



Winston Safeguards the Medical Privacy Rights of Transgender Teens in Texas

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A multi-office Winston team successfully opposed the Texas Attorney General's unprecedented attempt to use nonparty civil discovery to secure the private medical records of 30+ transgender teenagers.

Last year, the Texas Attorney General alleged that two doctors had violated the state's ban on providing gender-affirming care for minors by providing puberty blockers or testosterone prescriptions to transgender youth. As part of the lawsuits, the state issued extraordinarily broad subpoenas to area hospitals seeking the complete medical records of nearly three dozen patients, including their unredacted psychiatric notes and records from doctors unrelated to the underlying lawsuit.

In February, Winston & Strawn stepped in to protect the medical privacy rights of the young patients and their families, filing a motion for protection in Dallas County, where the two doctors had treated the patients. In March, the Collin County court, where the State had filed its civil lawsuits against the two doctors, ordered the full production of our clients' medical records.

Winston appealed, and following oral arguments by Houston partner **William Logan**, the 15th Court of Appeals handed our clients a complete victory, stating that the lower court had abused its discretion when it ordered production of our clients' medical records while their motion for protection was still pending in Dallas County. In its opinion, the Appeals Court said the Collin County Court showed a "clear abuse of discretion." [The Winston team received a "Shout Out" from AmLaw in its Litigator of the Week column for the win.](#)

Seizing its advantage, the Winston team negotiated a favorable settlement with the State, which provides our clients with significant protection of their medical records.

"It is extremely gratifying to be able to marshal the resources of Winston & Strawn to protect the medical privacy of these young clients. No one should be subjected to the blatant invasion of their privacy that the State of Texas attempted," said William Logan.

The multi-office Winston team included **Hollie Albin, Jonathan Hung, Evan Lewis, William Logan, Sarah McGrath, Jervonne Newsome, Thanh Nguyen, Brian O'Gara, David Phillips, Jamie Vargo, and Olivia Wogon.**

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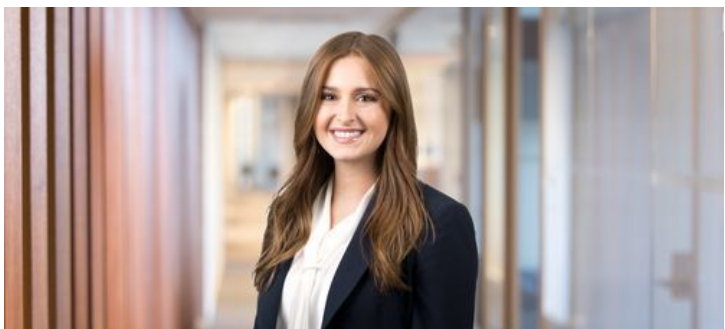
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