM

To: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Can you explain what's changed over the past few days? The fact that WPATH filed this motion in the first place means that, after reasonable inquiry, you concluded the factual contentions therein – which include the claims that the FTC or its employees committed crimes and acted contemptuously – have evidentiary support. And presumably, you must still believe this, because if we've changed your mind about the merits of WPATH's motion, then the minimum WPATH must do is withdraw the motion unconditionally—not conditioned upon us doing something for WPATH in return.

So can you help us understand what's different now?

One final, quick note: at this point, we've already invested considerable time and energy preparing our opposition. It's not clear to me that it's appropriate to withdraw a motion once we've done so.

Thanks,

Jonathan

From: Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>

Sent: Monday, July 20, 2026 4:20 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>;

charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>
Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Some people who received this message don't often get email from chayes-deats@lowellandassociates.com. [Learn why this is important](#)

Jonathan,

As to the pending motion for discovery (ECF 46), WPATH can agree to withdraw it without prejudice to refiling if new facts are discovered. To make us comfortable with doing that, would you arrange for a representation from Ethan Womble, the AUSA identified on the three grand jury subpoenas referenced in the motion, that neither he nor, to his knowledge, anyone else from the DOJ discussed those grand jury subpoenas or WPATH with any representative of the FTC before issuing the subpoenas? An email from Mr. Womble would be sufficient.

Sincerely,
Caleb



Caleb Hayes-Deats | Partner

Lowell & Associates, PLLC

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Monday, July 13, 2026 9:11 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Sarah,

A few points, but my overall suggestions are that: (1) you consider a slightly revised version of the Status Report I propose below; or (2) that we set up a call tomorrow, and if that fails, then let's jointly submit a Status Report that notes our inability to agree and includes our respective positions separately.

- Your request for “reciprocity” is insincere because we are not planning to file an antisuit injunction to force you to litigate the Texas Action Complaint in D.C. If we did that after everything that's happened over the past several weeks – and we won't – it would be sanctionable. Asking us to commit not to engage in sanctionable or otherwise ludicrous tactics would give the Court a gross misimpression and isn't something a joint Status Report ought to include.
- Under FRCP 45(a)(2), the Northern District of Texas will issue any subpoenas. The fact that those subpoenas could, in theory, lead to third party litigation somewhere else would not deprive the Northern District of Texas of jurisdiction over this case, nor do you explain how our proposed language would prevent you from participating in such proceedings to the extent otherwise appropriate (and it would not).
- I may misunderstand what you mean, but isn't your consent motion regarding the deadlines already pending? See ECF42 (July 10, 2026). If you want to mention it again to nudge the Court, we support that.

Regarding Jay's work, we'd be happy to discuss it with you, but given WPATH's approach to date, we've given some further consideration to our request that you take down the discovery motion. Our preference is to get this resolved one way or other now, in accordance with the agreed schedule, rather than leaving it hanging.

Finally, in the interest of taking one last stab at compromise, I've included another option below. And we're available to speak tomorrow at 4:00 or 5:00

Eastern about Jay or the Status Report (or both).

Status Report

Pursuant to ECF No. 37, the Court directed the parties to file a Status Report following a ruling by Chief Judge Boasberg. Accordingly, the parties jointly report:

- As the Court is aware, on June 30, 2026, a Defendant in this action (“Texas Action”) moved for a Temporary Restraining Order and Antisuit Injunction in WPATH v. FTC, No. 26-cv-532 (D.D.C.) (ECF No. 45) (“D.C. Action”).
- As the Court is also aware, on July 2, 2026, Plaintiffs in the Texas Action moved for a Temporary Restraining Order and Preliminary Injunction. ECF No. 34.
- On July 9, 2026, Chief Judge Boasberg heard oral argument concerning the motion pending in his Court.
- On July 10, 2026, Chief Judge Boasberg denied the motion. D.C. Action, ECF No. 58.
- Plaintiffs in the Texas Action ask that the Court hold ECF No. 34 in abeyance, and Plaintiffs will file an additional submission asking for a ruling if Defendants renew efforts to divest this Court of jurisdiction.

Additionally, the parties request that the Court address two ministerial issues. First, Plaintiffs’ request to temporarily seal certain information is moot, see ECF No. 6 (June 17, 2026), as the period for third party objections to disclosure has elapsed. Defendants have further stated that they do not oppose the balance of the relief Plaintiffs seek through the sealing motion. Accordingly, Plaintiffs will promptly file a version of the Complaint with additional redactions removed. Second, the parties ask that the Court grant the pending consent motion regarding certain deadlines. See ECF42 (July 10, 2026).

