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19 *Does 1-2, Jane Doe, and Equality California*

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA**

22 AIDEN STOCKMAN; NICOLAS
TALBOTT; TAMASYN REEVES;
23 JAQUICE TATE; JOHN DOES 1-2;
24 JANE DOE; and EQUALITY
CALIFORNIA,

25 Plaintiffs,

26 v.

27 DONALD J. TRUMP, et al.

28 Defendants.

CASE NO. 5:17-cv-01799-JGB-KKx

**APPLICATION OF PLAINTIFFS
JOHN DOES 1-2 AND JANE DOE
TO SEAL DECLARATIONS IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

1 Pursuant to this Court’s Order Granting Doe Plaintiffs’ Motion for Leave to
2 Proceed Under Pseudonyms [Docket No. 13] (the “Order”), Central District of
3 California Local Rule 79-5, and this Court’s Individual Procedures, Plaintiffs John
4 Does 1-2 and Jane Doe (collectively, “Doe Plaintiffs”) hereby apply to file the
5 following documents (the “Doe Declarations”) under seal:

- 6 1. Declaration of John Doe 1 in Support of Plaintiffs’ Motion for
7 Preliminary Injunction;
- 8 2. Declaration of John Doe 2 in Support of Plaintiff’s Motion for
9 Preliminary Injunction; and
- 10 3. Declaration of Jane Doe in Support of Plaintiff’s Motion for
11 Preliminary Injunction.

12 This Application is made on the following grounds:

13 Plaintiffs seek to seal only a fraction of the material submitted in support of
14 their Motion for Preliminary Injunction (the “Motion”). The only information they
15 seek to file under seal, the unredacted Doe Declarations, contain the names of the
16 Doe Plaintiffs. By this Application, and consistent with the terms of the Order,
17 Doe Plaintiffs respectfully ask that the Court seal that identifying information.
18 The Ninth Circuit has held that for “non-dispositive” motions, such as the current
19 Motion, sealing identified material is appropriate upon a showing of “good cause.”
20 *E.g., Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206, 1210
21 (9th Cir. 2002). Good cause exists “where court files might [] become a vehicle
22 for improper purposes,” including the publication of private information. *Nixon v.*
23 *Warner Commc'ns, Inc.*, 435 U.S. 589, 598 (1978); *see also Seattle Times Co. v.*
24 *Rhinehart*, 467 U.S. 20, 35 (1984) (stating that the “privacy interests of litigants”
25 can warrant protecting sensitive information from public disclosure). As the
26 Court’s Order recognized, the circumstances here warrant the protection of the Doe
27 Plaintiffs’ identities. Each of the Doe Plaintiffs is an actively serving transgender
28 service member. If Doe Plaintiffs’ names are not sealed, they will be unable to

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27 DONALD J. TRUMP, et al.

28 Defendants.

CASE NO. 5:17-cv-01799-JGB-KKx

**[PROPOSED] ORDER GRANTING
PLAINTIFFS JOHN DOES 1-2
AND JANE DOE'S APPLICATION
TO FILE UNDER SEAL
DECLARATIONS IN SUPPORT
OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

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[PROPOSED] ORDER

The Court, having reviewed and considered Plaintiffs John Does 1-2 and Jane Doe (collectively, “Doe Plaintiffs”) Application to File Under Seal Declarations in Support of Plaintiffs’ Motion for Preliminary Injunction, hereby **GRANTS** the Application and further **ORDERS** that the documents set forth below, which were submitted for filing by Doe Plaintiffs on October 2, 2017, be filed under seal, and kept under seal until further order of the Court. The previously filed redacted versions shall remain publicly available.

Documents to be Filed Under Seal	
1	Unredacted Version of Declaration of John Doe 1 in Support of Plaintiffs’ Motion for Preliminary Injunction
2	Unredacted Version of Declaration of John Doe 2 in Support of Plaintiffs’ Motion for Preliminary Injunction
3	Unredacted Version of Declaration of Jane Doe in Support of Plaintiffs’ Motion for Preliminary Injunction

IT IS SO ORDERED.

Dated:

Hon. Jesus G. Bernal
United States District Judge

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AIDEN STOCKMAN; NICOLAS
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 JANE DOE; and EQUALITY
 CALIFORNIA,

Plaintiffs,

v.

