

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-12155

AUGUST DEKKER,
a.k.a. Kori Dekker,
BRIT ROTHSTEIN,
SUSAN DOE,
A Minor by Her Parents and Next Friends,
JANE DOE,
On Behalf of Susan Doe,
JOHN DOE,
A Parent on Behalf of Susan Doe, et al.,

Plaintiffs-Appellees,

versus

FLORIDA AGENCY FOR HEALTH CARE
ADMINISTRATION,
SECRETARY, FLORIDA AGENCY FOR HEALTH CARE
ADMINISTRATION,

2

Order of the Court

23-12155

Defendants- Appellants,

SIMONE MARSTILLER,

In Her Capacity as Secretary AHCA, et al.,

Defendants.

Appeal from the United States District Court
for the Northern District of Florida
D.C. Docket No. 4:22-cv-00325-RH-MAF

ORDER:

The parties are DIRECTED to file supplemental briefs addressing the following issue:

Does the invidious-discrimination analysis associated with *Washington v. Davis*, 426 U.S. 229 (1976), and *Personnel Administrator of Massachusetts v. Feeney*, 442 U.S. 256 (1979), apply only to “suspect” and “quasi-suspect” classes like race and sex, or does it apply more broadly?

The briefs should be no more than 10 pages in length and should be filed on or before November 6, 2024.

23-12155

Order of the Court

3

DAVID J. SMITH
Clerk of the United States Court of
Appeals for the Eleventh Circuit

ENTERED FOR THE COURT - BY DIRECTION