

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RYAN KARNOSKI, et al.,)
)
 Plaintiffs,)
 v.) Civil Action No. 2:17-cv-01297 (MJP)
)
 DONALD TRUMP, et al.,)
)
 Defendants.)
 _____)

DECLARATION OF LTC JONATHAN EASLEY
(Pertaining to Plaintiff Lindsey Muller)

I, Jonathan A. Easley, hereby declare as follows:

1. I am a Lieutenant Colonel in the U.S. Army currently serving as the Commander, 602d Aviation Support Battalion, 2d Combat Aviation Brigade, 2d Infantry Division, at Camp Humphreys, South Korea. I have been in the Army for over 19 years, and I have been in command since June of 2017. As a battalion commander, I am the senior officer within my unit and responsible for all the personnel and equipment within my unit, including processing personnel actions for soldiers under my command.

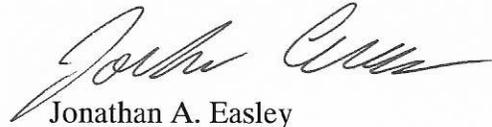
2. I make this declaration based on my personal knowledge and on information provided to me in the course of my official duties. I submit this declaration in support of the defendants' motion to dismiss the above-captioned action and in opposition to the plaintiffs' motion for a preliminary injunction. In particular, I address below the current status of Chief Warrant Officer Three (CW3) Lindsey Muller in the present litigation.

3. On September 14, 2017, the Secretary of Defense's issued Interim Guidance prohibiting the involuntary separation or discharge of a soldier due to his or her transgender status or diagnosis of gender dysphoria. In compliance with this policy, no soldier in my unit, to include CW3 Muller, is currently pending separation or discharge due to their transgender status or

gender dysphoria diagnosis. Nor will any soldier in my unit face such a separation on that basis, absent a change in the existing policy. Further, no soldier in my unit whose term of service expires while the Interim Guidance is in effect will be denied re-enlistment due to his or her transgender status. Accordingly, CW3 Muller will not be discharged due to her transgender status while the Interim Guidance is in effect.

4. CW3 Muller currently has an approved medical treatment plan for gender transition and her gender marker in the Defense Enrollment Eligibility Reporting System (DEERS) is female. CW3 Muller had a surgery scheduled in August that was postponed by her medical provider on August 17, 2017, due to instructions to await further guidance before performing or scheduling any transition-related surgical procedures. The surgery was not deleted from her treatment plan. Subsequently, the Secretary of Defense's Interim Guidance authorized medically necessary services, to include surgery, for approved treatment plans. Pursuant to this guidance, CW3 Muller may request reinstatement of her surgery. CW3 Muller has been advised of the updated medical treatment provisions in the Interim Guidance, and has indicated an interest in rescheduling her surgery to her chain of command. Should CW3 Muller renew her request for surgery with her medical provider, her chain of command will coordinate with her medical care team in accordance with the updated guidance.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 16 day of October, 2017.



Jonathan A. Easley
Lieutenant Colonel, U.S. Army
Camp Humphreys, South Korea

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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2017, I electronically filed the foregoing declaration using the Court’s CM/ECF system, causing a notice of filing to be served upon all counsel of record.

Dated: October 16, 2017

/s/ Ryan Parker
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