DONALD J. TRUMP, et al.

Defendants.

CASE NO. 5:17-cv-01799-JGB-KKx

**DECLARATION OF [REDACTED]
 [REDACTED], A.K.A. JOHN DOE 1, IN
 SUPPORT OF PLAINTIFFS'
 MOTION FOR PRELIMINARY
 INJUNCTION**

1 I, John Doe 1, declare as follows:

2 1. I currently serve as a Non-Commissioned Officer E-5 Staff Sergeant
3 in the United States Air Force. I am 28 years old. I am transgender.

4 **Early Life**

5 2. Ever since I was a child, I have wanted to serve in the United States
6 military. I grew up with my dad telling me stories about his 30 years of service in
7 the United States Marine Corps. He told me how he decided to join the Marines
8 after watching an interview where a wounded marine referred to his unit as “his
9 brothers.” I always felt connected to my dad and his stories. Sometimes, I would
10 put on his uniform and pretend that I was a marine like him. I wanted that sense of
11 camaraderie that my dad had described.

12 3. My entire life has involved the military. Because of my dad’s service,
13 I grew up living on or near military bases. My extended family similarly is
14 connected to the military, with several uncles and cousins having served in the
15 Marines, Army and Air Force. All my childhood friends also had parents in the
16 military. As a child I knew that, when the time came, I would also serve my
17 country in the military.

18 4. After earning my college degree in general education, I enlisted in the
19 Air Force. I had just turned 23.

20 **Military Career and Compensation**

21 5. I entered basic training in 2012. After completion of basic training, I
22 continued onto technical school. Technical school provides the technical training
23 necessary for our roles in the Air Force. In technical school, my command
24 selected me to be an Airmen Leader. To be selected as an Airman Leader is to be
25 recognized as someone upholding airmen standards, such as professionalism,
26 integrity and commitment to one’s duty. I was responsible for room inspections
27 and making sure that my floor and my fellow airmen met Air Force standards. I
28 served as a resource and a guide for my peers.

1 6. After being stationed domestically, I was promoted to Senior Airman
2 “below the zone,” which means I was promoted ahead of schedule. I then was
3 selected for an instructor position in the Air Force intelligence community.

4 7. In 2016, I received a “must promote” recommendation from my
5 command in my performance report, which is one of the strongest endorsements
6 for promotion that your command can give. I then was promoted to the Non-
7 Commissioned Officer rank of Staff Sergeant.

8 8. As Staff Sergeant, I attended Airmen Leadership School. I was the
9 top student in my class. For being the top student, I received the Academic
10 Achievement award. I also received Distinguished Graduate honors, which is
11 awarded only to the top 10% of a graduating class.

12 9. Currently, I am also a class instructor. I am known as a subject matter
13 expert in the information technology requirements of our intelligence gathering
14 community. I write course materials for information technology courses pertaining
15 to the military intelligence community.

16 10. As the next step in my career, I expect to be promoted to Technical
17 Sergeant, which is E-6 rank. To be promoted, I must serve two years as an E-5
18 Staff Sergeant and pass an exam. I will have served two years as E-5 in 2019.

19 11. I currently earn about \$26,400 a year, with an additional \$1,400 per
20 month housing allowance and a \$350 per month food allowance. I also receive an
21 annual allowance for my uniforms, which are my work clothes. I expect a
22 promotion to E-6 which comes with a pay raise.

23 12. In addition, I receive comprehensive health, vision, and dental
24 coverage through the military’s insurance provider, TRICARE.

25 **Serving My Country as a Transgender Airman**

26 13. For as long as I can remember, I have felt that inside, I am male. I did
27 not know the name to put to these feelings.

28

1 permitted. I feared what would happen to me and to my fellow transgender
2 servicepeople. I came out as transgender only because the military had said that I
3 would be allowed to continue serving my country. I was told by some transgender
4 friends, who have not yet started transitioning, that they had asked for their
5 transgender status to be removed from their military record. But I know that this
6 cannot be erased from my military record. Despite being good airmen, I and others
7 will be discharged under the express terms of the ban.

8 **The Impact of the Ban**

9 20. I had planned to serve 20 years in the Air Force and I expected to
10 qualify for a retirement pension. But when the ban is implemented as to currently
11 enlisted transgender servicepeople, which I understand will be no later than March
12 2018, I will lose my income and my healthcare. I must make choices now based
13 on this seeming inevitability. I do not know how I will afford housing, food,
14 clothing or health insurance.

