

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF VERMONT

**MID VERMONT CHRISTIAN SCHOOL**, on behalf of itself and its students and its students' parents; **ABEL GOODWIN; M.G.**, by and through her parents and natural guardians, Christopher and Bethany Goodwin; **CHRISTOPHER GOODWIN**, individually; **BETHANY GOODWIN**, individually; **O.P.**, by and through his father and natural guardian, Nathan Partington; and **NATHAN PARTINGTON**, individually,

Plaintiffs,

v.

**ZOIE SAUNDERS**, in her official capacity as Secretary of the Vermont Agency of Education and in her individual capacity; **JENNIFER DECK SAMUELSON**, in her official capacity as Chair of the Vermont State Board of Education and in her individual capacity; **WAITS RIVER VALLEY (UNIFIED #36 ELEMENTARY) SCHOOL BOARD**; and **JAY NICHOLS**, in his official capacity as the Executive Director of The Vermont Principals' Association and in his individual capacity,

Defendants.

Case No. 2:23-cv-00652

**PLAINTIFFS' NOTICE OF  
DISMISSAL OF CLAIMS AGAINST  
DEFENDANT JAY NICHOLS ONLY**

Plaintiffs Mid Vermont Christian School, Abel Goodwin, M.G., Christopher Goodwin, and Bethany Goodwin<sup>1</sup> hereby dismiss their claims against Defendant Jay Nichols, in his official capacity as the Executive Director of The Vermont Principals' Association and in his individual capacity, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Plaintiffs and Defendant Nichols attended a successful mediation on March 17, 2026. Following that mediation, Plaintiffs and Defendant Nichols entered into a settlement agreement, resolving all remaining claims and issues between them. Accordingly, Plaintiffs dismiss their claims against Defendant Nichols only, with prejudice. *See Jenkins v. Miller*, No. 2:12-CV-184, 2023 WL 3000637, at \*2 (D. Vt. Apr. 19, 2023) (“Rule 41 permits the dismissal of an individual defendant by notice of dismissal under Rule 41(a)(1)(A)(i) even when co-defendants remain in the case”). Plaintiffs Mid Vermont Christian School, O.P., and Nathan Partington do not dismiss any claims against Defendants Zoie Saunders, Jennifer Deck Samuelson, or Waits River Valley (Unified #36 Elementary) School Board and they will continue to prosecute their claims against those Defendants.<sup>2</sup>

In sum, Plaintiffs dismiss their claims against Defendant Nichols, in both his personal and official capacities, with prejudice, but do not dismiss any claims against the other Defendants.

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<sup>1</sup> Plaintiffs O.P. and Nathan Partington did not bring any claims against Defendant Nichols.

<sup>2</sup> This Court and courts in the Second Circuit “widely apply the majority rule, which holds that Rule 41 allows a plaintiff to dismiss individual parties without dismissing the entire case.” *Jenkins*, 2023 WL 3000637, at \*2. The Court may also “drop a party” under Rule 21. Plaintiffs believe dismissal of Defendant Nichols under Rule 41 is more straightforward and appropriate, but out of an abundance of caution raise Rule 21 only as an alternative to ensure that their claims against the other Defendants move forward.

Dated: April 28, 2026

Respectfully submitted,

s/ David A. Cortman

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 28, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will serve all counsel of record.

s/ David A. Cortman  
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Counsel for Plaintiffs