

The Honorable Marsha J. Pechman

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

RYAN KARNOSKI, et al.,

Plaintiffs, and

STATE OF WASHINGTON,

Plaintiff-Intervenor,

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 JORDAN M. HEINZ
IN SUPPORT OF PLAINTIFFS’
RESPONSE TO THE COURT’S
FEBRUARY 7, 2020 ORDER**

1 I, Jordan M. Heinz, swear under penalty of perjury under the laws of the United States to
2 the following:

3 1. I am counsel of record for Plaintiffs in this action, am over the age of 18, and am
4 competent to be a witness. I make this declaration in support of Plaintiffs' Response to the Court's
5 February 7, 2020 Order based on facts within my personal knowledge.

6 2. Attached hereto as Exhibit 1 are excerpts of the deposition of Brad Carson, taken on
7 January 28, 2020.

8 3. Attached hereto as Exhibit 2 are excerpts of the deposition of Margaret Wilmoth, taken
9 on January 22, 2020.

10 4. Attached hereto as Exhibit 3 is USDOE00238554_0001, an October 16, 2015 email
11 chain from K. Guice to M. Wilmoth, R. Allen, and K. Iverson.

12 5. Attached hereto as Exhibit 4 is USDOE00273734_0001, the Transgender Personnel
13 Policy Working Group Kickoff Meeting - October 02, 2017 Presentation.

14 6. Attached hereto as Exhibit 5 is USDOE00005178_0001, a November 1, 2017 email
15 from R. Labrutta to G. Grosso.

16 7. Attached hereto as Exhibit 6 is USDOE00001526_0001, a December 11, 2017 email
17 from M. Huibregtse to W. Fischer.

18 8. Attached hereto as Exhibit 7 is USDOE00080433_0001, an October 19, 2017 email
19 chain from T. Dee to A. Kurta.

20 9. Attached hereto as Exhibit 8 is USDOE00003063, an October 30, 2017 meeting
21 invitation and agenda from G. Brown.

22 10. Attached hereto as Exhibit 9 is USDOE00088638_0001, the Final Report and
23 Recommendations of the Transgender Panel October 13 – December 13 2017.

24 11. Attached hereto as Exhibit 10 is USDOE00081112_0001, a December 14, 2017 email
25 from T. Dee to R. Wilkie.

26 12. Attached hereto as Exhibit 11 is USDOE00081113_0001, the Dissenting Opinion
27 from the Majority Recommendations of the "Military Service by Transgender Individuals - Panel
28 of Experts."

1 13. Attached hereto as Exhibit 12 is USDOE00065524_0001, a December 18, 2017 email
2 chain from T. Dee to T. Modly.

3 14. Attached hereto as Exhibit 13 is USDOE00096332, a December 22, 2017 Transgender
4 Policy Panel Meeting Agenda.

5 15. Attached hereto as Exhibit 14 is USDOE00143119, a January 4, 2018 Transgender
6 Policy Panel Meeting Agenda.

7 16. Attached hereto as Exhibit 15 is USDOE00104480, a January 11, 2018 Transgender
8 Policy Panel Meeting Agenda.

9 17. Attached hereto as Exhibit 16 is USDOE00097383, a December 13, 2017 Transgender
10 Policy Panel Meeting Agenda.

11 18. Attached hereto as Exhibit 17 is a January 31, 2020 email from J. Powers to J. Heinz.

12 19. Attached hereto as Exhibit 18 is Administrative_Record_003059, a January 11, 2018
13 Action Memo from R. Wilkie.

14 20. Attached hereto as Exhibit 19 is USDOE00134724_0001, a January 29, 2018 email
15 chain from J. Mattis to G. Newbold.

16 21. Attached hereto as Exhibit 20 is USDOE00285187, a February 6, 2018 email chain
17 from W. Woodruff to W. Bushman.

18 22. Attached hereto as Exhibit 21 is USDOE00285189, a February 6, 2018 Memorandum
19 from W. Woodruff to W. Bushman.

20 23. Attached hereto as Exhibit 22 is USDOE00206610_0001, a February 12, 2018 email
21 chain from W. Bushman to R. Newman.

22 24. Attached hereto as Exhibit 23 is MCHUGH 00001, a February 5, 2018 email from P.
23 McHugh to W. Bushman.

24 25. Attached hereto as Exhibit 24 is MCHUGH 00002, an article titled "Witches, multiple
25 personalities, and other psychiatric artifacts," Nature Publishing Group, Nature Medicine, Vol. 1,
26 No. 2 (February 1995).

27 26. Attached hereto as Exhibit 25 is MCHUGH 00007, an article titled "Sex Reassignment
28 Surgery for the Treatment of Gender Dysphoria" (May 15, 2014).

1 27. Attached hereto as Exhibit 26 is MCHUGH 00020, an article titled “Growing Pains
2 Problems with Puberty Suppression in Treating Gender Dysphoria,” The New Atlantis (Spring
3 2017).

4 28. Attached hereto as Exhibit 27 is MCHUGH 00054, an article titled “Long-Term
5 Follow-Up of Transsexual Persons Undergoing Sex Reassignment Surgery: Cohort Study in
6 Sweden,” PloS One, Vol. 6, Issue 2, e16885 (February 2011).

7 29. Attached hereto as Exhibit 28 is MCHUGH 00062, a February 13, 2018 email chain
8 from P. McHugh to W. Bushman.

9 30. Attached hereto as Exhibit 29 is USDOE00280450, a February 22, 2018 Memorandum
10 for the President and accompanying Department of Defense Report and Recommendations on
11 Military Service by Transgender Persons.

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

14
15 DATED: February 25, 2020

/s/ Jordan M. Heinz
Jordan M. Heinz

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 all participants in the case are registered CM/ECF users and that service of the foregoing documents will be accomplished by the CM/ECF system on February 25, 2020.

s/ Rachel Horvitz
Rachel Horvitz, WSBA No. 52987
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