

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

PAUL A. EKNES-TUCKER, *et al.*,

**Plaintiffs,**

**UNITED STATES OF AMERICA**

**Intervenor Plaintiff,**

**V.**

**STEVE MARSHALL, *et al.*,**

## Defendants.

**Case No. 2:22-cv-184-LCB**

## **PROCEDURAL ORDERS & STATUS OF FORTHCOMING OPINION**

This suit challenges the constitutionality of the Alabama Vulnerable Child Compassion and Protection Act. Before the Court are five procedural motions. First, the United States moves to intervene on behalf of Plaintiffs under Federal Rule of Civil Procedure 24. (Doc. 58 at 2). For the reasons given on the record during the motion hearing, the United States's motion to intervene (Doc. 58) is **GRANTED**.

Second, the States of Arkansas, Alaska, Arizona, Georgia, Indiana, Louisiana, Mississippi, Missouri, Montana, Nebraska, Oklahoma, South Carolina, Texas, Utah, and West Virginia move for leave to proceed as *amici curiae* and file a brief in support of Defendants. (Doc. 71 at 1). Third, twenty-two health organizations move for leave to proceed as *amici curiae* and file a brief in support of Plaintiffs. (Doc. 91

at 1–2). Because the proposed *amici* briefs are timely and offer relevant information, the motions for leave to proceed as *amici curiae* (Docs. 71 & 91) are **GRANTED**. The Court will consider the briefs in ruling on the motions for a preliminary injunction.

Fourth, Plaintiffs move for leave to file Exhibit 40 of their Exhibit List under seal. (Doc. 84 at 2). Fifth, Plaintiffs Megan Poe and Dr. Rachel Koe move to seal the preliminary injunction hearing while they testify. (Doc. 90 at 2). For the reasons given on the record during the preliminary injunction hearing, the motions to seal (Docs. 84 & 90) are **GRANTED**.

Finally, as the Court explained on the record, this is a complicated case that raises complex and important issues and consists of many hundreds of pages of briefing and exhibits. The Court has made very substantial progress toward crafting an opinion in this matter and expects to file the opinion by the end of this week, if not sooner.

**DONE and ORDERED** May 8, 2022.

A handwritten signature in black ink, appearing to read 'L.C. Burke', is written over a horizontal line.

**LILES C. BURKE**  
UNITED STATES DISTRICT JUDGE