

**IN THE TENNESSEE CHANCERY COURT
FOR THE TWENTY-FIRST JUDICIAL DISTRICT
AT FRANKLIN**

**GREG O'BRIEN AND VIKKI
O'BRIEN, JOHN and JANE DOE
NO. 1, and JOHN and JANE DOE
NO. 2,**

Plaintiffs,

v.

**ALICIA JUSTICE, and
WILLIAMSON COUNTY BOARD
OF EDUCATION**

Defendants.

**Case No. _____
JURY DEMAND**

COMPLAINT

The Plaintiffs, Greg O'Brien and Vikki O'Brien, John and Jane Doe No. 1, and John and Jane Doe No. 2, for cause of action against the defendants, Alicia Justice and the Williamson County Board of Education, state:

NATURE OF ACTION

1. This case arises out of defendants' intentional conduct in allowing a biological boy who "identifies" as a girl to participate in an all-girls 7th grade Family Life, i. e. sex education, course despite (a) that defendants represented to parents in advance of the course that boys and girls would be segregated during the course and (b) that no fewer than thirteen (13) 7th grade girls were so uncomfortable with the presence of the boy in the class that they refused to participate in the class.

2. The foregoing occurred at Legacy Middle School on May 15, 2025, and May 16, 2025.

3. The plaintiffs, parents of certain 7th grade girls who courageously refused to participate in defendants' deception and unlawful conduct, now bring this action to obtain appropriate declaratory and injunctive relief.

4. Although defendants' reckless and intentional conduct caused emotional harm to the young ladies whose trust and innocence they betrayed, no claim is made here for economic or non-economic injury.

PARTIES AND JURISDICTION

5. Plaintiffs Greg O'Brien and Vikki O'Brien are the parents of a rising 8th grade daughter who opted out of the May 16, 2025, Family Life course because the defendants allowed a boy to attend what was represented to be, and what lawfully should have been, and all-girls class. Vikki O'Brien is a resident of Franklin, Williamson County, Tennessee. Greg O'Brien is a resident of Columbia, Maury County, Tennessee.

6. Plaintiffs John Doe No. 1 and Jane Doe No. 1 are residents of Franklin, Williamson County, Tennessee, and are the parents of a rising 8th grade daughter who opted out of the May 16, 2025, Family Life course because the defendants allowed a boy to attend what was represented to be, and what lawfully should have been, and all-girls class.

7. Plaintiffs John Doe No. 2 and Jane Doe No. 2 are residents of Tennessee and are the parents of a rising 8th grade daughter who opted out of the

May 16, 2025, Family Life course because the defendants allowed a boy to attend what was represented to be, and what lawfully should have been, and all-girls class.

8. The defendant, Alicia Justice, at all times relevant hereto, is and has been the principal of Legacy Middle School. Ms. Justice works in Franklin, Williamson County, Tennessee, and is subject to the jurisdiction of this Court.

9. The defendant, Williamson County Board of Education, was created on March 30, 1972, pursuant to Chapter 323 of the Private Acts of 1972. The Board was expanded to twelve (12) members pursuant to Chapter 289 of the Private Acts of 1978. The Williamson County Board of Education (“WCBOE”) operates Williamson County Schools, a Local Education Agency.

10. All acts and statements of defendant Justice alleged herein are attributable to WCBOE pursuant to the principles of *respondeat superior*.

11. This Court has jurisdiction of this matter pursuant to Tenn. Code Ann. § 16-11-101 *et seq.*

12. Venue in this court is proper pursuant to Tenn. Code Ann. §§ 20-4-101 *et seq.*

BACKGROUND

13. Legacy Middle School (“Legacy”) is located at 2380 Henpeck Lane in Franklin, Williamson County, Tennessee.

14. Legacy opened its doors in August 2020 with a capacity of 1,000 students. The school became the twelfth middle school in the Williamson County Schools system. The school educates students in grades 6 through 8.

15. Pursuant to Tenn. Code Ann. § 49-6-1302, beginning with the 2021-2022 school year, each Local Education Agency (“LEA”) in Tennessee, including Williamson County Schools, was required to “devise, adopt, and implement a program of family life education in conformance with the curriculum guidelines established for such programs” in Chapter 6 of title 49 of the Tennessee Code.

