

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
COVINGTON DIVISION

State of Tennessee; Commonwealth of Kentucky; State of Ohio; State of Indiana; Commonwealth of Virginia; and State of West Virginia,

Plaintiffs,

and

Christian Educators Association International; and A.C., by her next friend and mother, Abigail Cross,

Intervenor-Plaintiffs,

v.

Miguel Cardona, in his official capacity as Secretary of Education; and **United States Department of Education,**

Defendants.

Case No. 2:24-cv-00072-DLB-CJS

District Court Judge Danny C. Reeves

DECLARATION OF RACHEL A. ROULEAU

I, Rachel A. Rouleau, under penalty of perjury, declare as follows:

1. I am over the age of 18, of sound mind, and otherwise competent to sign this declaration. I have personal knowledge of the information below.

2. I am an attorney on the legal team for Plaintiff-Intervenor A.C. and Christian Educators Association International in this litigation. I testify to the following based on own personal knowledge.

3. In their complaint, Intervenor-Pls. allege that a male named B.P.J. competed against and beat A.C. during athletic competitions in middle school. (Proposed Intervenor-Pls.' Compl. § III (Doc. 21-3)).

4. Exhibit B of the Intervenor's complaint are true and correct copies of B.P.J.'s and A.C.'s athletic records taken from athletic.net. *See* Doc. 21-6. We redacted those records to protect the confidentiality of A.C. and B.P.J.

5. Since Intervenor filed their complaint, B.P.J. has competed in two additional track and field meets in which B.P.J. displaced more girls. These records are publicly available at athletic.net. Attached to this declaration is Exhibit A, which is a true and correct copy of records my legal team downloaded off athletic.net on May 14, 2024. We redacted B.P.J.'s name from these public records to maintain confidentiality.

6. Below is a chart we compiled of the number of girls B.P.J. has displaced (meaning beat or placed above) in competition from 2021 through 2024. During those three years, B.P.J. competed on the Bridgeport Middle School cross country team and the track and field team competing in discus and shot put. These totals represent the number of girls B.P.J. displaced in both sports, not counting competitors who were disqualified or did not compete in an event.

7. We also compiled the number of times B.P.J. displaced girls in both sports, not counting competitors who were disqualified or did not compete in an event.

8. These numbers were compiled from Exhibit B to Intervenor's Complaint (Doc. 21-6) and Exhibit A to this declaration.

School Year	Number of Girls BPJ Displaced
2021–2022	65
2022–2023	128
2023–2024	126
Total (no overlap)	283

School Year	Number of Times BPJ Displaced Girls
2021–2022	73
2022–2023	291
2023–2024	340
Total	704

DECLARATION UNDER PENALTY OF PERJURY

I, Rachel A. Rouleau, a citizen of the United States and a resident of the State of Virginia, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed this 16th day of May, 2024, at Lansdowne, Virginia.



