

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

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|---|-------------------------|
| MELINDA ANTONUCCI; CASEY) | |
| MATHIEU,) | |
| Plaintiffs,) | Case No.: 2:24-cv-00783 |
| v.) | |
| CHRISTOPHER WINTERS, in his personal) | MOTION FOR PRELIMINARY |
| and official capacity as Commissioner of the) | INJUNCTION |
| Vermont Department for Children and) | |
| Families; ARYKA RADKE, in her personal) | ORAL ARGUMENT REQUESTED |
| and official capacity as Deputy Commissioner,) | |
| Vermont Department for Children and) | |
| Families, Family Services Division; STACEY) | |
| EDMUNDS, in her personal and official) | |
| capacity as Director, Residential Licensing &) | |
| Special Investigations, Vermont Department) | |
| for Children and Families; and PAULA) | |
| CATHERINE, in her personal and official) | |
| capacity as a Licensing Officer, Residential) | |
| Licensing & Special Investigations, Vermont) | |
| Department for Children and Families,) | |
|) | |
| Defendants.) | |
|) | |

Plaintiffs Melinda Antonucci and Casey Mathieu file this Motion under Rule 65(a) of the Federal Rules of Civil Procedure and ask this Court to issue a Preliminary Injunction against the above-captioned Defendants. This Motion is supported by: (1) the attached Memorandum in Support, and (2) the Verified Complaint (ECF No. 1), along with the exhibits attached thereto. Further, Plaintiffs respectfully request oral argument on this Motion.

Plaintiffs move for this Court to enjoin Defendants, and all other persons who are in active concert or participation with them, as follows:

1. To stop efforts to revoke Plaintiffs' foster care license;
2. To refrain from otherwise excluding Plaintiffs from Vermont's foster-care program;

3. To refrain from requiring Plaintiffs to commit to facilitating a hypothetical foster child's "gender affirming care" through social or medical transition as a condition for maintaining their foster care license; and
4. If Defendants maintain that foster children must receive "gender affirming care," to allow Plaintiffs to opt-out of fostering transgender-identifying children (1) at the placement stage and (2) if a child comes to have a transgender identity while in their care.

Respectfully submitted,

Dated: July 17, 2024.

by:

/s/ Robert Kaplan

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*Pro Hac Vice Application Pending