Jonathan Cohen

Chief Litigation Counsel
Bureau of Consumer Protection | Federal Trade Commission
600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580
(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>
Sent: Monday, July 13, 2026 7:40 PM
To: Cohen, Jonathan <jcohen2@ftc.gov>
Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>
Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

Jonathan,

WPATH cannot prospectively agree that it will “not seek any further relief from any court (other than the Northern District of Texas, the Fifth Circuit, or the Supreme Court) that would deprive this Court of jurisdiction over this matter or otherwise restrain Plaintiffs from litigating this matter in the Northern District of Texas.” The FTC is not offering any reciprocal agreement, and the phrase is so broad, we have no idea what applications may be appropriate in the future which would be encompassed by it. For example, third-party subpoena recipients could raise challenges in other districts under FRCP 45, and WPATH may want to participate in litigation of those challenges.

Regarding the discovery motion, to help us evaluate the FTC’s request, can you please explain what testimony the FTC was going to offer from Agent Bugbee at last week’s hearing. The FTC represented to the Court that he would testify concerning “factual allegations in WPATH’s submissions related to grand jury materials,” which we understood to mean that Agent Bugbee had personal knowledge of matters relating to the grand jury subpoenas. That is precisely the information the discovery motion seeks to uncover.

Finally, your proposal omits language regarding the parties’ reciprocal agreement to extend deadlines, which remains in front of Judge O’Connor. We will need to add that language back into the status report.

Thanks,
Sarah

Sarah Cummings Stewart

Partner
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She/Her/Hers

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Sunday, July 12, 2026 11:59 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Proposed Joint Status Report

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Sarah,

Below is draft Status language that's meant to be neutral and clarify what the parties believe will happen next vis-à-vis the issues the TRO motions raised.

We also ask that you withdraw the pending D.D.C. discovery motion. The six

declarations we've already filed should make clear that the motion's allegation isn't correct, nothing about Thursday's proceedings suggests the motion is likely to succeed, and withdrawing it would help all parties conserve resources. Of course, withdrawing it would be without prejudice, and we would furthermore agree not to use the fact that you did not pursue the relief now against you should WPATH choose to re-file the motion later.

Separately, we should also address the outstanding administrative issue vis-à-vis some portions of the Complaint that are currently sealed, but shouldn't be.

Here's what we propose:

Status Report

Pursuant to ECF No. 37, the Court directed the parties to file a Status Report following a ruling by Chief Judge Boasberg. Accordingly, the parties jointly report:

- As the Court is aware, on June 30, 2026, a Defendant in this action ("Texas Action") moved for a Temporary Restraining Order and Antisuit Injunction in WPATH v. FTC, No. 26-cv-532 (D.D.C.) (ECF No. 45) ("D.C. Action").
- As the Court is also aware, on July 2, 2026, Plaintiffs in the Texas Action moved for a Temporary Restraining Order and Preliminary Injunction. ECF No. 34.
- On July 9, 2026, Chief Judge Boasberg heard oral argument concerning the motion pending in his Court.
- On July 10, 2026, Chief Judge Boasberg denied the motion. D.C. Action, ECF No. 58.
- Defendants in the Texas Action agree that they will not challenge Chief Judge Boasberg's ruling, and that they will not seek any further relief from any court (other than the Northern District of Texas, the Fifth Circuit, or the Supreme Court) that would deprive this Court of jurisdiction over this

matter or otherwise restrain Plaintiffs from litigating this matter in the Northern District of Texas. Defendants reserve all other rights.

- Plaintiffs in the Texas Action hereby withdraw ECF No. 34 without prejudice. Plaintiffs reserve all other rights.

Additionally, Plaintiffs' request to temporarily seal certain information is moot, see ECF No. 6 (June 17, 2026), as the period for third party objections to disclosure has elapsed. Defendants have further stated that they do not oppose the balance of the relief Plaintiffs seek through the sealing motion. Accordingly, Plaintiffs will promptly file a version of the Complaint with additional redactions removed.

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

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From: Cohen, Jonathan

Sent: Sunday, July 12, 2026 2:02 PM

To: 'Stewart, Sarah Cummings' <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

We don't think this will work. We'll prepare and circulate an alternative for you to consider.

Jonathan Cohen

Chief Litigation Counsel

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From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Sunday, July 12, 2026 11:52 AM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Good morning Jonathan,

We have not heard from you, nor have we received an invite or dial-in for a conferral. Could you let us know if a conferral is still necessary, or if the language below works for plaintiffs?

