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March 13, 2023

VIA EMAIL & EFILE

The Honorable Patrick Diamond
Second Judicial District of Minnesota
Ramsey County Courthouse
15 W Kellogg Blvd.
St. Paul, MN 55102

Re: Court File No. 62-CV-21-211: Cooper v. USA Powerlifting
Our File No.: 17214.001

Dear Judge Diamond:

I am writing to advise the Court that Defendant USA Powerlifting has appealed the Court's February 27, 2023 Order to the Minnesota Court of Appeals. Because the Court's Order grants injunctive relief, the Order is immediately appealable pursuant to Rule 103.03 of the Minnesota Rules of Civil Appellate Procedure and cases construing that rule.

In light of the appeal, Defendant has also filed a motion for stay. In that motion, we seek a stay of further proceedings in the district court pending the conclusion of appeals so that the legal issues discussed in the February 27, 2023 Order may be resolved by Minnesota's appellate courts. In the alternative, and at a minimum, we ask this Court to stay enforcement of the provisions of the February 27, 2023 Order that enjoin Defendant from enforcing its existing policy with respect to transgender women and that require Defendant to submit a different policy to this Court. Unless the Court is prepared to grant our motion for stay based on the papers (including, obviously, any comments from Plaintiff's counsel), we suggest that our motion for stay be argued on April 11, 2023 as part of the pretrial conference. If the Court believes the motion for stay should be heard sooner, please advise us of other available hearing dates and times. We hope that the Court will grant the requested stay, but are prepared to renew the motion for stay in the court of appeals if necessary.

Given the appeal and motion for stay, we are deferring the submission of a revised policy for transgender women and reserve all of our objections to the portion of the February 27, 2023 Order on that issue.

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Very truly yours,

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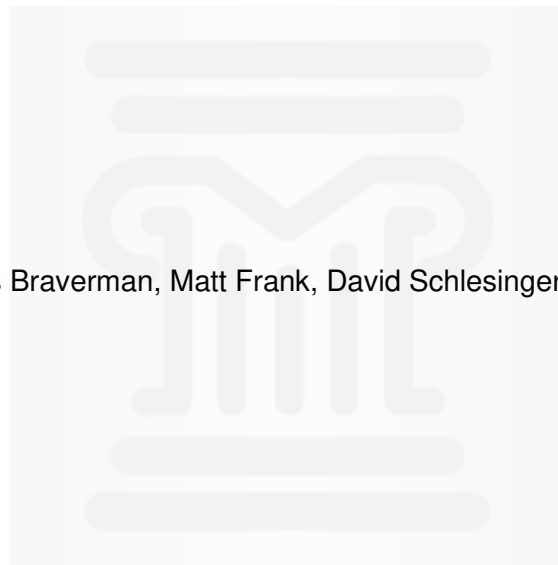
/s/ Ansis V. Viksnins

Ansis V. Viksnins
Attorney at Law

AVV/mgb

cc: Christy Hall, Jess Braverman, Matt Frank, David Schlesinger

4893-9149-1414, v. 1



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