

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CARMILLA TATEL, individually and as
parent and natural guardian of her children;
STACY DUNN, individually and as parent
and natural guardian of her children; and
GRETCHEN MELTON, individually and as
parent and natural guardian of her children.

Plaintiffs

v.

MT. LEBANON SCHOOL DISTRICT; THE
MT. LEBANON SCHOOL BOARD;
MEGAN WILLIAMS; DR. TIMOTHY
STEINHAUER; DR. MARYBETH D.
IRVIN; BRETT BIELEWICZ; JACOB W.
WYLAND; VALERIE M. FLEISHER;
TODD W. ELLWEIN; ANDREW D.
FREEMAN; ERIN C. GENTZEL; CLAIRE
B. GUTH; DR. JUSTIN D. HACKETT;
ANAMARIA A. JOHNSON; and SARAH L.
OLBRICH.

Defendants

Civil Docket No.: 2:22-cv-837

STIPULATED ORDER OF COURT

Based on the agreement and consent of the Parties, to amicably resolve Plaintiffs' Motion for Preliminary Injunction (Doc. 5), the Parties have agreed to and the Court hereby ORDERS the following Stipulated Order of Court:

1. Plaintiffs' Complaint in the above-captioned matter will be deemed and considered to be Plaintiffs' written request, under 22 Pa.Code §4.4(d), and District Policy IF, on the basis of their religious beliefs, that their children be excused from instruction on the subject matters of gender identity and gender transitioning. Defendant, Mt. Lebanon School District ("School

District”) will provide, at a minimum, one (1) week written notice (by email) to Plaintiffs of the intention to provide instruction or information on the topics of gender identity or gender transitioning in classrooms where any of the children of any of the Plaintiffs is a student or in school assemblies that Plaintiffs’ children are required or scheduled to attend. Upon written request from Plaintiffs, the School District will promptly, and in no event less than two (2) business days, provide Plaintiffs with access (if feasible via email or an emailed link and, if not feasible, provision of titles to the materials and in-person access) to any and all Instructional Materials (as defined by District Policy IJ) that may be used in such instruction or assemblies. Unless Plaintiffs otherwise notify the building principal, by email, at least one school day prior to the planned instruction or assembly, their children shall be excused from such instruction, assembly and/or receipt of information.

2. For purposes of compliance with the foregoing, the School District will provide written notice of this Stipulation to all building administrators in charge of and teachers to whom any of the children of any of the Plaintiffs are assigned.

3. It is mutually recognized that this Stipulation is made in the context of the above-captioned civil action involving disputed claims and is entered into for the purpose of obviating a request or need for preliminary injunctive relief pending the adjudication of those claims. To this end: (a) Plaintiffs hereby agree that their previously filed Motion for Preliminary Injunction is resolved and mooted by this Order, (b) neither this Order nor actions in conformance with this Stipulation shall be considered to be an admission by any party of any claim, liability or wrongdoing and all parties fully reserve their respective claims and defenses in this civil action. Neither this Order nor actions in conformance with it confer “prevailing party” status on either party (i.e., it does not secure the resolution of a dispute that changes the legal relationship of the

parties) and neither party is entitled to nor shall seek attorneys' fees pursuant to applicable law, including but not limited to 42 U.S.C. § 1988, because of entry of this Order.

4. The Court maintains jurisdiction to enforce the terms of this Order.

For Plaintiffs:

s/ David J. Berardinelli
David J. Berardinelli

For Defendants:

s/ Matthew M. Hoffman
Matthew M. Hoffman

IT IS SO ORDERED.

Dated: June 28, 2022

s/Joy Flowers Conti
Hon. Joy Flowers Conti
Senior United States District Court Judge