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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MADISON FISK, RAQUEL CASTRO,
GRETA CASTRILLON, CLARE
BOTTERILL, MAYA BROSCHE,
HELEN BAUER, CARINA CLARK,
NATALIE FIGUEROA, ERICA
GROTEGEER, KAITLIN HERI,
OLIVIA PETRINE, AISHA WATT,
KAMRYN WHITWORTH, SARA
ABSTEN, ELEANOR DAVIES,
ALEXA DIETZ, and LARISA SULCS,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

BOARD OF TRUSTEES OF THE
CALIFORNIA STATE UNIVERSITY
and SAN DIEGO STATE
UNIVERSITY,

Defendants.

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Case No. 3:22-cv-00173-TWR-MSB

**PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Judge: Hon. Todd W. Robinson
Courtroom: 14A
Date: April 10, 2025
Time: 1:30 p.m.

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1 Plaintiffs Madison Fisk, Raquel Castro, Greta Castrillon, Clare Botterill, Maya
2 Brosch, Helen Bauer, Carina Clark, Natalie Figueroa, Erica Grotegeer, Kaitlin Heri,
3 Olivia Petrine, Aisha Watt, Kamryn Whitworth, Sara Absten, Eleanor Davies, Alexa
4 Dietz, and Larisa Sulcs (“Plaintiffs”), having conferred with Defendants, hereby
5 respectfully move the Court for an Order pursuant to Federal Rule of Civil Procedure
6 23(c) certifying the following (the “Classes”):

7 1. Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(2), the
8 following class (the “Injunctive Relief Class”):

9 All female students who participate or, since February 7, 2022,
10 participated in intercollegiate varsity athletics at San Diego
11 State University.

12 2. Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(3), the
13 following class (the “Retaliation Class”):

14 All female students who participated in intercollegiate varsity
15 athletics at San Diego State University from the 2018-2019
16 academic year to the present.

17 3. Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(3), the
18 following class (the “Athletic Financial Aid Class”):

19 All female students who participated in intercollegiate varsity
20 athletics at San Diego State University from the 2018-2019
21 academic year to the present and did not receive all of the
22 athletic financial aid they could have received.

23 4. Pursuant to Federal Rule of Civil Procedure 23(a)(4), Plaintiffs
24 respectfully move the Court to appoint the following as class representatives:

25 i. For the Injunctive Relief Class: Plaintiffs Carina Clark and Kaitlin
26 Heri; and
27
28

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1 ii. For the Retaliation Class and the Athletic Financial Aid Class:
2 Plaintiffs Madison Fisk, Carina Clark, Natalie Figueroa, Kaitlin
3 Heri, Olivia Petrine, and Kamryn Whitworth.

4 5. Pursuant to Federal Rules of Civil Procedure 23(a)(4) and 23(g), Plaintiffs
5 respectfully move the Court to appoint as class counsel: Clarkson Law Firm, P.C.;
6 Casey Gerry Schenk Francavilla Blatt & Penfield, LLP; and Haeggquist & Eck, LLP.

7 6. The bases for Plaintiffs’ Motion are set forth in the accompanying
8 memorandum of points and authorities, the Declarations of Arthur H. Bryant and
9 Olivia Petrine, and the expert report of Dr. Donna Lopiano with the exhibits and
10 appendices attached thereto.

11 Plaintiffs thus respectfully request that the Court grant their motion and certify
12 the Classes, appoint the class representatives, and appoint class counsel.

13
14 Dated: November 22, 2024

Respectfully Submitted,

/s/ Arthur H. Bryant
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