16. Consistent with this statutory directive, Williamson County Schools adopted and implemented a program of family life education in conformance with Tenn. Code Ann. § 49-6-1301 *et seq.*

17. On April 11, 2025, defendant Alicia Justice, in her capacity as principal of Legacy Middle School, sent an e-mail to plaintiffs, and other parents of 7th grade students, announcing that the required family life program at Legacy would begin on May 15, 2025, and conclude on May 16, 2025. Ms. Justice advised parents that boys and girls would be segregated during the program. Specifically, Ms. Justice represented to parents, “Students will be separated by gender for the lessons...”

18. As it turns out, Ms. Justice representation was false. Contrary to the assurances she gave parents on April 11, Ms. Justice and Legacy Middle School allowed a biological boy who “identifies” as a girl to participate in the all-girls family life program on May 15, 2025.

19. Defendants’ unconscionable decision to allow a boy to participate in a 7th grade all-girls’ lesson concerning, *inter alia*, the female reproductive system caused many of the girls present to suffer distress and discomfort. After school on

May 15, 2025, plaintiffs' daughters reported to plaintiffs that the school had allowed a boy to participate in the family life lesson, that they were uncomfortable with the presence of a boy while matters of the female reproductive system and reproductive health were being discussed, and that they did not want to participate in the second day of the curriculum on May 16, 2025, if the school continued to allow a boy to participate in the all-girls lesson.

20. Shockingly, defendants decided to allow the boy to participate in the all-girls family life curriculum on the second day (May 16) of the lesson despite the distress and discomfort doing so had caused to more than a dozen 7th grade girls and their parents. As a consequence, no fewer than thirteen (13) girls were forced to opt out of the May 16, 2025, family life curriculum.

21. One e-mail exchange is representative of the numerous exchanges between parents, on the one hand, and Ms. Justice, on the other hand.

22. One parent, plaintiff Jane Doe No. 1, wrote as follows to defendant Justice at 4:35 pm on May 15, 2025,

Dr. Justice:

Could you please confirm if there is another sexual health meeting for girls tomorrow 5/16? And please clarify if there are male adults or students in the room during this presentation/discussion?

My daughter [redacted] will be opted out should anyone but biological female students be in the room.

Thanks.

23. Defendant Justice responded to the plaintiff at 7:18 a.m. on May 16. She wrote:

Hello, [redacted],

Thank you for your e-mail. We do have another family life curriculum day today for our state curriculum. You may opt [redacted] out if you choose to do so. I have copied Mrs. Bidinger and Mrs. Trudeau on this email. Please contact the counseling department if needed. Thank you and have a good day.

Dr. Justice, Principal

24. Remarkably, defendant Justice refused even to answer plaintiff's question as to whether a male student will be in the room during the May 16 family life curriculum. Instead, in a wholesale abdication of her duties to honor her April 11 commitment to segregate boys and girls during the lessons and to protect the privacy and emotional well-being of vulnerable 7th grade girls, she elected to allow a boy to be present during the all-girls' discussion of the female reproductive system, resulting in the girls having to opt out.

25. In reply to Ms. Justice's defalcations, plaintiff Jane Doe No. 1 wrote:

We will continue to opt [redacted] out of the Family Life presentation as we have lost trust in the process. Many female students opted out after the first day of the presentation due to a male student being present in the room. The school continued to allow his attendance for the second day knowing full well how many of the girls felt about the situation. We are extremely disappointed in how the administration at Legacy Middle School handled this. In writing, it was stated that these particular health classes would be separated by gender and when we asked directly regarding this and if a male student was present we were not given an answer.

26. To say that defendants' handling-- or failure to handle--the situation was atrocious would be an understatement. Because defendants inexplicably prioritized allowing a male student to be present during an all-girls sex education class, more than a dozen 7th grade girls opted out of the May 16 class and, instead,

were forced to waste their time sitting in the counselor's office. Worse yet, the counselor, Kristen Trudeau, through her body language and facial expressions made it clear to the girls that she was annoyed with their conduct. This should come as no surprise.

