

VIRGINIA:

IN THE CIRCUIT COURT OF LOUDOUN COUNTY

CLINT THOMAS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Case No. 22003556-00
)	
THE LOUDOUN COUNTY)	
PUBLIC SCHOOLS, et al.,)	
)	
Defendants.)	
_____)	

**PLAINTIFFS' FIRST SET OF INTERROGATORIES TO
DEFENDANT LOUDOUN COUNTY PUBLIC SCHOOLS**

Plaintiffs request, pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, that Defendant Loudoun County Public Schools (“LCPS”) answer the following Interrogatories within twenty-one (21) days of service to the office of the Binnall Law Group, PLLC, 717 King Street, Suite 200, Alexandria, Virginia 22314.

DEFINITIONS

1. The term “Defendant(s)” means any defendant unless specifically named.
2. The term “document(s)” means all written, printed, record or graphic matter, photographic matter, sound reproductions, or other retrievable data (whether recorded, taped, or coded electrostatically, electromagnetically, or otherwise) including the original and any non-identical copy and every draft of all correspondence, memoranda, notes of meetings, facsimiles, electronic mail (“e-mail”), voicemail, text messages, reports, transcripts or notes of telephone conversations, diaries, notebooks, minutes, notes, tests, reports, analyses, studies, maps, charts,

diagrams, spread sheets, balance sheets, income statements, statements of cash flow, and any other writings or documentary material of any nature whatsoever, together with all attachments thereto and enclosures therein.

3. The term “communicate(d)” shall mean the interchange of thoughts, opinions, or information whether orally, electronically, or in writing, including, without limitation, text messages, messages sent via messaging applications (e.g., WhatsApp, Signal, etc.), e-mails, and social media posts of any kind.

4. The term “Complaint” shall mean Plaintiffs’ Complaint filed on June 29, 2022, against Defendants.

5. The term “psychiatric or psychological examination or test” shall have the meaning given at 34 C.F.R. § 98.4(c)(1).

6. The term “psychiatric or psychological treatment” shall have the meaning given at 34 C.F.R. § 98.4(c)(2).

INTERROGATORIES

1. State the name, address, telephone number, job title, and e-mail address for each person likely to have discoverable information, along with the subjects of that information, that Defendant LCPS may use to support its claims and/or defenses.

2. Identify all documents used to train staff on the implementation of LCPS’s Policy 8040 and Regulation 8040.

3. State the name, address, telephone number, job title, and e-mail address for each person that participated in the drafting and editing of LCPS Policy 8040,

Regulation 8040, and staff trainings on the implementation of and compliance with Policy and Regulation 8040.

4. State the name, address, telephone number, company name, and e-mail address for each person/organization and consulting company since January 2, 2019, to present that has been paid by LCPS to provide consulting services with respect to any of the following: Policy 8040 and/or Regulation 8040; LCPS's Culturally Responsive Framework; LCPS's Action Plan to End Systemic Racism; LCPS's Comprehensive Equity Plan; Social and Emotional Learning; and the Diverse Classroom Libraries.

5. Identify any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in this action or to indemnify or reimburse for payments made to satisfy the judgment.

6. Identify all evidence-based research relied upon in support of Policy and Regulation 8040.

7. Identify all model policies or best practices relied upon in support of Policy and Regulation 8040.

8. Describe the process by which LCPS developed the position that it is acceptable to withhold information about a student from that student's parents, as described on page 6 of Exhibit C to the Complaint.

9. Identify all stakeholders on whose input LCPS relied in formulating Policy and Regulation 8040.

10. Describe all protections for parental notification contained in Policy and Regulation 8040.

11. Identify all outside contractors and/or consulting companies that LCPS has paid to help it implement Policy and Regulation 8040, to include any physical changes to school infrastructure (new bathrooms, construction edits, etc.) and any teacher training or other implementation materials. Include the company name, address, and the name, email address, and phone number of any individual with whom you have corresponded at each firm, and the amount of money LCPS has paid each firm since January 1, 2021.

12. Describe the circumstances in which it would be appropriate to provide psychiatric or psychological examinations or tests, and/or psychiatric or psychological treatment to a student without prior disclosure and written parental consent.

