

Case No. 26-5057

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

ORDER

RAMSI A. WOODCOCK,

Plaintiff – Appellant,

v.

UNIVERSITY OF KENTUCKY; ELI CAPILOUTO, in his official and individual capacities; ROBERT DIPOLA, in his official and individual capacities; WILLIAM EUGENE THRO, in his official and individual capacities; JAMES C. DUFF, in his individual capacity; LINDA MCMAHON, in her official capacity as United States Secretary of Education; RUSSELL MATTHEW COLEMAN, Attorney General; GREGORY F. VAN TATENHOVE, in his official capacity,

Defendants – Appellees.

Before: GILMAN, GRIFFIN, and READLER, Circuit Judges.

The court delivered an order denying the petition for panel rehearing. GILMAN, J. (pg. 2), delivered a separate concurring opinion.

UPON CONSIDERATION of the University of Kentucky’s petition for panel rehearing,

It is **ORDERED** that the petition be, and it hereby is, **DENIED**.

No. 26-5057, *Woodcock v. Univ. of Ky., et al.*

RONALD LEE GILMAN, Circuit Judge, concurring. I concur in the decision to deny the University of Kentucky's petition for panel rehearing. My sole purpose in writing separately is to alleviate the concern expressed by the University that the panel's opinion in any way limits the sound discretion of the district court regarding how to proceed on remand. Our opinion simply holds that the district court erred in declining to accept jurisdiction based on *Younger v. Harris*, 401 U.S. 37 (1971). The opinion does not purport to dictate what should happen upon remand; i.e., whether the district court should immediately proceed with a ruling on Woodcock's preliminary-injunction motion, or whether it should first consider the University's motion to dismiss, or whether it should stay proceedings to allow for the University to complete its investigation.

ENTERED BY ORDER OF THE COURT

Kelly L. Stephens, Clerk

Issued: September 10, 2026

A handwritten signature in cursive script, reading "Kelly L. Stephens", is written over a horizontal line.