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19

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

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

25 Plaintiffs,

26 v.

27 DONALD J. TRUMP, et al.

28 Defendants.

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

**DECLARATION OF ADAM S.
SIEFF IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 1. I am associate at the law firm of Latham & Watkins LLP, counsel of
2 record for Plaintiffs in the above-caption matter. I am an attorney in good standing
3 licensed to practice law in the State of California. I submit this declaration in
4 support of Plaintiffs' Motion for Preliminary Injunction. I have personal
5 knowledge of the facts contained in this declaration, and if called upon to do so, I
6 could and would testify competently thereto.

7 2. Attached as **Exhibit A** is a true and correct copy of Gary J. Gates &
8 Jody L. Herman, *Transgender Military Service in the Unites States*, Williams
9 Institute (May 2014).

10 3. Attached as **Exhibit B** is a true and correct copy of *Statement by*
11 *Secretary of Defense Ash Carter on DoD Transgender Policy*, Department of
12 Defense (July 13, 2015).

13 4. Attached as **Exhibit C** is a true and correct copy of *Department of*
14 *Defense Press Briefing by Secretary Carter on Transgender Service Policies in*
15 *the Pentagon Briefing Room*, Department of Defense (June 30, 2016).

16 5. Attached as **Exhibit D** is a true and correct copy of *DoD*
17 *Instruction 1300.28: In-Service Transition for Transgender Service Members*,
18 Department of Defense (June 30, 2016).

19 6. Attached as **Exhibit E** is a true and correct copy of *Memorandum*
20 *for Secretaries of the Military Departments Chairman of the Joint Chiefs of*
21 *Staff: Accession of Transgender Individuals into the Military Services*,
22 Secretary of Defense (June 30, 2017).

23 7. Attached as **Exhibit F** is a true and correct copy of three tweets
24 issued by Donald J. Trump (@RealDonaldTrump), Twitter (July 26, 2017,
25 5:55 A.M.).

26 8. Attached as **Exhibit G** is a true and correct copy of *Memorandum*
27 *of August 25, 2017, Military Service by Transgender Individuals:*
28

1 *Memorandum for the Secretary of Defense (and) the Secretary of Homeland*
2 *Security*, 82 Fed. Reg. 41319 (August 30, 2017).

3 9. Attached as **Exhibit H** is a true and correct copy of *Top military*
4 *general says he didn't back ban on transgender troops*, Military Times,
5 [http://www.militarytimes.com/news/pentagon-congress/2017/09/26/top-](http://www.militarytimes.com/news/pentagon-congress/2017/09/26/top-military-general-says-he-didnt-back-ban-on-transgender-troops/)
6 [military-general-says-he-didnt-back-ban-on-transgender-troops/](http://www.militarytimes.com/news/pentagon-congress/2017/09/26/top-military-general-says-he-didnt-back-ban-on-transgender-troops/) (September
7 26, 2017).

8 10. Attached as **Exhibit I** is a true and correct copy of *Top general*
9 *says transgender troops can serve, warns on readiness*, Politico,
10 [http://www.politico.com/story/2017/09/26/joe-dunford-transgender-troops-](http://www.politico.com/story/2017/09/26/joe-dunford-transgender-troops-serve-243160)
11 [serve-243160](http://www.politico.com/story/2017/09/26/joe-dunford-transgender-troops-serve-243160) (September 26, 2017).

12 11. Attached as **Exhibit J** is a true and correct copy of *DoD spends*
13 *\$84M a year on Viagra, similar meds*, Military Times,
14 [https://www.militarytimes.com/pay-benefits/military-benefits/health-](https://www.militarytimes.com/pay-benefits/military-benefits/health-care/2015/02/13/dod-spends-84m-a-year-on-viagra-similar-meds/)
15 [care/2015/02/13/dod-spends-84m-a-year-on-viagra-similar-meds/](https://www.militarytimes.com/pay-benefits/military-benefits/health-care/2015/02/13/dod-spends-84m-a-year-on-viagra-similar-meds/) (February
16 13, 2015).