Thanks,
Sarah

Sarah Cummings Stewart
Partner
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She/Her/Hers

sarah.stewart@reedsmith.com

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From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Saturday, July 11, 2026 7:58 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>
Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Jonathan,

Below please find proposed language for the status report the parties owe to Judge O'Connor. Please let us know if plaintiffs agree. If so, we can forego the conferral tomorrow and will prepare a joint status report to file on Monday.

- The FTC and two States sought to bar WPATH from litigating its request for TRO and antisuit injunction in the DDC, which motion Judge Boasberg has now denied. The parties agree that the FTC and States' motion for TRO and antisuit injunction in the NDTX should be withdrawn as now moot. The FTC and States will so move.
- The parties have further conferred regarding deadlines in this case and in the DDC action and have filed consent motions accordingly. The FTC consented to extending WPATH's deadline for its responsive pleading in the NDTX matter, and WPATH consented to extending the FTC's deadlines to respond to the complaint and motion for discovery in the DDC matter. Both motions were filed on July 10. If both motions are granted, each of the aforementioned filing deadlines will be the same day, July 28, 2026. The DDC granted the FTC's deadline extensions on July 10; WPATH's motion is currently before this court.
- Finally, following the filing of WPATH's responsive pleading on July 28, the parties agree to confer as necessary regarding a schedule for further proceedings.

Thanks,

Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Friday, July 10, 2026 5:30 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Okay. Please send us what you have in mind.

Jonathan

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Friday, July 10, 2026 6:08 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Jonathan,

We agree that the parties need to provide a status report to Judge O'Connor. The earliest our lawyers can be available to confer this weekend is Sunday at 12 pm ET. In the meantime, we may be able to propose something in writing that will satisfy the requirement and perhaps obviate the need for a conferral.

Thanks,
Sarah

Sarah Cummings Stewart

Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

sarah.stewart@reedsmith.com

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M: +1 724.679.8271

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Suite 1500
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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Friday, July 10, 2026 4:31 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Sarah,

In light of Judge Boasberg's decision, and consistent with Judge O'Connor's direction that we prepare a joint statement following Judge Boasberg's decision, we would like to confer with WPATH as soon as possible regarding that statement.

We are available to speak this evening at 8:30 (Eastern), or tomorrow at 1:30.

Thanks,

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Friday, July 10, 2026 1:00 PM

To: Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;

Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley

<sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans

<hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>;

Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein,

Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar

<david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov;

BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov;

Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B.

<KParker@reedsmith.com>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Cooper,

Sure, we will style our motion as a consent motion and will include commensurate language regarding the parties' conferral and agreement to deadline extensions in both cases.

Thanks,
Sarah

Sarah Cummings Stewart
Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

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[Book time to meet with me](#)

From: Vaughan, Ross (Cooper) <rvaughan@ftc.gov>
Sent: Friday, July 10, 2026 9:13 AM
To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>; Cohen, Jonathan <jcohen2@ftc.gov>
Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>
Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM rvaughan@ftc.gov <rvaughan@ftc.gov>

Hi Sarah,

In line with our discussion below, and to accurately reflect the spirit of cooperation between the parties with respect to these motions, we would ask that you reflect our consent to your motion. I am similarly attaching our proposed consent motion and order in the D.D.C. matter.

Please let us know if this looks good to you.

Best,
Cooper

R. Cooper Vaughan

Senior Counsel to the Director
Bureau of Consumer Protection
Federal Trade Commission
rvaughan@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>
Sent: Thursday, July 9, 2026 5:46 PM
To: Cohen, Jonathan <jcohen2@ftc.gov>
Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>; Parker, Kristin B. <KParker@reedsmith.com>
Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

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Jonathan,

Per our discussion, we plan to file the attached motion to extend WPATH's deadline to respond to plaintiffs' complaint in the NDTX to July 28. We will reflect plaintiffs as unopposed, per your representations below.

Thanks,
Sarah

Sarah Cummings Stewart
Partner
Life Sciences & Healthcare Industry Group
She/Her/Hers

sarah.stewart@reedsmith.com
D: +1 469.680.4228

M: +1 724.679.8271

Reed Smith

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Suite 1500
Dallas, TX 75201
T: +1 469 680 4200
F: +1 469 680 4299

reedsmith.com



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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Tuesday, July 7, 2026 7:49 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

We accept that modification. Please send us what you propose to file when convenient.

Thanks,

Jonathan Cohen

Chief Litigation Counsel
Bureau of Consumer Protection | Federal Trade Commission
600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580
(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Tuesday, July 7, 2026 5:42 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;

Caleb Hayes-Deats <CHayes-Deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

Jonathan,

We can agree to all three deadlines being extended to July 28, unless on Thursday Judge Boasberg says he needs discovery sooner in order to rule on any of the motions before him. With that slight modification, we are in agreement.

