

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

KERRY WACHTER;

DANIELLE CIAMPINO;

SARAH ROUSE;

ISSAC KUO,

Plaintiffs,

v.

LETITIA JAMES, in her official capacity as
Attorney General for the State of New York;

BETTY ROSA, in her official capacity as
Commissioner of Education for the State of New
York;

LESTER W. YOUNG, JR., in his official capacity
as Chancellor of the New York State Board of
Regents; JUDITH CHIN, in her official capacity as
Vice Chancellor of the New York State Board of
Regents; ROGER TILLES; CHRISTINE CEA;
WADE NORWOOD; SUSAN MITTLER;
FRANCES WILLS; ARAMINA VEGA FERRER;
SHINO TANIKAWA; ROGER CATANIA;
ADRIAN HALE; HASONI PRATTS; PATRICK
MANNION; SEEMA RIVERA; BRIAN KRIST;
KEITH WILEY; FELICIA THOMAS-
WILLIAMS, in their official capacities as members
of the New York State Board of Regents,

Defendants.

Case No. 1:25-cv-01718-GTS-TWD

**PLAINTIFFS' NOTICE OF MOTION AND MOTION
FOR A PRELIMINARY INJUNCTION**

1. PLEASE TAKE NOTICE that Plaintiffs respectfully move this Court for an order issuing a preliminary injunction under Federal Rule of Civil Procedure 65 against the above-named Defendants related to the enforcement of the Guidance Letter challenged in this action. *See* Decl. of Kerry Wachter, Jan. 7, 2026, Ex. A. Plaintiffs further move that any bond requirement for injunctive relief be waived.

2. The grounds for Plaintiffs' motion for a preliminary injunction are set forth in the accompanying memorandum of law supporting the motion. In summary, Defendants are violating Plaintiffs' First Amendment rights through the Letter by threatening their speech at school board meetings about school-operations issues related to gender identity and transgender students. Plaintiffs therefore ask the Court to enjoin Defendants' enforcement of the Letter while this case proceeds to the merits.

3. Plaintiffs base their motion on the Complaint and its exhibits, the Declarations of Kerry Wachter, Danielle Ciampino, Issac Kuo, and Sarah Rouse, the memorandum of law supporting the motion, any forthcoming reply memorandum of law, any argument of counsel, and all prior filings and proceedings herein.

4. This motion will be heard either on the papers or at a time and place to be determined by the Court. Plaintiffs request oral argument to address any questions the Court may have which are not addressed in the parties' memoranda of law.

Respectfully submitted this 9th day of January, 2026.

s/ James V. F. Dickey
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