

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

SARAH LAZOR, GRACE JOHNSON,	)	Civil Action
MAGDALENE MLYNEK, LAURA	)	
BRADDICK, EMILY JONES, BAILEY	)	
HARRIS, MOLLY O'NEILL, TERESA	)	Case No. 3-21-cv-00583-SRU
NOBLES, EMMA PINCKNEY,	)	
JOSEPHINE LUBY, GAYANE	)	
GAVORKYAN, and JORDAN NANAI	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
UNIVERSITY OF CONNECTICUT,	)	
	)	
Defendant.	)	May 6, 2021

**ORDER TO PRODUCE DOCUMENTS**

WHEREAS, a motion for expedited discovery has been filed with this Court; and

WHEREAS, it appears that an Order should be issued directing the Defendant to produce certain documents:

It is hereby Ordered that Defendant University of Connecticut produce its NCAA Squad Lists, NCAA Hour Limitation Records, and competition records for the past four years (from 2017-2018 to the present 2020-2021) to the Plaintiffs, no later than twenty (20) days from the date of this Order.

Date: May 7, 2021

  
STEFAN R. UNDERHILL  
United States District Judge

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	)	
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	)	
UNIVERSITY OF CONNECTICUT,	)	
	)	
Defendant.	)	May 6, 2021

**CONSENT MOTION**  
**FOR A COURT ORDER TO PRODUCE DOCUMENTS**

The Plaintiffs, Laura Braddick, Gayane Gevorkyan, Bailey Harris, Grace Johnson, Emily Jones, Sarah Lazor, Josephine Luby, Magdalene Mlynek, Jordan Nanai, Teresa Nobles, Molly O'Neill and Emma Pinckney hereby move this Court for entry of a Court Order to produce certain documents on an expedited basis. The Defendant, the University of Connecticut ("UConn"), consents to this motion for a Court Order, the proposed Court Order, and the following:

Plaintiffs requested any documents used to generate the University of Connecticut's official Title IX participation counts for males and females, including NCAA Squad Lists, NCAA Hour Limitation Records, and competition records for the past four years (from 2017-2018 to the present 2020-2021). Defendant indicated its willingness to produce such documents prior to litigation but for the difficulty with disclosing certain information pursuant to the Family Educational Rights Privacy Act ("FERPA"), 20 U.S.C. § 1232g and 34 C.F.R. Part 99. UConn takes the position that it may not disclose these records unless the Court orders them disclosed (or

they are subpoenaed), and UConn provides sufficient notice to impacted individuals so that they may object to the disclosure of their records. 34 C.F.R. 99.31(a)(9)(i) and (ii).

The parties agree that these documents will be produced no later than twenty (20) days from the Court's Order to permit UConn sufficient time to notify impacted individuals (possibly 1000 or more) about the Court's Order. UConn indicates that twenty days is necessary so that UConn can notify the 1000 or more individuals about the court's order and provide them 10 days to object. FERPA requires UConn to provide reasonable notice to impacted individuals and the standard reasonable notice is 10 days.<sup>1</sup> See 34 C.F.R. 99.31(a)(9)(ii).

UConn determined that many of the records requested by plaintiffs are protected under FERPA. The parties agree that if the Court determines that UConn does not have to provide notice to impacted individuals prior to disclosing the records, UConn will produce them as soon as possible after the Court's ruling.

The parties attach a proposed Court Order.

For the foregoing reasons, Plaintiffs respectfully request that the Court grant the same.

Dated: May 6, 2021.

Respectfully submitted by:

By: /s/ Felice M. Duffy  
Felice M. Duffy  
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Federal Bar No.: ct21379

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<sup>1</sup> UConn will email notice to all impacted individuals. In the event that email(s) is undeliverable, UConn will send written notice via U.S. mail to the last known address. At this point in time, UConn has not determined the total number of impacted individuals. It may be more than 1000.

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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATION**

I hereby certify that a copy of the foregoing motion was emailed to Defendant and was filed electronically and served by mail on anyone unable to accept electronic filing.

Dated: May 6, 2021

/s/ Felice M. Duffy  
Felice M. Duffy ct21379