Rachel A. Rouleau























EXHIBIT A



Harry Green Statewide Middle School Invitational MS

OFFICIAL 📅 Sat, May 11, 2024 📍 Bridgeport HS Wayne Jamison Field, WV US

Womens Middle School Shot Put 6lb

Finals

1	KR	Kaylee Robinson	Charles Town	35 10.00	10.92n PR • Yr: 8
2		B.P.J.	 Bridgeport	35 03.00	10.74n PR • Yr: 8
3	AV	Arianna Viglianco	 Bridgeport	30 00.00	9.14mYr: 8
4	JH	Josie Higginbottom	 Bruceton	29 02.00	8.89mYr: 7
5	RW	Raegan Wortman	 Milton	28 11.00	8.81n PR • Yr: 7
6	SG	Sierra Greathouse	 West Preston	28 08.00	8.74n PR • Yr: 6
7	OK	Olivea Kimmons	 West Preston	28 02.00	8.59mYr: 8
8	GT	Grace Taylor	 Hamilton	27 05.50	8.37mYr: 8
9	LW	Lila Weglinski	 Mountaineer (Morga...	27 02.00	8.28mYr: 8
10	IW	Isabelle Wolfe	 Mountaineer (Morga...	27 01.00	8.26n PR • Yr: 6
11	SP	Shyanne Polan	 Hamilton	26 06.00	8.08mYr: 8
12	MS	McKenna Smith	 St. Francis Central Ca...	26 05.50	8.06n PR • Yr: 8
13	EL	Emma Lewis	 Aurora	26 04.00	8.03n PR • Yr: 7
14	BS	Brooklin Swanson	 Elkview	24 02.50	7.38mYr: 8
15	RR	Riley Rupert	 Pleasants County	23 10.50	7.28mYr: 8
16	PW	Palia Watson	Charles Town	23 06.00	7.16mYr: 8
17		Katilynn Downey	 St. Francis Central Ca...	23 02.00	7.06mYr: 7
18	EC	Emma Cadle	 Winfield	22 01.00	6.73mYr: 7
19	KJ	Kenzie Jackson	 Hayes	21 06.00	6.55n PR • Yr: 8
20	PS	Paisley Schnopp	 Bruceton	21 00.00	6.40mYr: 7
21	AK	Aryanna Keith	 Pleasants County	19 03.00	5.87mYr: 6
22	MJ	Malia Jones	 Westwood	16 09.00	5.11n PR • Yr: 6
23	AD	Amelia Doerner	 Westwood	16 07.00	5.05mYr: 7

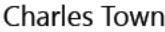























--	AF	Aaliyah Friend	 East Preston	DNS	Yr: 8
--	AR	Angel Redman	 Keyser	DNS	Yr: 7

Harry Green Statewide Middle School Invitational MS

OFFICIAL  Sat, May 11, 2024  Bridgeport HS Wayne Jamison Field, WV US

Womens Middle School Discus 1kg

Finals

1	KR	Kaylee Robinson	 Charles Town	89 11	27.41mYr: 8
2		B.P.J.	 Bridgeport	79 00	24.08mYr: 8
3	RW	Raegan Wortman	 Milton	77 02	23.52mYr: 7
4	SC	Sophia Christensen	 Mountaineer (Morga...	66 05	20.24mYr: 7
5	EL	Emma Lewis	 Aurora	66 04	20.22n PR • Yr: 7
6		 Haven Dickerson	 Bridgeport	65 06	19.96mYr: 8
7	JH	Josie Higginbottom	 Bruceton	62 01	18.92mYr: 7
8	EC	Emma Cadle	 Winfield	59 00	17.98mYr: 7
9		 Katilynn Downey	 St. Francis Central Ca...	57 04	17.48n PR • Yr: 7
10	SG	Sierra Greathouse	 West Preston	56 08	17.27mYr: 6
11	GT	Grace Taylor	 Hamilton	55 09	16.99mYr: 8
12	RR	Riley Rupert	 Pleasants County	53 03	16.23mYr: 8
13	EG	Elizabeth Gray	 Pleasants County	52 00	15.85mYr: 7
14	OK	Olivea Kimmons	 West Preston	49 02	14.99mYr: 8
15	KM	Kaitlyn McMillen	 Mountaineer (Morga...	48 02	14.68mYr: 7
16	PS	Paisley Schnopp	 Bruceton	45 06	13.87mYr: 7
17	AF	Ava Fisher	 Charles Town	44 09	13.64mYr: 6
18	BS	Brooklin Swanson	 Elkview	42 02	12.85mYr: 8
19	KJ	Kenzie Jackson	 Hayes	41 04	12.60mYr: 8
20	CB	Caroline Bozek	 St. Francis Central Ca...	36 07	11.15n PR • Yr: 6
	AF	Aaliyah Friend	 East Preston	DNS	Yr: 8
	AR	Angel Redman	 Keyser	DNS	Yr: 7

2024 RunnerSpace.com

2024 Athletic.net - All rights reserved

8th Grade Spectacular MS

OFFICIAL 📅 Tue, May 7, 2024 📍 Liberty High School Mazzei Reaser Athletic Complex, WV US

