

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JANE DOE 1, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Civil Action No. 17-cv-1597 (CKK)

DECLARATION OF CPT [REDACTED]

(Pertaining to Plaintiff Jane Doe 2)

I, [REDACTED] hereby declare as follows:

1. I am a Captain in the U.S. Army currently in command of [REDACTED]

[REDACTED]

[REDACTED] I have been in the Army for over 12 years. I have been in command of [REDACTED] since October 2016. As a company commander, I am the senior officer within my unit and responsible for all the personnel and equipment within my unit, including accomplishing the unit's assigned tasks and missions. 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 [REDACTED] who is referred to as Jane Doe 2 in the present litigation. Currently, the Army's official policy is to recognize a soldier's gender by the gender marker in the Defense Enrollment Eligibility Reporting System (DEERS). Jane Doe 2's gender marker in DEERS is male. However, for the convenience of the Court and the parties, I will refer to Jane Doe 2 using female pronouns for the remainder of this declaration, which correspond to Jane Doe 2's gender identity referenced in the complaint.

2. I am currently the company commander for Jane Doe 2, who arrived at my unit on [REDACTED]

[REDACTED] Upon her arrival, she informed me of her transition. 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 Jane Doe 2, 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, 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, Jane Doe 2 will not be discharged due to his transgender status while the Interim Guidance is in effect.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 04 day of October 2017.

[REDACTED]
[REDACTED]
Date: 2017.10.04 09:47:17 -06'00'

Captain, U.S. Army
[REDACTED]