

**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 am the Battalion Commander of Chief Warrant Officer Three (CW3) Lindsey Muller, a plaintiff in the present litigation. I am aware of CW3 Muller’s allegations in her declaration in support of plaintiffs’ motion for summary judgment, and address her current status below.

2. I submitted a previous declaration in support of the defendants’ motion to dismiss the above-captioned action and in opposition to the plaintiffs’ motion for a preliminary injunction, which I am now supplementing with this declaration in support of defendant’s motion for partial summary judgment and opposition to plaintiffs’ motion for summary judgment. I make this declaration based on my personal knowledge and on information provided to me in the course of my official duties.

3. 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. I am aware of CW3 Muller’s allegation as of January 23, 2018 that a surgical procedure as part of

her transition plan was “called off and following attempts to reschedule were denied.” As of the date of this declaration, however, CW3 Muller has completed all of the medically necessary surgical treatments approved as part of her medical treatment plan for gender transition.

4. I am also aware of CW3 Muller’s allegations that her medical treatment plan has interfered with her ability to maintain her flight status. Medical fitness standards related to Army aviators with flying duties are prescribed by Army Regulation 40-501, Standards of Medical Fitness, Chapter 4, dated June 14, 2017. A failure to meet these medical standards, such as the use of medications or treatments that compromise flight safety or deployability, disqualifies an aviator from performing flying duties. A medically disqualified aviator may resume flying duties after an evaluation by a flight surgeon that clears the aviator for a return to flight duty and approved in accordance with regulations by the appropriate authority. Now that CW3 Muller has completed the surgical treatments indicated by her approved medical treatment plan, once her availability and the unit’s operational requirements allow, she may request an evaluation by a flight surgeon to determine if she is medically qualified to resume flying duties.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 26 day of February 2018.

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