

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

E.K. and S.K., minors, by and through their parent and next friend LINDSEY KEELEY; O.H., S.H., and H.H., minors, by and through their parent and next friend JESSICA HENNINGER; E.G., a minor, by and through his parent and next friend MEGAN JEBELES; E.Y. and C.Y., minors, by and through their parent and next friend ANNA YOUNG; L.K., L.K., and L.K., minors, by and through their parent and next friend ANNA KENKEL; and M.T., a minor, by and through her parent and next friend NATALIE TOLLEY,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY; DR. BETH SCHIAVINO-NARVAEZ, in her official capacity as Director of the Department of Defense Education Activity; and PETER BRIAN HEGSETH, in his official capacity as Secretary of Defense,

Defendants.

Case No. 1:25-cv-00637-PTG-IDD

Hon. Patricia Tolliver Giles

NOTICE OF CROSS-APPEAL

Pursuant to Federal Rule of Appellate Procedure 4(A)(3), notice is hereby given that Plaintiffs cross-appeal to the United States Court of Appeals for the Fourth Circuit from the Order entered on October 20, 2025 by the Honorable Patricia T. Giles, granting Plaintiffs' motion for a preliminary injunction and entering a preliminary injunction against Defendants only as to

Plaintiffs' five Department of Defense Education Activity (DoDEA) schools. *See* Dkt. 58, Dkt. 59. The Order dated October 20, 2025 is an appealable interlocutory decision of a district court under 28 U.S.C. § 1292 (a)(1).

Dated: December 23, 2025

Respectfully submitted,

/s/ Matthew Callahan

Emerson J. Sykes
ACLU Foundation
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2500
esykes@aclu.org

Corey M. Shapiro
William E. Sharp
ACLU of Kentucky Foundation
325 W. Main Street, Suite 2210
Louisville, KY 40202
(502) 581-9746
corey@aclu-ky.org
wsharp@aclu-ky.org

Matthew Callahan, VSB No. 99823
Eden Heilman, VSB No. 93554
ACLU of Virginia Foundation
P.O. Box 26464
Richmond, VA 23261
(804) 644-8080
eheilman@acluva.org
mcallahan@acluva.org

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this date, I uploaded a copy of Plaintiffs' Notice of Cross-Appeal using the CM/ECF system, which will cause notice to be served electronically to all parties.

Dated: December 23, 2025

Respectfully submitted,

/s/ Matthew Callahan

Matthew Callahan, VSB No. 99823
ACLU of Virginia Foundation
P.O. Box 26464
Richmond, VA 23261
(804) 644-8080
mcallahan@acluva.org