Thanks,
Sarah

Sarah Cummings Stewart

Partner

She/Her/Hers

sarah.stewart@reedsmith.com

D: +1 469.680.4228

M: +1 724.679.8271

[reedsmith.com](https://www.reedsmith.com)

From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Tuesday, 07 July 2026 15:58:22

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman,

Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov <charles.gartland@alaska.gov>; Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>
Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

That's not the full picture; WPATH also filed a discovery motion in D.D.C. that we have to address between now and July 28. So we propose that the FTC and WPATH agree to extend all three dates to July 28, including WPATH's pending discovery motion.

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Tuesday, July 7, 2026 4:28 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov; Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>

Subject: Re: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

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Jonathan,

Thank you for your prompt response. As you know we're new to the case, but it is our understanding that the FTC has already received several weeks (maybe months) of extensions in the D.D.C. action,

and this is our first request. That said, we're certainly amenable to a reasonable extension for the FTC. What seems fair and equitable is for both of our responsive pleadings to be due on the same day – July 28. That gives the FTC still another three weeks from now.

Thanks,

Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

D: +1 469.680.4228

M: +1 724.679.8271

Reed Smith

2850 N. Harwood Street

Suite 1500

Dallas, TX 75201

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F: +1 469 680 4299

reedsmith.com



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From: Cohen, Jonathan <jcohen2@ftc.gov>

Sent: Tuesday, July 7, 2026 3:01 PM

To: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>;

Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley

<sstandley@lowellandassociates.com>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman,

Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna

<ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR

<mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>;

Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>;

charles.gartland@alaska.gov <charles.gartland@alaska.gov>;

Erik.Fern@nebraska.gov <Erik.Fern@nebraska.gov>; BenjaminSwanson-contact

<Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov <eric.wessan@ag.iowa.gov>;

Potapov, Alex <apotapov@ftc.gov>; Beck, Ethan <ebeck@ftc.gov>

Subject: RE: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

External E-Mail - FROM jcohen2@ftc.gov <jcohen2@ftc.gov>

Welcome.

The FTC consents to your request, subject to WPATH consenting to, or at least not opposing, our similar request to extend the FTC's return date in D.D.C. by two weeks as well.

Sound good?

Jonathan Cohen

Chief Litigation Counsel

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Stewart, Sarah Cummings <sarah.stewart@reedsmith.com>

Sent: Tuesday, July 7, 2026 3:07 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Rob Farquharson <rob.farquharson@oag.texas.gov>; David Bizar <david.bizar@oag.texas.gov>; charles.gartland@alaska.gov; Erik.Fern@nebraska.gov; BenjaminSwanson-contact <Benjamin.Swanson@nebraska.gov>; eric.wessan@ag.iowa.gov

Cc: Layne, Jeff <jlayne@reedsmith.com>; Abbe David Lowell <adlowell@lowellandassociates.com>; Caleb Hayes-Deats <chayes-deats@lowellandassociates.com>; Schuyler Standley <sstandley@lowellandassociates.com>

Subject: FTC v. WPATH, 26-cv-748 (N.D. Tex.) - Request for Extension

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Counsel,

Reed Smith has been retained to represent WPATH in the Northern District of Texas proceedings. We are reaching out to request a short extension of WPATH's deadline to answer the complaint. As we have just been retained, it would be helpful to have a bit of time to get up to speed. Additionally, we understand there are proceedings occurring in the D.C. District Court and the Northern District regarding the parties' antisuit injunctions, the outcome of which will likely inform the nature of WPATH's response, which makes a short extension all that more sensible.

We request a modest 14-day extension of the deadline to answer, i.e. July 28. Please let us know if plaintiffs are unopposed.

Best,
Sarah

Sarah Cummings Stewart

Partner

Life Sciences & Healthcare Industry Group

She/Her/Hers

sarah.stewart@reedsmith.com

D: +1 469.680.4228

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RSUSv12021

Plaintiffs' Exhibit A, Attachment 3

From: [Carmen, Morgan \(AGO\)](#)
To: [Vaughan, Ross \(Cooper\)](#)
Cc: [Goldis, Glenna](#); [Clausen, Hans](#); [Cohen, Jonathan](#); [Dingman, Michael](#); [Slater, Allyson \(AGO\)](#); [Cambier, Adam \(AGO\)](#)
Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)
Date: Monday, August 3, 2026 12:39:29 PM

Some people who received this message don't often get email from morgan.carmen@mass.gov. [Learn why this is important](#)

My apologies for the double email. I have a quick correction: Please let us know by tomorrow (8/4) at 10am EST.