27. Ms. Trudeau is the founder of Franklin Teletherapy, where she offers, *inter alia*, counseling sessions that explore sexual identity, polyamory, kink, consensual non-monogamy, and BDSM practices. Her website and social media accounts embrace LGBTQIA+ and transgender ideology. According to Ms. Trudeau, "Sexuality is fluid, complex, and deeply personal. There's no timeline, no rulebook, and no "right" way to experience it." This, of course, flies in the face of Tennessee's statutory policy of abstinence-based sex education.

28. That defendants, knowing of Ms. Trudeau's expansive and limitless notion of sexuality, have allowed her to remain at Williamson County Schools as a counselor to discuss personal matters with students confidentially is yet another wholesale abdication of their duties to protect the innocence of the students whose education has been entrusted to them.

29. Worse yet, when one 7th grade girl made an appointment with Ms. Justice to discuss why Ms. Justice allowed a boy to participate in an all-girls family life curriculum, defendant Justice responded, "Her parents love her as much as your parents love you." Otherwise stated, Ms. Justice—contrary to established Tennessee law—falsely represented to a 7th grade girl that a boy who dresses and acts like a girl is a girl.

30. Tenn. Code Ann. § 1-3-105(c) defines “sex” as a person's “immutable biological sex as determined by anatomy and genetics existing at the time of birth.” In the operation of Legacy Middle School and other WCS schools, defendants are not at liberty to ignore Tennessee’s statutory law and—in the presence of an impressionable 7th grader—refer to a boy as “her.”

31. Consistent with their violation of Section 1-3-105(c), defendants have also failed to enforce the Tennessee Accommodations for All Children Act (the “Act”), Tenn. Code Ann. § 49-2-805.

32. In violation of the Act, defendants have allowed a member of the opposite sex, a boy, to use multi-occupancy girls’ restrooms at Legacy. Defendants’ violation of the Act has been witnessed by numerous 7th grade girls at Legacy, including daughters of the plaintiffs.

COUNT I (Declaratory Judgment)

33. The allegations set forth in paragraphs 1 through 32 are hereby incorporated by reference as fully as if set out verbatim.

34. Pursuant to Tenn. Code Ann. §§ 29-14-103, “Any person...whose rights, status, or other legal relations are affected by a statute...may have determined...and obtain a declaration of rights, status or other legal relations thereunder

35. Plaintiffs have rights pursuant to Section 1-3-105(c). Defendants are not at liberty to allow a boy who “identifies” as a girl to participate as a girl in Family Life curricula where boys and girls are separated.

36. Likewise, plaintiffs have rights pursuant to Tenn. Code Ann. § 49-2-805. Defendants are not at liberty to allow a boy who “identifies” as a girl to access multi-occupancy rest room facilities that are designated for use by girls.

37. This Court should declare that defendants, by their conduct detailed *supra*, have violated both statutory schemes.

COUNT II
(Injunctive Relief)

38. The allegations set forth in paragraphs 1 through 32 are hereby incorporated by reference as fully as if set out verbatim.

39. Upon a judicial declaration that defendants have violated plaintiffs’ rights, this Court should temporarily and permanently enjoin defendants from further violation. Specifically, this Court should enjoin defendants from allowing any boy, as defined in Section 1-3-105(c), from participating in any family life program, where such program separates boys from girls.

40. Likewise, this Court should temporarily and permanently enjoin defendants from failing to enforce the Tennessee Accommodations for All Children Act (the “Act”), Tenn. Code Ann. § 49-2-805.

WHEREFORE, Plaintiffs pray:

A. That this Court declare that defendants have violated Tenn. Code Ann. 1-3-105(c) and the Tennessee Accommodations for All Children Act (the “Act”), Tenn. Code Ann. § 49-2-805;

B. That this Court temporarily and permanently enjoin defendants from further violation of Section 1-3-105(c) in connection with any Family Life Curriculum;

C. That this Court temporarily and permanently enjoin defendants from failing to enforce the Tennessee Accommodations for All Children Act (the “Act”), Tenn. Code Ann. § 49-2-805

D. That this Court award Plaintiffs costs, attorney’s fees, and expenses; and

E. That this Court order such other and further relief as it deems just and equitable.

PLAINTIFFS DEMAND TRIAL BY JURY AS TO ALL ISSUES SO TRIABLE.

Respectfully submitted:

s/Gino Bulso
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