15 21. I understand that the ban denies me transition-related medical care.
16 Currently, I plan to pay out of pocket for chest surgery, also called “top surgery.”
17 My command has agreed to give me time off for the procedure

18 22. I fear that I will receive a less than Honorable discharge, which in
19 nearly every circumstance would bar my use of the GI bill for further training or
20 education in civilian information technology. Under “Don’t Ask, Don’t Tell,”
21 lesbians and gays received Dishonorable discharges. The information technology
22 needs of civilians differ from the needs of the military intelligence community. I
23 believe that I need additional training and education before I can leverage my
24 military skills into a civilian job.

25 23. I also do not know if I will be able to find a job in the civilian job
26 market. I know that transgender people face significant discrimination in
27 employment. On top of that, I worry that it will be problematic to find a civilian
28 job now that the government has declared me “unfit” to serve in the military.

1 24. My military service to my country has been recognized and lauded by
2 those within the military, yet the ban has suddenly declared it dispensable. I worry
3 that the ban will erode the hard earned trust of my unit, and that is dangerous.
4 Military readiness and lethality depends on us servicemembers trusting each other,
5 and when the Commander in Chief tells my comrades that I cannot perform the job
6 that my unit counts on me to do, it weakens the trust that keeps us safe.

7 25. I fail to see how, in a few short months, I went from first in my class
8 at Airmen Leadership School to being “unfit” to serve. I came out as transgender
9 because my military’s leaders said that I could safely do so. Now, I will lose
10 everything for which I have worked so hard. My entire life, I have wanted to serve
11 my country. Under the ban, I am losing that opportunity and the strong military
12 family with whom I serve. I did nothing to deserve this punishment.

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

Dated: September 28, 2017



Staff Sergeant
United States Air Force

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CASE NO. 5:17-cv-01799-JGB-KKx

DECLARATION OF [REDACTED]
[REDACTED], A.K.A. JOHN DOE 2, IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION

1 I, John Doe 2, declare as follows:

2 1. I currently serve as an E-4 Specialist (SPC) Operator-Maintainer in
3 the United States Army. I am 20 years old. I am transgender.

4 **Early Life**

5 2. Growing up, my family was not wealthy. I knew they would not be
6 able to help pay for my college education. I knew that if I wanted an education, I
7 would need to find my own opportunity. In the 8th grade, I decided that the United
8 States military was my opportunity. I looked forward to joining the military not
9 only because it provided educational and training opportunities, but because I
10 viewed it as a meaningful career path.

11 3. As a high school sophomore, I started speaking with recruiters from
12 every branch of our armed forces. I felt drawn to the Army because they gave me
13 their honest perception about what was good and what was hard about serving in
14 the military. I felt that I could find both opportunity and camaraderie in the Army.

15 4. At age 17, with the consent of my parents, I enlisted in the Army. By
16 the time I turned 18, I was in basic training.

17 **Military Career and Compensation**

18 5. I am 20 years old and I have been serving in the United States military
19 since July 20, 2015. I worked my way up from Private, to Private 2nd Class, to
20 Private First Class and then earned an early promotion waiver to become an Army
21 Specialist, E-4 Grade, in March 2017. E-4 Specialists earn the same compensation
22 as an Army Corporal. My technical expertise pertains to the operations,
23 diagnostics, and maintenance of the multichannel communications systems
24 necessary for the Army to make real-time strategic and tactical decisions. My
25 position requires Secret-level Security Clearance.

26 6. In my two years of service, I have received two Colonel Coins of
27 Excellence. I received my second coin in August 2017.

28

1 7. For the next step in my career, I plan on becoming a Criminal
2 Investigations Division (“CID”) officer, with a focus on forensics. I have done
3 significant research on the CID and have expressed an interest in joining to several
4 CID officers. Not everyone can qualify or will be accepted as a CID officer. You
5 must: (a) serve two years; (b) be 21 years of age; and (c) have scored a sufficient
6 score on the Armed Services Vocational Aptitude Battery (“ASVAB”). I have the
7 service time and the ASVAB score. I will meet the CID requirements when I turn
8 21 next year.

