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forthcoming

**MONTANA FOURTH JUDICIAL DISTRICT COURT,  
MISSOULA COUNTY**

CASEY PERKINS, an individual;  
SPENCER MCDONALD, an  
individual; KASANDRA  
REDDINGTON, an individual; JANE  
DOE, an individual; and JOHN DOE,  
an individual,

Plaintiffs,

vs.

STATE OF MONTANA;  
GREGORY GIANFORTE, in his  
official capacity as Governor of  
the State of Montana; and AUSTIN

Cause No. DV 25-282

Hon. Shane Vannatta

**PLAINTIFFS' MOTION FOR  
TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION**

KNUDSEN, in his official capacity as Attorney General of the State of Montana,  Defendants.	
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Plaintiffs Casey Perkins, Spencer McDonald, Kasandra Reddington, Jane Doe, and John Doe hereby move for a temporary restraining order and preliminary injunction to enjoin Defendants the State of Montana, the Governor of Montana, and the Attorney General of Montana from enforcing HB 121, 2025 Leg., 69th Sess. (Mont. 2025) (“HB 121” or the “Act”). The Act bars transgender people from using restrooms, changing rooms, and sleeping quarters that correspond to their gender identity in a sweeping range of public spaces, including schools, offices, libraries, courthouses, state parks, and hospitals; and does not appear to allow intersex people to use these sex-separated facilities at all.

As detailed in Plaintiffs’ brief in support, complaint, and supporting declarations, Plaintiffs are likely to succeed on—and show at least serious questions going to—the merits of their claims that the Act violates the Montana Constitution’s guarantees of equal protection, the right to privacy, the right to pursue life’s basic necessities, and due process. Moreover, absent preliminary relief, Plaintiffs and other transgender and intersex Montanans will be irreparably harmed by the Act’s infringement of their constitutional rights and its restriction of their access to restrooms, changing rooms, and sleeping quarters. Finally, both the

balance of equities and the public interest favor maintaining the status quo and vindicating Plaintiffs' fundamental constitutional rights. Accordingly, Plaintiffs respectfully request that this Court issue a temporary restraining order and set a hearing on Plaintiffs' motion for a preliminary injunction.

Dated: March 27, 2025

Respectfully submitted,

By: /s/ Alex Rate  
Alex Rate

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