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SCHOOL DISTRICT, AMANDA  
CHANN, and LEANN IACUONE

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION**

SAVE GIRLS' SPORTS, an  
unincorporated California association;  
T.S., a minor by and through her father  
and natural guardian, RYAN  
STARLING, individually, and on  
behalf of all others similarly situated;  
and K.S., a minor by and through her  
father and mother and natural  
guardians, DANIEL SLAVIN and  
CYNTHIA SLAVIN, individually, and  
on behalf of all others similarly  
situated;

Plaintiffs,

vs.

TONY THURMOND, in his official  
capacity as State Superintendent of  
Public Instruction; ROB BONTA, in his  
official capacity as State Attorney  
General; RIVERSIDE UNIFIED  
SCHOOL DISTRICT; LEANN  
IACUONE, Principal of Martin Luther  
King High School, in her personal and  
official capacity; and AMANDA  
CHANN, Assistant Principal and  
Athletic Director of Martin Luther King  
High School, in her personal and  
official capacity,

Defendants.

CASE NO. 5:24-cv-02480-SSS (SPx)

The Hon. Sunshine Suzanne Sykes

**DECLARATION OF MILTON E.  
FOSTER, III**

*[Filed concurrently with Motion for  
Recusal of Judge Sykes; Declaration of  
Nathaniel B. Rosilez; and [Proposed]  
Order]*

DATE: June 13, 2025  
TIME: 2:00 p.m.  
DEPT: 2

Trial Date: None Set

1 I, Milton E. Foster III, declare as follows:

2 1. I am an attorney duly admitted to practice before this Court. I am a  
3 partner with Fagen Friedman & Fulfrost, LLP, attorneys of record for RIVERSIDE  
4 UNIFIED SCHOOL DISTRICT (“District”), DR. LEANN IACUONE, and  
5 AMANDA CHANN (District, DR. LEANN IACUONE, AND AMANDA CHANN  
6 collectively “Defendants”). If called as a witness, I could and would competently  
7 testify to all facts within my personal knowledge except where stated upon  
8 information and belief.

9 2. On or about November 20, 2024, Plaintiffs T.S. and K.S. filed a  
10 verified complaint for deprivation of the freedom of speech, violation of the due  
11 process clause, and violation of Title IX.

12 3. On January 31, 2025, Plaintiffs T.S., K.S., and Save Girls’ Sports  
13 (collectively “Plaintiffs”) filed a First Amended Complaint alleging claims for  
14 deprivation of the freedom of speech – facial, deprivation of the freedom of speech  
15 – as applied, violation of the due process clause, violatoin of Title IX – sex  
16 discrimination, violation of Title IX – effective accommodatoin, violatoin of Title  
17 IX – equal treatment; and violation of Education Code section 220. Plaintiffs’ FAC  
18 alleges in part that Plaintiffs were harmed due to the District allowing Student M.L.,  
19 a transgender girl, to participate on the girls’ cross country team. Plaintiffs’ FAC  
20 also alleges that the District violated their freedom of speech when the District  
21 restricted Plaintiffs from wearing shirts that containing the messages “Save Girls’  
22 Sports” and “XX≠XY.”

23 4. On February 6, 2025, the District’s Board of Education convened for a  
24 regularly scheduled Board meeting. The livestream of the February 6, 2025, Board  
25 meeting may be found at  
26 [https://www.youtube.com/watch?v=wF8Vi2u8fGM&list=PL2nSyxbo5JI1rdwXL7L](https://www.youtube.com/watch?v=wF8Vi2u8fGM&list=PL2nSyxbo5JI1rdwXL7LbmtopZW52XHnzS&index=5)  
27 [bmtopZW52XHnzS&index=5](https://www.youtube.com/watch?v=wF8Vi2u8fGM&list=PL2nSyxbo5JI1rdwXL7LbmtopZW52XHnzS&index=5).

28 5. Judge Sunshine Suzanne Sykes presented before the District’s Board on

1 behalf of the District’s Native American Parent Advisory Council, District African  
2 American Parent Advisory Council, La Comunidad Latina de Riverside, and Somos  
3 Dual Language Immersion at the regularly scheduled District Board meeting on  
4 February 6, 2025. Judge Sykes was called to present before the Board at  
5 approximately the 2:10:53 mark of the livestream of the February 6, 2025, Board  
6 meeting. Judge Sykes concludes her presentation at approximately the 2:16:40 mark  
7 of the livestream of the February 6, 2025, Board meeting.

8 6. At approximately the 2:24:12 mark of the livestream of the February 6,  
9 2025, Board meeting, the Board called up Student Jane Doe, the student identified  
10 as Student M.L. in Plaintiff’s First Amended Complaint, and “Jennifer” to give  
11 public comment. Each made public comments related to Plaintiffs’ allegations.  
12 These pertinent public comments conclude at approximately the 2:32:45 mark of the  
13 livestream of the February 6, 2025, Board meeting.

14 I declare under penalty of perjury under the laws of the United States of  
15 America that the foregoing is true and correct.

16 Executed on this 16th day of May, 2025, at Corona, California.

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Milton E. Foster III

190-115/7282169.2

**PROOF OF SERVICE**

**T.S. and K.S. v. Riverside Unified School District, et al.  
Case No. 5:24-cv-02480-SSS (SPx)**

**STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Riverside, State of California. My business address is 4160 Temescal Canyon Road, Suite 610, Corona, CA 92883.

On May 16, 2025, I served true copies of the following document(s) described as **DECLARATION OF MILTON E. FOSTER, III** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on May 16, 2025, at Corona, California.



Sara Rosas

**SERVICE LIST**  
**T.S. and K.S. v. Riverside Unified School District, et al.**  
**Case No. 5:24-cv-02480-SSS (SPx)**

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