Thank you,
Morgan

From: Carmen, Morgan (AGO)
Sent: Monday, August 3, 2026 12:31 PM
To: Rvaughan@ftc.Gov
Cc: Ggoldis@ftc.Gov; Hclausen@ftc.Gov; Jcohen2@ftc.Gov; Mdingman@ftc.Gov; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>
Subject: Seeking Position on Motion to File Amicus (FTC v. WPATH)

Hi Ross,

Massachusetts, along with a coalition of states, intends to file an amicus brief in *FTC v. WPATH* (No. 4:26-cv-748). We are moving for pro hac vice admission without designation of local counsel, given that Amici States seek leave only to file an amicus brief to provide the Court with useful information to aid it in resolving the pending motion to dismiss. Please let us know by tomorrow (8/3) at 10am EST whether our motion for pro hac vice admission without designation of local counsel and our motion for leave to file an amicus brief can be noted as unopposed.

Thank you!
Morgan

Morgan Carmen
Assistant Attorney General
Office of the Attorney General
One Ashburton Place
Boston, MA 02138
Morgan.Carmen@mass.gov

Plaintiffs' Exhibit A, Attachment 4

From: [Cohen, Jonathan](#)
To: [Carmen, Morgan \(AGO\)](#)
Cc: [Goldis, Glenna](#); [Clausen, Hans](#); [Dingman, Michael](#); [Slater, Allyson \(AGO\)](#); [Cambier, Adam \(AGO\)](#); [Vaughan, Ross \(Cooper\)](#); [Bugbee, Jonathan \(Jay\)](#); [Watchorn, Michelle CTR](#); [Oehrlein, Sean](#); [Weadock, Luke](#)
Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)
Date: Monday, August 3, 2026 3:00:00 PM

Morgan,

Although we hope we can consent, allowing us less than 24 hours to evaluate your proposal puts us in a difficult position. Indeed, Massachusetts has exacerbated the situation by failing to provide us any information about who proposed amicus are, let alone their interests and generally what they intend to convey. Perhaps most important, proposed amicus knew—or certainly should have known—for weeks that WPATH would move to dismiss the Complaint. Accordingly, it is unclear why proposed amicus waited until after that motion to contact us. At this point, roughly a week of our time to prepare our opposition has already elapsed, meaning that Massachusetts' delay will force Plaintiffs to respond to any amicus in an unfairly expedited timeframe.

In terms of next steps, although we cannot meet the deadline you set for our response, we believe a meet-and-confer might help us resolve at least some, and perhaps all, of the issues above. Accordingly, we can make ourselves available to talk tomorrow at 11:00 AM or 2:00 PM.

Please let us know; we hope to speak tomorrow.

Best,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>

Sent: Monday, August 3, 2026 12:39 PM

To: Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Goldis, Glenna <ggoldis@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Cohen, Jonathan <jcohen2@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Slater, Allyson (AGO)

<Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>

Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Thank you,
Morgan

From: Carmen, Morgan (AGO)

Sent: Monday, August 3, 2026 12:31 PM

To: Rvaughan@ftc.Gov

Cc: Ggoldis@ftc.Gov; Hclausen@ftc.Gov; Jcohen2@ftc.Gov; Mdingman@ftc.Gov; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>

Subject: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Thank you!
Morgan

Morgan Carmen
Assistant Attorney General
Office of the Attorney General
One Ashburton Place
Boston, MA 02138
Morgan.Carmen@mass.gov

Plaintiffs' Exhibit A, Attachment 5

From: [Carmen, Morgan \(AGO\)](#)
To: [Cohen, Jonathan](#)
Cc: [Goldis, Glenna](#); [Clausen, Hans](#); [Dingman, Michael](#); [Slater, Allyson \(AGO\)](#); [Cambier, Adam \(AGO\)](#); [Vaughan, Ross \(Cooper\)](#); [Bugbee, Jonathan \(Jay\)](#); [Watchorn, Michelle CTR](#); [Oehrlein, Sean](#); [Weadock, Luke](#)
Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)
Date: Monday, August 3, 2026 3:30:56 PM

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Hi Jonathan,

Thank you for your response and offer to meet. We are available to confer at 11 am ET tomorrow.

On your substantive questions, which may forestall the need to confer, we will be filing as MA and a number of other jurisdictions. The brief will discuss the states' role as regulators of medicine under the Tenth Amendment and how Amici have exercised that power to ensure equal access to healthcare. With respect to the timing of our brief, Rule 29 of the Federal Rules of Appellate Procedure, which is followed in the 5th Circuit, allows for amicus briefs filed within 7 days of the principal brief. In the absence of guidance on timing for amicus briefs in district court, we believe this timeframe is appropriate here.