9 8. I also plan on taking the Basic Leadership Course (“BLC”). Once I
10 complete BLC, I can be promoted to a Non-Commissioned Officer. After I
11 complete the BLC and the CID course, I can be ranked up to Sergeant. With a
12 higher rank, I can expect to receive increased compensation and benefits to support
13 myself and my family.

14 9. I currently earn \$19,000 a year, with an additional \$1,300 per month
15 housing allowance and a \$300 per month food allowance. I also receive an annual
16 allowance for my uniforms, which are my work clothes.

17 10. I also receive health benefits for me and my wife through TRICARE.
18 TRICARE covers primary care, emergency care, health specialists, vision care and
19 dental care.

20 11. If I continue serving in the Army as planned, I expect to receive
21 retirement benefits.

22 12. My wife depends on the income I bring into the household from
23 serving in the Army for housing, food and basic necessities. My wife also depends
24 on my health benefits.

25 13. The Army affords me and my wife with certain educational benefits.
26 I could take security-related classes at a college to earn additional security
27 qualifications for my work in the Army. Or, I might one day use the G.I. bill to
28 fund a college education. The military also pays for a certain number of college

1 classes for a service member’s spouse. My wife is currently working toward
2 obtaining her degree in Art.

3 **Serving My Country as a Soldier who is Transgender**

4 14. I have always felt different. However, I did not always have the
5 words to describe how I was different. I knew that I felt out of place in female-
6 specific places (restrooms, etc.), but I did not know what that might mean.

7 15. In my junior year of high school, I learned the term “transgender.” I
8 began researching transgender identity and quickly realized that the term described
9 me. I knew that I was transgender.

10 16. In high school, telling others that I was transgender felt impossible. I
11 did not know if I would be accepted, even by my own family. I felt forced to hide
12 my true identity.

13 17. Then, I joined the Army. The Army felt so very different from high
14 school. In the Army, the mission takes priority, and the cohesion of the unit is
15 valued above all else. And, the Army is so diverse. Even in my unit, there are
16 white, black and brown soldiers, people who come from small towns and inner-
17 cities, and people who hold a wide range of political views and religious beliefs.
18 When we are in uniform, none of that matters. In uniform, only the mission and
19 the unit matters.

20 18. The Army was the first time I told anyone that I am a transgender
21 man. I was in basic training, on a bus. Some of my Army buddies were talking
22 about how the government might lift the ban on transgender people openly serving
23 in the military. I volunteered for the first time that I am transgender. No one
24 reacted negatively. Instead, they expressed support. Simply put, the fact that I
25 came out as transgender did not seem to make a big difference to anyone.

26 19. In June 2016, Secretary of Defense Ashton Carter announced that the
27 military was lifting its ban on transgender people serving openly. When I heard
28

1 this, I felt overwhelming relief. Finally, I could be true to myself and still serve the
2 country that I love.

3 20. Shortly after the lifting of the ban on open service by transgender
4 soldiers was announced, I came out to my chain of command. Like my friends
5 from basic training, they supported me.

6 21. I researched the new policies and related guidance. I understood that
7 to begin transitioning to my true gender, the first step was to receive a formal
8 diagnosis of “gender dysphoria.” I met with my base’s mental health evaluator,
9 and was diagnosed as having gender dysphoria. I worked with an Army doctor to
10 develop my medical transition plan, providing me with medically-necessary
11 treatment. Like my friends and my commanders, my doctors supported me.

12 22. I started taking testosterone. I met with my commander and my
13 doctors, and my team approved chest surgery, which is sometimes called “top
14 surgery,” as part of my transition plan. I expect to have top surgery by March
15 2018. I expect to complete my medical transition by 2020.

16 23. People use male pronouns to address me, even when they have never
17 met me before. In my unit, no one says anything negative about the fact that I am
18 transgender. My unit received training on transgender identity, which was
19 mandatory like sexual harassment training.

20 24. When I think about the Army, I think about the individuals with
21 whom I serve. I think about how we support each other and work together to get
22 our jobs done. This is my family in arms. Together, we protect our country.

23 **The Ban**

24 25. In July 2017, I learned of President Trump’s announcement via
25 Twitter that transgender service members would no longer be allowed to serve in
26 the military “in any capacity.” I did not want to believe that this could be true.
27 People kept asking me if I was okay. My commander even pulled me into his
28

1 office to see how I was doing. I had trouble believing that anyone would question
2 my ability to serve in the Army.

