

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 ASHLEY ELLIS**

Plaintiffs request, pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, that Defendant Ashley Ellis 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 “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.

2. 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.

INTERROGATORIES

1. Identify the name, address, and telephone number of each person likely to have discoverable information.

2. Describe your educational background and your career history, including any other schools or districts at which you have worked, and the position(s) you held while there. Please also include any specialized degrees, credentials, or certificates you have obtained.

3. Describe your work history within Loudoun County Public Schools (“LCPS”).

4. Describe your role in the development and implementation of LCPS Policy and Regulation 8040, beginning with the transition from Policy 1040 to 8040.

5. Identify all documents used to train staff on the implementation of LCPS Policy 8040 and Regulation 8040 between August 1, 2021, and December 31, 2021.

6. Identify all consulting companies used to train teachers, at any school in the district, for the 2021-2022 school year. Include the name of the company, the nature of the services provided by that company, and the name, email address, and telephone number of any person with whom you corresponded at the company.

7. Describe the Diverse Classroom Libraries program.

8. 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 participated in or were members of the “classroom book collection specialist teams.”

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

10. 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.

11. Aside from a traditional reading comprehension level measurement, how does LCPS judge the developmental appropriateness of sexually, racially, or violently explicit material? In your response, please include what 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).

12. Describe how the process for allowing parents to challenge books was created.

13. Describe how the review committee for a book challenge is selected.

14. Describe why a book that is unsuccessfully challenged is protected for four years.

15. Describe the instances in which it is appropriate to have books in a school that depict or implicate the act of a boy performing oral sex on a man.

16. Describe the instances in which it is appropriate to have books in school libraries that depict acts of sexual servitude, bondage, or entrapment.

17. Describe why a book that is successfully challenged and removed from one school is not removed from other schools in the district.

18. Identify the title, author, publisher, and ISBN of every book challenged in the school district, including the school from which the challenge arose, for the 2020-2021 and 2021-2022 school years.

19. For each challenge identified in response to Interrogatory number 18, identify each person who served on the review panel and the outcome of the challenge.

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 Culturally Responsive Framework.

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 LCPS's Action Plan to End Systemic Racism.

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 LCPS's Comprehensive Equity Plan.

23. 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.

24. 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.

25. Identify all curricula which include the topics of sexual orientation, gender identity, and/or race.

26. Identify the number of times you or anyone else in LCPS denied parents access to viewing curriculum materials.

27. Describe the circumstances in which it would be appropriate to deny parents the right to access curriculum materials.

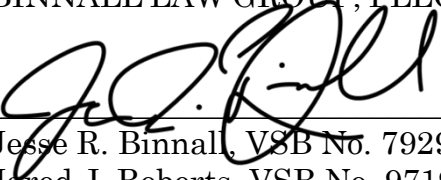
28. State the full name and present address of each person whom you expect to call as an expert witness at trial for this case, and for each person identified, identify the subject matter on which each person is expected to testify, state the substance of

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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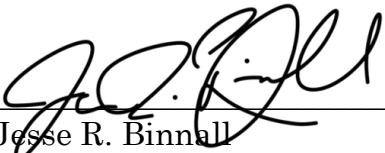
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andrew.block@aflegal.org

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:

ASHLEY ELLIS
21000 Education Court
Ashburn, Virginia 20148



Jesse R. Binnall

Counsel for Plaintiffs

VIRGINIA:

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

PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT ASHLEY ELLIS

Plaintiffs request, pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, that Defendant Ashley Ellis 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.

DEFINITIONS

1. The term "Plaintiff(s)" means any plaintiff 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 “communication(s)” 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).

REQUESTS FOR PRODUCTION

1. All documents identified in any answer to your Interrogatories.
2. All communications with any consulting company or person identified in response to any interrogatory, within the past five (5) years, regarding the subject matter of the Complaint.

3. All communications and documents you were involved in, with any person, regarding any Plaintiff or their children, from January 1, 2020, until the present, relating to the subject matter of the Complaint.

4. All documents pertaining to teacher training materials provided to Loudoun County Public Schools (“LCPS”) by any outside consulting company from January 1, 2020, until the present, related 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. All communications between you 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’s Action Plan to End Systemic Racism; LCPS’s Comprehensive Equity Plan; Social and Emotional Learning; and the Diverse Classroom Libraries.

6. 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’s Action Plan to End Systemic Racism; LCPS’s Comprehensive Equity Plan; Social and Emotional Learning; and the Diverse Classroom Libraries.

7. All evidence or research on which LCPS relied to set the criteria or standards for the Diverse Classroom Libraries referenced in your interrogatories.

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

9. 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.

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. For the time August 1, 2018, to the present, all documents including but not limited to teacher’s manuals, resources, guidance, and training materials, of, regarding, 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.

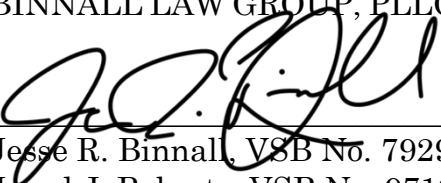
14. All documents maintained in LCPS libraries, classrooms, teachers' files, and other resources accessed by LCPS within the last five (5) years pertaining to subjects regarding sexual orientation, gender identity, or race.

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

Dated: July 20, 2022

Plaintiffs
BY COUNSEL

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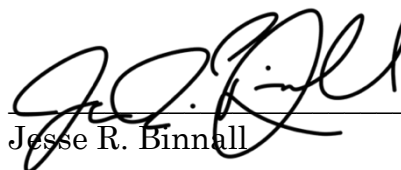
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andrew.block@aflegal.org

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:

ASHLEY ELLIS
21000 Education Court
Ashburn, Virginia 20148



Jesse R. Binnall

Counsel for Plaintiffs