Thank you,
Morgan

From: Cohen, Jonathan <jcohen2@ftc.gov>
Sent: Monday, August 3, 2026 3:00 PM
To: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>
Cc: Goldis, Glenna <ggoldis@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Weadock, Luke <lwaddock@ftc.gov>
Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Morgan,

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Please let us know; we hope to speak tomorrow.

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Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

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Sent: Monday, August 3, 2026 12:39 PM

To: Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Goldis, Glenna <ggoldis@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Cohen, Jonathan <jcohen2@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>

Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Sent: Monday, August 3, 2026 12:31 PM
To: Rvaughan@ftc.Gov
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Subject: Seeking Position on Motion to File Amicus (FTC v. WPATH)

Hi Ross,

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Thank you!
Morgan

Morgan Carmen
Assistant Attorney General
Office of the Attorney General
One Ashburton Place
Boston, MA 02138
Morgan.Carmen@mass.gov

Plaintiffs' Exhibit A, Attachment 6

From: [Carmen, Morgan \(AGO\)](#)
To: [Cohen, Jonathan](#)
Cc: [Dirks, Katherine \(AGO\)](#); [Goldis, Glenna](#); [Clausen, Hans](#); [Dingman, Michael](#); [Slater, Allyson \(AGO\)](#); [Cambier, Adam \(AGO\)](#); [Vaughan, Ross \(Cooper\)](#); [Bugbee, Jonathan \(Jay\)](#); [Watchorn, Michelle CTR](#); [Oehrlein, Sean](#); [Weadock, Luke](#)
Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)
Date: Tuesday, August 4, 2026 11:56:57 AM

Jonathan,

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We look forward to continued conversations.

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From: Carmen, Morgan (AGO)
Sent: Monday, August 3, 2026 3:31 PM
To: 'Cohen, Jonathan' <jcohen2@ftc.gov>
Cc: Goldis, Glenna <ggoldis@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR <mwatchorn@ftc.gov>; Oehrlein, Sean <soehrlein@ftc.gov>; Weadock, Luke <lweadock@ftc.gov>
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medicine under the Tenth Amendment and how Amici have exercised that power to ensure equal access to healthcare. With respect to the timing of our brief, Rule 29 of the Federal Rules of Appellate Procedure, which is followed in the 5th Circuit, allows for amicus briefs filed within 7 days of the principal brief. In the absence of guidance on timing for amicus briefs in district court, we believe this timeframe is appropriate here.

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Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Best,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>

Sent: Monday, August 3, 2026 12:39 PM

To: Vaughan, Ross (Cooper) <rvaughan@ftc.gov>

Cc: Goldis, Glenna <ggoldis@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Cohen, Jonathan <jcohen2@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>

Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Sent: Monday, August 3, 2026 12:31 PM

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Assistant Attorney General
Office of the Attorney General
One Ashburton Place
Boston, MA 02138
Morgan.Carmen@mass.gov

Plaintiffs' Exhibit A, Attachment 7

From: [Carmen, Morgan \(AGO\)](#)
To: [Cohen, Jonathan](#)
Cc: [Dirks, Katherine \(AGO\)](#); [Goldis, Glenna](#); [Clausen, Hans](#); [Dingman, Michael](#); [Slater, Allyson \(AGO\)](#); [Cambier, Adam \(AGO\)](#); [Vaughan, Ross \(Cooper\)](#); [Bugbee, Jonathan \(Jay\)](#); [Watchorn, Michelle CTR](#); [Oehrlein, Sean](#); [Weadock, Luke](#)
Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)
Date: Tuesday, August 4, 2026 4:48:15 PM

Hi Jonathan,

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Thanks,
Morgan

From: Carmen, Morgan (AGO)
Sent: Tuesday, August 4, 2026 11:57 AM
To: 'Cohen, Jonathan' <jcohen2@ftc.gov>
Cc: Dirks, Katherine (AGO) <katherine.dirks@mass.gov>; 'Goldis, Glenna' <ggoldis@ftc.gov>; 'Clausen, Hans' <hclausen@ftc.gov>; 'Dingman, Michael' <mdingman@ftc.gov>; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>; 'Vaughan, Ross (Cooper)' <rvaughan@ftc.gov>; 'Bugbee, Jonathan (Jay)' <jbugbee@ftc.gov>; 'Watchorn, Michelle CTR' <mwatchorn@ftc.gov>; 'Oehrlein, Sean' <soehrlein@ftc.gov>; 'Weadock, Luke' <lweadock@ftc.gov>
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Please let us know; we hope to speak tomorrow.