3 26. In August 2017, I learned that President Trump issued a statement
4 formally changing the policy with regard to transgender service in the military.
5 This devastated me. The ban openly questioned whether I am fit to do my job. I
6 know that I am. It deeply saddened me that President Trump was ordering the
7 Army, where I have served since high school and where I have planned to make a
8 career, to deny me my job, my income, my benefits and, ultimately, to deny me the
9 respect that I deserve.

10 27. Since the ban, my unit has stayed supportive. My chain of command
11 has been supportive. They tell me they want me to keep serving. My command
12 has been giving me more experience and affording me more opportunities. They
13 say they want to show how much value I add to the unit, so if some transgender
14 soldiers can keep serving, then I will be one of them. My command is trying to
15 protect me.

16 28. I am grateful to my command for trying to rectify the degradation of
17 my service at the hands of the ban. The ban casts transgender service members
18 like me as deficient, hindering effectiveness, and dangerous, disrupting unit
19 cohesion -- in other words, as unfit. But no one in my unit says that I am unfit to
20 serve. They say that I am part of the unit.

21 29. Despite this support, I know that when the ban goes into effect, there
22 will be nothing that my command or my unit can do to protect me from being
23 subject to involuntary discharge.

24 **The Impact of the Ban**

25 30. If I can no longer serve in the military, I will face a very stark future.
26 Right now, in every decision I make, I am forced to plan for two different futures.
27 In one, I have a stable job, benefits for myself and my family, and respect. In the
28 other, my family and I face stigma, economic hardship, and extreme vulnerability.

1 31. If the ban goes into effect, I will lose my salary, housing allowance,
2 clothing allowance, and food allowance. I do not know how I will find work to
3 support myself and my family. The military offers training and courses that might
4 help me get a civilian job, but I need more time to take them. The training that I
5 have received to date in the military does not readily translate to a civilian job.

6 32. I do not know the type of discharge that I would receive, so I cannot
7 know which civilian jobs will take me. If I receive a dishonorable discharge, like
8 those discharged under the former “Don’t Ask Don’t Tell” policy, I expect that it
9 will be nearly impossible to find a good job. If I receive a medical discharge, then
10 I worry that civilian employers will think that I am unfit for physical work or that I
11 will be a health burden or unreliable.

12 33. I am also concerned that the stigma that comes from being labeled
13 officially “unfit” by the President of the United States and the U.S. military will
14 have a negative impact on how employers and others will see me.

15 34. When the ban goes into effect in March 2018, I do not know where
16 my wife and I will live, or even how we will afford to live. We may be forced to
17 move somewhere with more jobs or somewhere that is more affordable. We may
18 be forced to move in with other family members. We do not know if we even can
19 afford to move.

20 35. When the ban goes into effect in March 2018, my wife and I will lose
21 our health benefits. My wife is in school now and does not have her own benefits.
22 We both rely on my healthcare benefits through TRICARE. We would try to find
23 insurance, but I do not know if we could afford it or if we would have the same
24 level of coverage, or vision or dental care. I worry what might happen if one of us
25 gets sick or hurt and we no longer have good healthcare.

26 36. I joined the military to have a good career, to do work in which I
27 could take pride, and to receive training and an education. When the ban goes into
28 effect, I will lose my career and my opportunities for education and training. My

1 wife also will be forced to stop taking the classes she is pursuing. The Army will
2 stop paying for our education and I will not have income to pay for her tuition.

3 37. When the ban goes into effect, I do not know how we will afford
4 retirement. If I can continue serving, I can accrue enough years for an Army
5 pension.

6 38. I worry about returning to civilian life. In the Army, my unit accepts
7 me as transgender because I am here to serve my country and work as a cohesive
8 unit with my fellow soldiers. But, based on my experience, civilians may not be so
9 accepting. When I was a civilian, the lack of acceptance forced me to hide who I
10 really am. Now, those same people may see a piece of paper that says I am unfit to
11 do my job. I think that they will believe it, because some people want an excuse to
12 judge others. This ban gives them that excuse.

