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April 10, 2026

BY EMAIL and U.S. Mail

Hon. James Uthmeier, Attorney General
Office of the Attorney General
State of Florida
PL-01, The Capitol
Tallahassee, FL 32399-1050
cate.mcneill@myfloridalegal.com

Re: Kayleigh Bush

Dear General Uthmeier:

Please be advised that I am the general counsel for the Miss America entities and have reviewed your letter of this date.

It is unfortunate that you chose to publicly disseminate your letter without obtaining a response from us to the letter. Such careful research would have avoided your publicly dispensing misinformation that is defamatory to the organization.

This issue has been circulating for nearly a year. I understand that if the allegations were true, and they categorically are not, it would be a sensational story worthy of publicity. This is what Liberty Counsel had in mind when Mr. Richard Mast sent out the first public letter on April 24, 2025. In that letter, he made chilling, intentionally sensational comments such as Miss America was encouraging “the castration of minor boys,” “Kayleigh would be required to compete against castrated males, including male minors,” and that the definition of female “incentivizes and promotes grievous harm to the health and safety of minor boys.”

Many letters went back and forth between various attorneys for Liberty Counsel and myself, including further sensationalized allegations by Liberty Counsel immediately sent to the press, as you have done. One letter, on May 7, 2025, for example, claimed that we were encouraging “the surgical mutilization of minor boys as a requirement for their (or her own) future participation in Miss America and Miss Florida, Inc., pageants.”

The May 7, 2025 letter recognized that *Green v. Miss United States of America LLC*, 52 F.4th 773, 780 (9th Cir. 2022) provides a First Amendment right for competition organizers to set the terms of participation, a holding that overrides any state law. Recognizing that, however, he threatened that the First Amendment “does not necessarily protect from the consequences of that adoption. *See, e.g.* Anheuser-Busch’s ill considered Bud Light advertising decisions of late.” That obvious threat was pursued when Liberty Counsel continued to send press releases to TMZ and others to unfairly discredit Miss America as part of its self-glorification and unfair defamation of Miss America.

Your letter, immediately forwarded to the press, furthers that desire.

Ms. Bush never had her title stricken. That is a false statement. All contestants to compete in Miss Florida are required to sign a contract, the same contract every contestant signs without exception. Making an exception for one contestant, as Liberty Counsel demanded, would open up the floodgates to require Miss America to negotiate separate contracts with each candidate, which would not just be impossibly cumbersome, but unfair.

Contrary to the statements in your letter, there is no “misrepresentation.” At the time Kayleigh entered the Miss Freedom USA contest, Miss America did not control local feeder competitions. It did control its licensed competitions such as Miss Florida, which is why in attempting to compete for Miss Florida, Kayleigh was then asked to sign the Miss America contract.

Hon. James Uthmeier, Attorney General
April 10, 2026

Page 3

If a person has two x chromosomes, she is a biological woman, regardless of the rare circumstance in which she is born with unmatched genitalia. If the woman corrects that anomaly, she is permitted to compete.

Without the language to which Kayleigh objects, someone born with two x chromosomes, biologically a woman, could compete with male genitalia. Miss America has the absolute right to prevent that from happening.

Having spent a year claiming that the issue was being pursued for “religious” reasons and recognizing that didn’t fly, Kayleigh and her team now have come to you to turn this into something entirely different, claiming that this is a case of misrepresentation. In fact, to eliminate this unwarranted attack on Miss America in the future, we have already altered our contract to clarify what was always intended, that a person is a woman only if born with two x chromosomes.

In that you have unfairly maligned Miss America by deliberately publicizing your attack before learning the truth from us, I would ask that you do what is required in all defamation cases, send out a retraction of equal weight and distribution.

Feel free to contact me with any questions.

Very truly yours,



Stuart J. Moskowitz

SJM/slf7680