Best,

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

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(202) 326-2551 | jcohen2@ftc.gov

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Sent: Monday, August 3, 2026 12:39 PM

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Cc: Goldis, Glenna <ggoldis@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Cohen, Jonathan <jcohen2@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>

Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Morgan Carmen
Assistant Attorney General
Office of the Attorney General
One Ashburton Place
Boston, MA 02138
Morgan.Carmen@mass.gov

Plaintiffs' Exhibit A, Attachment 8

From: [Cohen, Jonathan](#)
To: [Carmen, Morgan \(AGO\)](#)
Cc: [Dirks, Katherine \(AGO\)](#); [Goldis, Glenna](#); [Clausen, Hans](#); [Dingman, Michael](#); [Slater, Allyson \(AGO\)](#); [Cambier, Adam \(AGO\)](#); [Vaughan, Ross \(Cooper\)](#); [Bugbee, Jonathan \(Jay\)](#); [Watchorn, Michelle CTR](#); [Oehrlein, Sean](#); [Weadock, Luke](#); [Trujillo, Lauren](#)
Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)
Date: Tuesday, August 4, 2026 6:35:00 PM

Morgan,

We left today's meet-and-confer with an agreement that the FTC would coordinate a four-way call with all interested parties: proposed amicus, WPATH, the FTC, and State Plaintiffs. Among other things, this would enable everyone affected to engage collectively, and very likely put the Plaintiffs in a position to consent. As you heard, the FTC indicated a willingness to consent – a willingness that remains – as long as we can work out details like scheduling and page limits with everyone affected.

Anyway, in light of our agreement with you during today's meet-and-confer, we had already invested energy into making this four-way call happen, including by contacting the State plaintiffs and collecting availability from some (we're still waiting to hear back from others). And State Plaintiffs have expressed a desire to meet-and-confer with you, consistent with the rules, and to do so collectively with us.

We can't stop you from breaching today's agreement, but we hope you'll reconsider.

Jonathan Cohen

Acting Deputy Director

Bureau of Consumer Protection | Federal Trade Commission

600 Pennsylvania Avenue, N.W., HQ-462 Washington, D.C. 20580

(202) 326-2551 | jcohen2@ftc.gov

From: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>

Sent: Tuesday, August 4, 2026 4:48 PM

To: Cohen, Jonathan <jcohen2@ftc.gov>

Cc: Dirks, Katherine (AGO) <katherine.dirks@mass.gov>; Goldis, Glenna <ggoldis@ftc.gov>; Clausen, Hans <hclausen@ftc.gov>; Dingman, Michael <mdingman@ftc.gov>; Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>; Vaughan, Ross (Cooper) <rvaughan@ftc.gov>; Bugbee, Jonathan (Jay) <jbugbee@ftc.gov>; Watchorn, Michelle CTR

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Subject: RE: Seeking Position on Motion to File Amicus (FTC v. WPATH)

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Morgan Carmen
Assistant Attorney General
Office of the Attorney General
One Ashburton Place
Boston, MA 02138
Morgan.Carmen@mass.gov

Plaintiffs' Exhibit A, Attachment 9

From: [David Bizar](#)
To: [Wessan, Eric](#); [Carmen, Morgan \(AGO\)](#); [Charles.Gartland@alaska.Gov](#); [Erik.Fern@nebraska.Gov](#); [BenjaminSwanson-contact](#)
Cc: [Slater, Allyson \(AGO\)](#); [Cambier, Adam \(AGO\)](#)
Subject: RE: Seeking Positions on Motions (FTC v. WPATH)
Attachments: [image002.png](#)

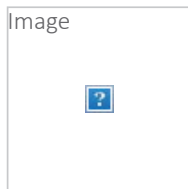
Texas would like for Iowa to be included in the meet and confer. As we all know well, the states do not speak for each other.

From: Wessan, Eric <Eric.Wessan@ag.iowa.gov>
Sent: Wednesday, August 5, 2026 10:28 AM
To: David Bizar <David.Bizar@oag.texas.gov>; Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>; Charles.Gartland@alaska.Gov; Erik.Fern@nebraska.Gov; Benjamin.Swanson@nebraska.Gov
Cc: Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>
Subject: Re: Seeking Positions on Motions (FTC v. WPATH)

Sorry, I think this internal deadline for a brief that does not have a filing deadline is unreasonable and fails to match the spirit of our past attempts on amicus efforts to accommodate your office—in a very similar situation.

I cannot make a meeting in the next 90 minutes. If Texas can, great. I'm pretty disappointed that we can't make Friday work. I do not understand the rush.