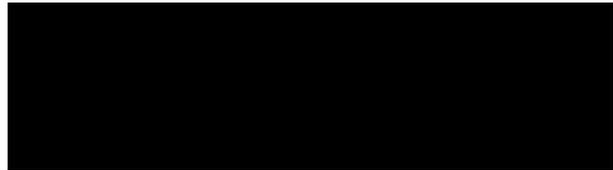
13 39. The ban feels like a devastating blow in the face of my service to this
14 nation. In the Army, I have opportunity and I belong. I work hard for my country
15 and my unit. To be told that I am now somehow “unfit” and not worthy of respect
16 for reasons wholly unrelated to my abilities feels completely unfair.

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

Dated: September 21, 2017



Specialist
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20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA**

22 AIDEN STOCKMAN; NICOLAS
TALBOTT; TAMASYN REEVES;
23 JAQUICE TATE; JOHN DOES 1-2;
24 JANE DOE; and EQUALITY
CALIFORNIA,

25 Plaintiffs,

26 v.

27 DONALD J. TRUMP, et al.

28 Defendants.

CASE NO. 5:17-cv-01799-JGB-KKx

**DECLARATION OF [REDACTED]
[REDACTED], A.K.A. JANE DOE, IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

1 I, Jane Doe, declare as follows:

2 1. I currently serve as a Staff Sergeant, E-5 Rank, in the United States
3 Air Force. I am a Risk Management Framework Program Manager at a
4 strategically important overseas base. I am transgender.

5 **Military Career**

6 2. After graduating from college, I became interested in military service.
7 I wanted a job that provided a sense of discipline, responsibility, and practical
8 skills. I wanted to serve my country. I knew that the military could provide all
9 that I hoped for in a career. I enlisted in the Air Force in 2010.

10 3. Because I had a college degree, I entered as an Airman First Class, the
11 highest enlistment rank possible upon entry into the Air Force. After basic
12 training, I was stationed domestically and then selected for deployment to the
13 Middle East.

14 4. In 2011, during my first deployment to the Middle East, my command
15 promoted me to Senior Airman, E-4 Rank, “below the zone.” A “below the zone”
16 promotion is an early promotion awarded to one or two candidates displaying an
17 uncommon level of skill that outstrips their current rank. I also earned my first Air
18 Force Achievement Medal.

19 5. Upon completion of my first Middle East deployment in 2014 I
20 received my first base assignment, where I served as a Combat Crew
21 Communications Non-Commissioned Officer In Charge. I earned a promotion to
22 Staff Sergeant, achieving that rank on my first attempt when most others must try
23 two or even three times. I was awarded an Air Force Commendation Medal for
24 distinctly exemplary service.

25 6. The Air Force deployed me to the Middle East a second time. For my
26 service during that deployment, I earned my second Air Force Achievement medal.

27 7. Currently, I am stationed abroad at a strategically important Air Force
28 base, where I am a Risk Management Framework Program Manager. I have

1 received a new assignment to another strategically important base, this time to
2 work with an intelligence-gathering unit in Asia. I have been formally notified that
3 I am in line for a promotion to Technical Sergeant.

4 8. I receive between \$36,000 and \$38,000 in annual base pay, with a
5 housing allowance of \$1,500 per month, food allowance of \$350 per month, and a
6 uniform allowance of \$300 per year. If promoted to Technical Sergeant, I will
7 receive a 10% increase in base pay.

8 9. I plan on serving in the military until I qualify for a military pension
9 and other military benefits to support my retirement. I do not have other retirement
10 savings.

11 10. I receive health insurance through the military's TRICARE program.
12 TRICARE covers all medically-necessary healthcare, including health, vision and
13 dental care.

14 **Serving as an Airman who is Transgender**

15 11. As a child in a small New England town, I had no idea that
16 transgender people even existed. I learned the term, and my identity, when I was
17 approximately 14 years old. A friend used the word transgender and I instantly
18 knew what it meant and that it applied to me. But to be that young and different in
19 a small town was overwhelming, and I did not feel comfortable telling anyone. It
20 was not until college that I finally felt comfortable enough to tell people that I am
21 transgender. Even then, I came out only to those closest to me.

22 12. At the time I enlisted in the Air Force, I knew that I could not serve
23 my country and be open about the fact that I am transgender, so I hid my
24 transgender identity during my early military service. After my second
25 deployment in the Middle East, I came out to my mother and I also began living as
26 a woman in the privacy of my home. By that time, I knew that the Department of
27 Defense had begun reviewing its policy on military service by transgender
28 individuals. I had started seeing a mental health care provider on base to discuss

1 my gender dysphoria, but I had not come out as transgender to my chain of
2 command.