13. Identify the factors LCPS considers when deciding admissions for students to advanced level courses, including whether these considerations take into account race, sex, national origin, and/or religion.

14. The LCPS webpage states, “The diverse classroom libraries were created through the collaboration of LCPS teachers, librarians, administrators, and classroom book collection specialist teams trained to identify culturally responsive and diverse texts in accordance to LCPS School Board Policy 5-7 Regulation, Selection and Review of Instructional Materials.” Identify all individuals who participate in or are members of the “classroom book collection specialist teams.”

15.Regarding “classroom book collection specialist teams,” identify and describe all training these teams received, including who provided such training.

16.The webpage also states, “Several criteria were considered including representation, authorship, relevance to students’ lives, authentic voice, and developmental appropriateness.” Describe the standards used to measure developmental appropriateness.

17.Aside from a traditional reading comprehension level measurement, how does LCPS judge the developmental appropriateness of sexually, racially, or violently explicit material? Include in your response the standards LCPS uses to determine the appropriateness of graphic content for a particular grade level or school level (i.e., elementary vs. middle vs. high school).

18. Identify every organization, including the name, telephone number, and e-mail address for each person with whom you have communicated in that organization, since January 2, 2019, to the present, that LCPS has paid to provide consulting services and/or teacher trainings regarding LCPS’s Culturally Responsive Framework.

19. Identify every organization, including the name, telephone number, and e-mail address for each person with whom you have communicated in that organization, since January 2, 2019, to the present, that LCPS has paid to provide consulting services and/or teacher trainings regarding LCPS’s Action Plan to End Systemic Racism.

20. Identify every organization, including the name, telephone number, and e-mail address for each person with whom you have communicated in that organization, since January 2, 2019, to the present, that LCPS has paid to provide consulting services and/or teacher trainings regarding LCPS's Comprehensive Equity Plan.

21. Identify every organization, including the name, telephone number, and e-mail address for each person with whom you have communicated in that organization, since January 2, 2019, to the present, that LCPS has paid to provide consulting services and/or teacher trainings regarding Social and Emotional Learning.

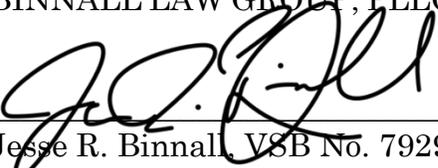
22. Identify every organization, including the name, telephone number, and e-mail address for each person with whom you have communicated in that organization, since January 2, 2019, to the present, that LCPS has paid to provide consulting services and/or teacher trainings regarding Diverse Classroom Libraries.

23. State the full name and present address of each person whom you expect to call as an expert witness at trial for this case, and for each person identified, identify the subject matter on which each person is expected to testify, state the substance of the facts and opinions to which each person is expected to testify, and provide a summary of the grounds for each opinion expected to be given by these persons.

Dated: July 20, 2022

Plaintiffs
BY COUNSEL

BINNALL LAW GROUP, PLLC



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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via process server with the Complaint on the person named below:

DR. SCOTT A. ZIEGLER
21000 Education Court
Ashburn, Virginia 20148



Jesse R. Binnall

Counsel for Plaintiffs

VIRGINIA:

IN THE CIRCUIT COURT OF LOUDOUN COUNTY

CLINT THOMAS, et al.,)
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 Plaintiffs,)
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 v.) Civil Case No. 22003556-00
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 THE LOUDOUN COUNTY)
 PUBLIC SCHOOLS, et al.,)
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 Defendants.)
 _____)

**PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS
TO DEFENDANT LOUDOUN COUNTY PUBLIC SCHOOLS**

Plaintiffs request, pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, that Defendant Loudoun County Public Schools (“LCPS”) serve written responses to the following document requests and produce the requested documents within twenty-one (21) days of service to the office of the Binnall Law Group, PLLC, 717 King Street, Suite 200, Alexandria, Virginia 22314.