Best,
EHW



Eric Wessan
Solicitor General
Office of Iowa Attorney General Brenna Bird
1305 E. Walnut St.
Des Moines, IA 50319
(515) 823-9117

From: David Bizar <David.Bizar@oag.texas.gov>
Sent: Wednesday, 05 August 2026 11:22:22
To: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>; Wessan, Eric <Eric.Wessan@ag.iowa.Gov>; Charles.Gartland@alaska.Gov <Charles.Gartland@alaska.Gov>; Erik.Fern@nebraska.Gov <Erik.Fern@nebraska.Gov>; Benjamin.Swanson@nebraska.Gov <Benjamin.Swanson@nebraska.Gov>
Cc: Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>
Subject: RE: Seeking Positions on Motions (FTC v. WPATH)

Texas will also participate in the meet and confer, at whatever time you all choose is fine. Thanks, David.

David Bizar
Assistant Attorney General
Deputy Chief, Consumer Protection Division
Office of the Attorney General of Texas
david.bizar@oag.texas.gov



From: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>
Sent: Wednesday, August 5, 2026 10:18 AM
To: Wessan, Eric <Eric.Wessan@ag.iowa.gov>; Charles.Gartland@alaska.gov; Erik.Fern@nebraska.gov; Benjamin.Swanson@nebraska.gov; David Bizar <David.Bizar@oag.texas.gov>
Cc: Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>
Subject: RE: Seeking Positions on Motions (FTC v. WPATH)

Eric,

We appreciate your response. We would be happy to confer on the motion. Because we plan to file the motion later today, we would need to confer by 1pm ET, so please let me know who from your office might be available before then. I am free at any time and can be reached at (617) 963-2904. (I am unaware of a call scheduled for Friday.) If your office is unable to confer or confirm your position by 1pm ET, I will note our exchange in the filing and state that we were unable to reach agreement on the motion.

Thank you,
Morgan

From: Wessan, Eric <Eric.Wessan@ag.iowa.gov>
Sent: Wednesday, August 5, 2026 10:12 AM
To: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>; Charles.Gartland@alaska.gov; Erik.Fern@nebraska.gov; Benjamin.Swanson@nebraska.gov; David.Bizar@oag.Texas.Gov
Cc: Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>
Subject: RE: Seeking Positions on Motions (FTC v. WPATH)

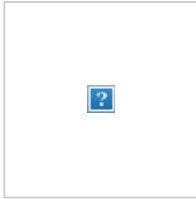
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Hi Morgan –

I'm just catching up on emails now, but I thought we were scheduling a meet-and-confer on this for Friday. I think that this is a bit of an unusual/complicated case and so we just want to make sure everything is proceeding as orderly as possible given some of the weird confusion. I know that when we did an amicus in the Question 3 case that y'all were involved in that your office felt very strongly about a meet-and-confer first and I made it work. I hope the same courtesy will be extended our way!

I'm OOO today/tomorrow so not able to dig in until Friday anyway.

Best,
EHW



Eric Wessan
Solicitor General
Office of Iowa Attorney General Brenna Bird
1305 E. Walnut St.
Des Moines, IA 50319
(515) 823-9117

From: Carmen, Morgan (AGO) <Morgan.Carmen@mass.gov>

Sent: Tuesday, August 4, 2026 3:37 PM

To: Charles.Gartland@alaska.Gov; Wessan, Eric <Eric.Wessan@ag.Iowa.Gov>; Erik.Fern@nebraska.Gov; Benjamin.Swanson@nebraska.Gov; David.Bizar@oag.Texas.Gov

Cc: Slater, Allyson (AGO) <Allyson.Slater@mass.gov>; Cambier, Adam (AGO) <Adam.Cambier@mass.gov>

Subject: Seeking Positions on Motions (FTC v. WPATH)

You don't often get email from morgan.carmen@mass.gov. [Learn why this is important](#)

Hi all,

MA and a coalition of states (CA, CO, CT, DC, DE, IL, ME, MD, MI, MN, NV, NY, OR, RI, WA, VA, and VT) aim to file an amicus in *FTC v. WPATH* (No. 4:26-cv-748). The brief will address amici jurisdictions' role as regulators of medicine and how these jurisdictions have used that role, including to ensure equal access to healthcare.

We are writing to seek your position on our motions for leave to proceed without designated local counsel and for leave to file the amicus. We have already asked the FTC for their position.

Please let us know your position on these motions by 1pm ET tomorrow (8/5). We will be filing tomorrow afternoon.

Thank you,
Morgan

Morgan Carmen
Assistant Attorney General
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One Ashburton Place
Boston, MA 02138
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