Womens Middle School Shot Put 6lb

Finals

1	B.P.J.	Bridgeport	34 00.50	10.38mYr: 8
2	AV Arianna Viglianco	Bridgeport	32 10.00	10.01n PR • Yr: 8
3	KM Kyonna Marbury	West Fairmont	28 07.00	8.71n PR • Yr: 8
3	IB Isabella Bowers	Buckhannon Upshur	28 07.00	8.71n PR • Yr: 8
5	Haven Dickerson	Bridgeport	27 11.00	8.51n PR • Yr: 8
6	IT Isabella Toothman	West Fairmont	26 07.00	8.10n PR • Yr: 8
7	AP Annaleigh Pierce	Lincoln	25 07.50	7.81mYr: 8
8	BF Bailey Fernatt	Taylor County	25 05.50	7.76mYr: 8
9	EC Ella Carlson	Bridgeport	25 05.00	7.75mYr: 8
10	OR Olivia Reed	Bridgeport	25 00.00	7.62n PR • Yr: 8
11	BS Brayliegh Scheuvror	Mountaineer (Clarksburg)	24 10.00	7.57n PR • Yr: 8
12	KS Katie Samples	Buckhannon Upshur	24 09.50	7.56mYr: 8
13	EB Elizabeth Brittain	Bridgeport	24 04.00	7.42n PR • Yr: 8
14	NT Natalee Turner	Washington Irving	23 08.00	7.21n PR • Yr: 8
15	ZS Zarah Small	Washington Irving	23 03.50	7.10mYr: 8
16	JS Jayda Stone	West Fairmont	20 04.00	6.20n PR • Yr: 8
17	MC Micah Cain	Mountaineer (Clarksburg)	19 05.00	5.92n PR • Yr: 8
18	KR Kenleigh Rittenhouse	Robert L. Bland	17 10.00	5.44n PR • Yr: 8
	AP Alawna Powell	Lincoln	FOUL	Yr: 8
	ES Emmy Salerno	Lincoln	FOUL	Yr: 8
	RC Ruveah Carrillo	West Fairmont	DNS	Yr: 8
	SS Sabrina Shriver	Lincoln	FOUL	Yr: 8
	KG Katrina Guthrie	Lincoln	FOUL	Yr: 8

DP Dahlia Plemons



West Fairmont

DNS

Yr: 8

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8th Grade Spectacular MS

OFFICIAL 📅 Tue, May 7, 2024 📍 Liberty High School Mazzei Reaser Athletic Complex, WV US

Womens Middle School Discus 1kg

Finals

1	B.P.J.	Bridgeport	82 01.50	25.03mYr: 8
2	AM Ava McGill	Lincoln	79 07.50	24.27mYr: 8
3	Haven Dickerson	Bridgeport	72 04	22.05n PR • Yr: 8
4	KS Katie Samples	Buckhannon Upshur	62 11.50	19.19mYr: 8
5	BF Bailey Fernatt	Taylor County	62 06.50	19.06mYr: 8
6	KY Kaylee Yost	Mountaineer (Clarksburg)	59 00.50	18.00n PR • Yr: 8
7	ZS Zarah Small	Washington Irving	54 05	16.59n PR • Yr: 8
8	NT Natalee Turner	Washington Irving	54 04.50	16.57mYr: 8
9	EC Ella Carlson	Bridgeport	52 07	16.03mYr: 8
10	EB Elizabeth Brittain	Bridgeport	35 10	10.92n PR • Yr: 8
11	KR Kenleigh Rittenhouse	Robert L. Bland	31 07.50	9.64mYr: 8
	IT Isabella Toothman	West Fairmont	FOUL	Yr: 8
	ZB Zayna Buckso	West Fairmont	FOUL	Yr: 8
	KM Kyonna Marbury	West Fairmont	FOUL	Yr: 8
	SS Sabrina Shriver	Lincoln	FOUL	Yr: 8