3 13. In 2016, I learned that the ban on open service by transgender service
4 members had been lifted. I immediately came out to my chain of command and to
5 my colleagues. The lifting of the ban also made me feel comfortable telling the
6 rest of my family and friends that I am transgender. I updated my social media to
7 my correct gender, and began living full time as a woman. I finally felt like I could
8 be myself.

9 14. My command has been remarkably supportive. With their acceptance
10 and support, I felt that I could pursue medical transition. Together, my command,
11 my doctor and I created a medical transition plan which has now received all
12 necessary approvals, including approvals from the Air Force's Medical Multi-
13 Disciplinary Team and the Pentagon.

14 **The Ban is Reinstated**

15 15. In July 2017, I read a series of tweets by President Trump stating that
16 I would no longer be permitted to serve in the United States Air Force. I worried
17 that the President's statement would destroy my career, despite my achievements
18 and sacrifice for my country. That fear became reality in August 2017, when the
19 President issued an official statement ordering the Department of Defense to
20 impose a ban authorizing me and other transgender service members to be
21 involuntarily separated from the military as of March 2018.

22 **The Impact of the Ban**

23 16. Though I have no desire to end my military service, the ban is forcing
24 me to prepare for a future where I am no longer permitted to serve in the military.

25 17. If I am involuntarily separated from the military in March 2018 or
26 thereafter, as authorized by the ban, I will lose my salary and my housing, food and
27 clothing allowances.

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1 18. Involuntary separation under the ban also will deny me the
2 opportunity to achieve a promotion to Technical Sergeant, which I already have
3 been selected for, as well as any chance of retirement benefits from the military.

4 19. I do not know if I will receive an Honorable discharge when I am
5 involuntarily separated from the military. I know that under “Don’t Ask, Don’t
6 Tell,” lesbian and gay service members received Dishonorable discharges.
7 Because the level of one’s discharge can affect the benefits available to a veteran,
8 the ban may deny me certain veteran benefits to which I would otherwise be
9 entitled. In addition, I am concerned that civilian employers will be reluctant to
10 hire me if I am involuntarily discharged, especially if my discharge is anything but
11 Honorable.

12 20. I also don’t know if I will receive a medical discharge when I am
13 involuntarily separated from the military, as required by the prior policy that the
14 President has ordered the Department of Defense to reinstate. Having a medical
15 discharge will negatively affect my ability to find a civilian job, in addition to
16 violating my privacy and, in effect, forcing me to “out” myself as transgender to
17 any future civilian employer.

18 21. I know that transgender people face significant discrimination when
19 searching for civilian employment. I am concerned that the President’s ban will
20 significantly exacerbate that discrimination and have a negative impact on my
21 ability to find a civilian job, particularly when I have been declared “unfit” to serve
22 my country.

23 22. Ordinarily, having served in the military is viewed positively by most
24 people, who respect those who have dedicated themselves to protecting and
25 serving our country. But as a result of the ban, I and other transgender service
26 members will be deprived of that honor, regard, and respect.

27 23. Perhaps most of all, I fear the ban’s effect on my unit and our military
28 effectiveness. The Air Force needs my skillset and needs my fellow airmen to

1 work together. But the ban casts me as a disruption simply because of who I am.
2 If others start to believe the falsehoods engendered by the ban, it will undermine
3 unit cohesion and the ability for us to do our jobs. That threatens military lethality.

4 24. Under the specter of the discrimination against transgender persons
5 authorized by the ban, I am concerned about what will happen to transgender
6 people both in and out of the military. Leaders set the tone for the country. I know
7 a transgender student who was fortunate to have a supportive principal. Because
8 of the principal's leadership, she was accepted by her peers. Then, other
9 leadership removed support for the student. Without the support of leadership, the
10 acceptance and support from her peers crumbled. She now faces daily ridicule for
11 simply being who she is. Similarly, the President's ban has emboldened many
12 people to express and increase their animosity toward transgender people. I fear
13 what this will mean for transgender people and for other vulnerable groups.

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

Dated: September 29, 2017



Technical Sergeant
United States Air Force