

The Honorable Marsha J. Pechman

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

RYAN KARNOSKI, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, et al.,

Defendants.

Case No. 2:17-cv-01297-MJP

**DECLARATION OF D.L. IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

**NOTE ON MOTION CALENDAR:
October 6, 2017
ORAL ARGUMENT REQUESTED**

I, D.L., declare as follows:

1. I, D.L., am a plaintiff in the above-captioned action. I have actual knowledge of the matters stated in this declaration.

2. I am a 17 year-old man and I live in Corpus Christi, Texas. I attend high school and anticipate graduating in roughly September 2017.

3. I come from a family with military service and take great pride in that. My great grandfather and great uncle both served in the Army. My great grandfather earned a Purple Heart for his service. I want to follow in their footsteps by serving my country.

4. I have put a lot of thought into my career path. For years, I have done research, spoken to veterans of different services, and decided to enlist in the Air Force. My ideal job would be to serve as a Survival, Evasion, Resistance and Escape Specialist in the Air Force. I am

1 adventurous and love the outdoors. I think I would be well suited to excel in this position,
2 training other Airmen on survival-related techniques needed for various terrains and climates in
3 the event that their aircraft goes down. I am very serious about pursuing this career path and
4 want the opportunity to do so.

5 5. If not for the current ban on enlistment for transgender individuals, I could join
6 the military at 17 years of age (my current age), with parental consent. My mother and next
7 friend, Laura Garza, supports me in my decision. She is proud of my decision to serve and
8 pursue my ambitions.

9 6. In preparation for enlistment, I began communicating with an Air Force recruiter
10 in early July 2017. When I disclosed to the recruiter that I am transgender, the recruiter stopped
11 communicating with me.

12 7. I am transgender. I was assigned the sex of female at birth but my gender identity
13 is male. I came out about this in the summer of 2015 and have lived openly as male since that
14 time.

15 8. In consultation with health care professionals, I have taken clinically appropriate
16 steps to transition.

17 9. I have experienced some challenges in coming out as transgender and people are
18 not always accepting of who I am. I was so relieved and hopeful, though, when I found out that I
19 would be able to enlist in the military, being open about myself, and being able to follow my
20 dreams to serve. For the past year, based on the announcement that transgender people could
21 serve openly, I had prepared for the military and been very optimistic about my future in the Air
22 Force.

23 10. To later have the President of the United States take that future away, on Twitter,
24 and discriminate against me and other people who are transgender was demoralizing. I would not
25 have expected that from the leader of our country.

26 11. Specifically, on July 26, 2017, I saw that President Trump posted three tweets that
27 spoke to a potential new policy regarding transgender service people. The tweets read:

28 After consultation with my Generals and military experts, please be advised that

1 the United States Government will not accept or allow.....

2Transgender individuals to serve in any capacity in the U.S. Military. Our

3 military must be focused on decisive and overwhelming.....

4victory and cannot be burdened with the tremendous medical costs and

5 disruption that transgender in the military would entail. Thank you

6 12. I remember reading these tweets on my cell phone and telling my mother and
7 girlfriend about them. I will never forget that. I was in disbelief and shocked that the President,
8 the leader of our country, would say such things and blatantly discriminate against a group of
9 people, like me, who only want to serve their country. I felt disheartened and devastated. It was
10 like my whole future dreams were crushed instantly by his words. I also felt anger that the
11 President would target a specific group of people for exclusion from the military.

12 13. The President's tweets against transgender soldiers and the document that the
13 President sent on August 25, 2017 – preventing transgender individuals from joining the military
14 – have caused me to feel deep sorrow mixed with anxiety and anger. For instance, after reading
15 the President's tweets, I had great difficulty sleeping. I lay in bed feeling like my entire future
16 got thrown out the window, and for such an unfair and unjust reason. I feel uncertain about my
17 future and lost.

18 14. I had put all my energy and focus into joining the military. I was planning to
19 enlist upon graduation from high school. I have not made other plans. I was counting on pursuing
20 a military career, and still feel called to do so. The President's decision to ban people like me
21 from the military feels like someone pulled the rug out from under me. It has caused me
22 tremendous stress and difficulty.

23 15. I want to be able to join the military as soon as possible. Any delays will hurt my
24 long-term career possibilities. It also makes it incredibly hard for me to plan my life immediately
25 after graduating from high school, not knowing if I will be able to join the military. My peers can
26 all pick out their future careers, and then pursue that career, but I cannot do that. Plus, the
27 military will lose out on a capable, committed, and ready service member. I know there are many
28 people like myself who would add strength to our military and serve honorably if we were only

1 given the chance. We should be able to do so, and should be judged like everyone else – based on
2 our abilities – and not our personal traits such as our gender identity.

3 16. If not for the President’s tweets and ban on open service by transgender
4 individuals, I would seek to enlist. I am ready and able to begin pursuing my career in the
5 military and do not want to be prevented any longer.

6 17. I have engaged in speech and conduct that has disclosed my status and identity as
7 a transgender man. I have expressed my gender identity, including by coming out to the Air
8 Force recruiter, taking steps to transition, and living openly as male in my everyday life. I want
9 and need to be able to continue to engage in speech and conduct disclosing my transgender status
10 and expressing my male gender identity.

11
12 I declare under the penalty of perjury that the foregoing is true and correct.

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14 DATED: September 12, 2017

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D.L.

CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that on September 14, 2017, I caused true and correct copies of the foregoing documents to be served by the method(s) listed below on the following interested parties:

By Hand Delivery:

US Attorney’s Office
700 Stewart St., Suite 5220
Seattle, WA 98101-1271

By Registered or Certified Mail:

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

Secretary of Defense James N. Mattis
1000 Defense Pentagon
Washington, DC 20301-1000

President Donald J. Trump
1600 Pennsylvania Ave. NW
Washington, DC 20500

I hereby certify under the penalty of perjury that the foregoing is true and correct. Executed on September 14, 2017 at Seattle, Washington.

s/Rachel Horvitz
Rachel Horvitz, *Paralegal*