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June 24, 2026

Molly C. Dwyer, Clerk of the Court
Office of the Clerk
U.S. Court of Appeals for the Ninth Circuit
P.O. Box 193939
San Francisco, CA 94119-3939

**Re: *Chino Valley Unified School District v. Newsom*,
25-3686**

Dear Ms. Dwyer:

Appellants submit this notice under Fed. R. App. P. 28(j) to alert the Court to this Circuit's recent holding in *City of Huntington Beach v. Newsom*, No. 25-3826, 2026 U.S. App. LEXIS 17884 (9th Cir. June 18, 2026).

Like Appellant Parents in the present case, the plaintiffs in *Huntington Beach* challenged the laws imposed by Assembly Bill 1955 for violating the First and Fourteenth Amendments of the U.S. Constitution. *Id.* at *6.



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The Circuit twice denied *Huntington Beach*'s plaintiffs' motions for a preliminary injunction on Article III standing grounds. *Id.* at *1.

However, after the Supreme Court's decision in *Mirabelli v. Bonta*, 607 U.S. 492 (2026), several of these plaintiffs filed a motion for reconsideration. *Huntington Beach*, 2026 U.S. App. LEXIS 17884, at *1.

The Circuit agreed that reconsideration was proper and issued the preliminary injunction, holding that “[i]n light of *Mirabelli*, AB 1955 thus forbids the mandatory policies that the Constitution requires with respect to information about a child exhibiting symptoms of gender dysphoria, and the objecting parents who affirmatively desire any such information from schools have sufficient Article III standing because they are the ‘objects’ of AB 1955's provisions.” *Id.* at *9.

The Circuit elaborated that the plaintiffs sufficiently showed “injury-in-fact” because “*Mirabelli* found sufficient standing without requiring the objecting parents who constituted the relevant subclass to make any specific showing as to the likelihood that their particular child would



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actually experience gender dysphoria and have that information withheld.” *Huntington Beach*, 2026 U.S. App. LEXIS 17884, at *12.

This decision supports Appellants’ argument that the district court improperly dismissed Appellant Parents’ First and Fourteenth Amendment claims on standing grounds. As Appellant Parents’ Family Educational Rights & Privacy Act (FERPA) claim hinges on the same injury, the decision is relevant to the dismissal of that claim as well.

Sincerely,

Kathryn Cosgrove
Liberty Justice Center