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2. The term “Defendant(s)” means any defendant unless specifically named.
3. The term “document(s)” means all written, printed, record or graphic matter, photographic matter, sound reproductions, or other retrievable data (whether recorded, taped, or coded electrostatically, electromagnetically, or otherwise) including the original and any non-identical copy and every draft of all correspondence, memoranda, notes of meetings, facsimiles, electronic mail (“e-mail”),

voicemail, text messages, reports, transcripts or notes of telephone conversations, diaries, notebooks, minutes, notes, tests, reports, analyses, studies, maps, charts, diagrams, spread sheets, balance sheets, income statements, statements of cash flow, and any other writings or documentary material of any nature whatsoever, together with all attachments thereto and enclosures therein.

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7. The term “psychiatric or psychological treatment” shall have the meaning given at 34 C.F.R. § 98.4(c)(2).

REQUESTS FOR PRODUCTION

1. All documents identified in any answer to your Interrogatories.

2. All documents or communications in the LCPS’s possession relating to Policy 8040 or Regulation 8040, including, but not limited to, those dealing with withholding information about a student from the student’s parent(s).

3. All communications between the LCPS and any contractor or consulting company whom LCPS has paid to provide consulting services related to any of the

following: Policy 8040 and/or Regulation 8040; LCPS's Culturally Responsive Framework; LCPS' Action Plan to End Systemic Racism; LCPS's Comprehensive Equity Plan; Social and Emotional Learning; and the Diverse Classroom Libraries.

4. All documents or communications between or among Defendant's directors, supervisors, employees, contractors, and/or subcontractors, or with any other person pertaining to Plaintiffs or their children, or any litigation involving Plaintiffs, from January 1, 2020, until the present, relating to the subject matter of the Complaint.

5. All documents, including your social media posts, that relate to the facts and circumstances or causes of action in this matter including, but not limited to: the passage and implementation of LCPS Policy 8040; LCPS Regulation 8040; staff trainings on the implementation of and compliance with Policy and Regulation 8040; LCPS's Culturally Responsive Framework; LCPS' Action Plan to End Systemic Racism; LCPS's Comprehensive Equity Plan; Social and Emotional Learning; and the Diverse Classroom Libraries.

6. All documents that you may use to support your claims or defenses.

7. All documents concerning any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

8. All documents concerning any denial of LCPS student-led Bible study.

9. All communications you had with any person regarding the school district's policies or practices relating to parental notification and student privacy between January 2021 and the present.

10. All documents distributed to LCPS students within the last five (5) years, during the school day, pertaining to subjects regarding sexual orientation, gender identity, or race.

11. All documents distributed to LCPS students within the last five (5) years, during the school day, pertaining to subjects regarding “drag queens” and “Pride Month.”

12. For the period January 1, 2021, to the present, all documents of, regarding, or concerning: (a) all psychiatric or psychological examinations or tests given to LCPS students; (b) all psychiatric or psychological treatment given to LCPS students; and (c) prior parental notice and consent for each such examination, test, or treatment.

13. All documents, including but not limited to teacher’s manuals, resources, guidance, and training materials, of, regarding, concerning, or pertaining to surveys, analyses, or evaluations revealing information concerning (a) the political affiliations or beliefs of any LCPS student or parent; (b) mental or psychological problems of any LCPS student or the student’s family; (c) sex behavior or attitudes; (d) illegal, anti-social, self-incriminating, or demeaning behavior; (e) critical appraisals of other individuals with whom LCPS students have close family relationships; (f) religious practices, affiliations, or beliefs; and/or (g) family income.

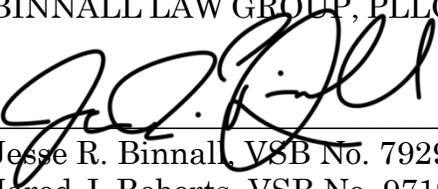
14. All documents maintained in LCPS libraries, classrooms, teachers’ files, and other resources accessed by LCPS within the last five (5) years pertaining to subjects regarding sexual orientation, gender identity, or race.

15. All documents relating to admissions qualifications for advanced-level courses
in LCPS.

Dated: July 20, 2022

Plaintiffs
BY COUNSEL

BINNALL LAW GROUP, PLLC



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Jared J. Roberts, VSB No. 97192

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andrew.block@aflegal.org

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via process server with the Complaint on the person named below:

DR. SCOTT A. ZIEGLER
21000 Education Court
Ashburn, Virginia 20148



Jesse R. Binnell

Counsel for Plaintiffs