

NO. 23-2568

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

JANE DOE #1, a minor, by her mother and next friend,
JANE DOE #2,

Plaintiff-Appellee,

v.

MUKWONAGO AREA SCHOOL DISTRICT and
JOSEPH KOCH, in his official capacity as Superintendent of the
Mukwonago Area School District,

Defendants-Appellants.

On Appeal from the United States District Court for the
Eastern District of Wisconsin, Case No. 2:23-cv-00876
The Honorable Judge Lynn Adelman

**PLAINTIFF-APPELLEE'S MOTION TO HOLD IN ABEYANCE
SUPPLEMENTAL BRIEFING**

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Attorneys for Plaintiff-Appellee

Pursuant to Operating Procedure 1(c)(2) for the United States Court of Appeals for the Seventh Circuit, Appellee Jane Doe #1 respectfully requests that the Court hold in abeyance the supplemental briefing ordered on June 30, 2025. *See* Dkt. 60.

As explained in further detail in Plaintiffs' filing being entered concurrently in the district court, Plaintiff is no longer attending one of Defendants' schools and, since the high school graduation of her brother last month, no longer has family obligations requiring her to attend events at Defendants' facilities. Given these changed circumstances, Plaintiff seeks dissolution of the preliminary injunction.

Pursuant to Federal Rule of Appellate Procedure 8(a)(1)(c), Plaintiff has moved first in the district court for this relief, requesting that the district court enter an order dissolving the preliminary injunction, or, if it does not believe it has jurisdiction to do so, that it enter an indicative ruling under Federal Rule of Civil Procedure 62.1(a) and request a remand from this Court.

Plaintiff respectfully requests that this Court hold in abeyance the supplemental briefing pending the district court's resolution of Plaintiff's motion to dissolve the preliminary injunction. This will conserve the parties' and the Court's resources in the event the preliminary injunction is dissolved and no controversy regarding its issuance remains.

Plaintiff advised Defendants of her intent to seek this relief on Friday June 18, 2025 and inquired whether Defendants would consent. Counsel for Defendants indicated that he would take the request to the MASD Board and expected to have further information about its position later this week.

Dated: July 23, 2025

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

This motion complies with the length limitation of Federal Rule of Appellate Procedure 27(d)(2)(A) because the motion contains 257 words. This motion complies with the typeface and type-style requirements of Circuit Rule 32(b) because the motion has been prepared in proportionally spaced typeface using Microsoft Word in 12-point Century Schoolbook font.

Date: July 23, 2025

/s/ Glenn Schlactus
Glenn Schlactus
Counsel for Plaintiff-Appellee