17 12. Attached as **Exhibit K** is a true and correct copy of *Congressional*
18 *Republicans threaten to ban transgender military service*, ThinkProgress,
19 <https://thinkprogress.org/ndaa-transgender-military-hartzler-991077b0e689/>
20 (June 29, 2017).

21 13. Attached as **Exhibit L** is a true and correct copy of *House*
22 *Republicans try to revive ban on Pentagon transgender surgeries*, Politico,
23 [http://www.politico.com/story/2017/07/20/house-republicans-try-to-revive-](http://www.politico.com/story/2017/07/20/house-republicans-try-to-revive-ban-on-transgender-pentagon-surgeries-240770)
24 [ban-on-transgender-pentagon-surgeries-240770](http://www.politico.com/story/2017/07/20/house-republicans-try-to-revive-ban-on-transgender-pentagon-surgeries-240770) (July 20, 2017).

25 14. Attached as **Exhibit M** is a true and correct copy of *US Joint*
26 *Chiefs blindsided by Trump's transgender ban*, CNN,
27 [http://www.cnn.com/2017/07/27/politics/trump-military-transgender-ban-joint-](http://www.cnn.com/2017/07/27/politics/trump-military-transgender-ban-joint-chiefs/)
28 [chiefs/](http://www.cnn.com/2017/07/27/politics/trump-military-transgender-ban-joint-chiefs/) (July 27, 2017).

1 15. Attached as **Exhibit N** is a true and correct copy of excerpts from
2 Grant, Jaime M., Lisa A. Mottet, Justin Tanis, Jack Harrison, Jody L. Herman, and
3 Mara Keisling. *Injustice at Every Turn: A Report of the National Transgender*
4 *Discrimination Survey*. Washington: National Center for Transgender Equality and
5 National Gay and Lesbian Task Force (2011).

6 16. Attached as **Exhibit O** is a true and correct copy of *Fifty Six*
7 *Retired Generals and Admirals Warn That President Trump’s Anti-*
8 *Transgender Tweets, If Implemented, Would Degrade Military Readiness*,
9 PALM Center (Aug. 1, 2017).

10 17. Attached as **Exhibit P** is a true and correct copy of Letter from
11 Congressman A. Donald McEachin, et al, to President Donald J. Trump (Aug.
12 29, 2017).

13 18. Attached as **Exhibit Q** is a true and correct copy of *Transgender*
14 *Service in the U.S. Military: An Implementation Handbook*, United States
15 Department of Defense (Sept. 30, 2016).

16 19. Attached as **Exhibit R** is a true and correct copy of *Trump’s*
17 *Record of Action Against Transgender People*, National Center for
18 Transgender Equality, [http://www.transequality.org/the-discrimination-](http://www.transequality.org/the-discrimination-administration)
19 [administration](http://www.transequality.org/the-discrimination-administration) (accessed Oct. 1, 2017).

20 20. Attached as **Exhibit S** is a true and correct copy of *Trump*
21 *Announced His Transgender Military Ban Just Days After Tony Perkins Asked*
22 *Him for It*, The New Civil Rights Movement,
23 [http://www.thenewcivilrightsmovement.com/trump_](http://www.thenewcivilrightsmovement.com/trump_announced_his_transgender_military_ban_just_days_after_tony_perkins_asked_him_for_it)
24 [announced_his_transgend](http://www.thenewcivilrightsmovement.com/trump_announced_his_transgender_military_ban_just_days_after_tony_perkins_asked_him_for_it)
25 [er_military_ban_just_days_after_tony_perkins_asked_him_for_it](http://www.thenewcivilrightsmovement.com/trump_announced_his_transgender_military_ban_just_days_after_tony_perkins_asked_him_for_it) (Sept. 11,
2017).

26 21. Attached as **Exhibit T** is a true and correct copy of *Discharging*
27 *Transgender Troops Would Cost \$960 Million*, PALM Center (August 2017).

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

Dated: October 2, 2017

By /s/ Adam S. Sieff
Adam S. Sieff