

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT
WINDHAM DIVISION

**BRIAN WUOTI; KAITLYN WUOTI;
MICHAEL GANTT; and REBECCA
GANTT,**

Plaintiffs,

v.

CHRISTOPHER WINTERS, in his
official capacity as Commissioner of
the Vermont Department for Children
and Families, **ARYKA RADKE**, in
her official capacity as Deputy
Commissioner of the Family Services
Division, and **STACEY EDMUNDS**,
in her official capacity as Director of
Residential Licensing & Special
Investigations,

Defendants.

Case No.: 2:24-cv-00614

Judge William K. Sessions III

**STIPULATED ORDER AND
FINAL JUDGMENT**

BACKGROUND

This case arises from a now-superseded Vermont Department for Children and Families' ("DCF") policy. This policy led DCF to revoke Plaintiffs Brian and Kaitlyn Wuoti and Michael and Rebecca Gantts' foster-care licenses. On June 4, 2024, Plaintiffs sued DCF officials, arguing that this policy violated their First Amendment rights. On February 18, DCF issued a new Guidance document (the "Guidance") ending the challenged policy (attached below). Under this Guidance, DCF has agreed to rescind the previous revocation decisions and allow Plaintiffs to reapply for their licenses. The parties have now filed a joint motion to enter a stipulated order and final judgment in this case. Consistent with the parties' agreement,

IT IS HEREBY ORDERED:

1. Defendants shall rescind the challenged revocation decisions and allow Plaintiffs to reapply for their foster-care licenses under the new Guidance. Going forward, Defendants shall apply the Guidance, or policies that are consistent with Paragraphs 2 through 5 below, to Plaintiffs.

2. Under the Guidance, Defendants are prohibited from taking any adverse action against Plaintiffs because they believe, seek to respectfully and non-coercively express, or intend to live, parent, and make day-to-day caregiving decisions consistent with their sincerely held religious beliefs that sexual activity should only occur within the confines of a marriage between one man and one woman and a person should identify and seek to live consistent with their biological sex.

3. Under the Guidance, Defendants are prohibited from requiring Plaintiffs to agree to the use of particular vocabulary, prescribed language, or preferred pronouns related to gender identity, sexual orientation, or identity expression as a condition of licensure.

4. Under the Guidance, Defendants are prohibited from requiring Plaintiffs to express agreement with any specific terminology, identity frameworks, or expressive practices as a condition of licensure, so long as their conduct remains respectful, non-coercive, and consistent with safety requirements.

5. Under the Guidance, Defendants may, in good faith, consider Plaintiffs' sincerely held religious beliefs on sexual orientation, gender identity, and gender expression to make individual placement decisions based on the best interests of a child who identifies as LGBTQ+ or considers themselves an ally thereof, so long as this consideration does not categorically disqualify Plaintiffs from being considered for any particular placements. The intent of this Order is that Plaintiffs are not excluded or punished merely because of their sincerely held

religious beliefs or because they seek to speak and act consistent with these beliefs, consistent with the updated Guidance document.

6. Each party shall bear their own costs and fees.

7. This Order shall operate as a final judgment of the Court, and the parties agree that it represents a complete resolution of all claims and defenses.

8. The Court retains jurisdiction to enforce the terms of this Order as may be necessary.

9. The Clerk's Office is directed to mark this case as closed.

APPROVED and SO ORDERED:

/s/ William K. Sessions III

Judge William K. Sessions III

Date: March 16, 2026

JUDGMENT ENTERED ON DOCKET
DATE: 3/16/2026

Respectfully submitted this 10th day of March 2026.

/s/ Ryan Kane

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