

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON**

**RYAN KARNOSKY *et al.*,**

**Plaintiffs,**

**v.**

**DONALD J. TRUMP *et al.*,**

**Defendants.**

**Civil Action No. 2:17-cv-1297**

**DECLARATION OF NICHOLAS GOOD**

(Relating to Petty Officer Second Class Phillip Stephens)

I, Commander Nicholas Good, UNITED STATES NAVY, do hereby state and declare as follows:

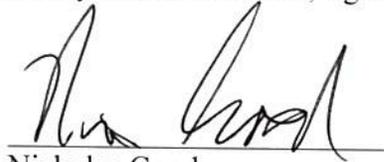
1. I am a Commander serving on active-duty in the United States Navy and currently assigned as Commanding Officer at VFA-101, Eglin AFB, FL. I have served on active duty for 21 years, most recently as Chief of Air Space and Land Branch for programming and budgeting at NORAD and USNORTHCOM. I make this 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 plaintiff Petty Officer Second Class (PO2) Phillip Stephens.
2. In my role as Commanding Officer, I am responsible for all aspects of administration, safety, operations, training, and maintenance in the Navy's first F-35C Fleet Replacement Squadron.. Based on my current position and past experience, I am familiar with the Department of the Navy’s policies and regulations regarding accession and retention requirements, including those found in Department of Defense Instruction (DoDI) 6130.03, and the Chief of Naval

Operations Instruction (OPNAVINST) 3110.1J; policies and regulations relating to administrative separations, including those found in DoDI 1332.14, Bureau of Naval Personnel Instruction (BUPERSINST) 1001.39F, and the Military Personnel Manual (MILPERSMAN) 1910 (series); as well as policies and regulations relating to service by transgender individuals, including DoDI 1300.28; ALNAV 053/16; and the Secretary of Defense's Interim Guidance issued on 14 September 2017.

3. PO2 Phillip Stephens is currently serving as Aviation Structural Mechanic Second Class Petty Officer. PO2 Stephens' official Navy personnel files and the Defense Enrollment Eligibility Reporting System (DEERS) currently identify PO2 Stephens as a female named Felicia Monique Stephens. For the remainder of this declaration, I will refer to PO2 Stephens using male pronouns, which correspond to PO2 Stephens' own gender identity, but not yet to PO2 Stephens' official records.
4. PO2 Stephens submitted his gender transition plan to my command pursuant to DoDI 1300.28 on July 28, 2017 and it was approved on August 21, 2017. The plan includes [REDACTED]. The plan anticipates that PO2 Stephens will complete his transition in about [REDACTED] 2019. Since I approved the plan, PO2 Stephens has not at any time suffered any delays or disruptions to medical care that I am aware of.
5. The Secretary's Interim Guidance prohibits the involuntary separation or discharge of a sailor due to his or her transgender status or diagnosis of gender dysphoria. My unit is in compliance with this policy, and no sailor, to include PO2 Stephens, is currently pending separation or discharge due to his or her transgender status or gender dysphoria diagnosis. Nor will any sailor in my unit face separation on that basis under the existing policy.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the forgoing is true and correct.

Executed this 16th day of October 2017, Eglin AFB, Fl.

A handwritten signature in black ink, appearing to read "Nicholas Good", written over a horizontal line.

Nicholas Good  
Commander, U.S. Navy

**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  
RYAN B. PARKER  
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