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

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

Plaintiffs,

v.

DONALD J. TRUMP, et al.

Defendants.

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

**DECLARATION OF NICOLAS
 TALBOTT IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

1 I, Nicolas Talbott, declare as follows:

2 1. I am 23 years old and I live in Ohio. I want to serve my country as
3 an airman in the Air Force National Guard. I am transgender.

4 **Background**

5 2. I live in eastern Ohio, in a small town of a few thousand people called
6 Lisbon. I live with my grandmother, who relies on me for whatever additional
7 income I can provide.

8 3. I graduated from Kent State University in 2015 with a degree in
9 sociology and criminology. While in college, I decided to pursue a career in global
10 security and counterterrorism, and I have always wanted a career that would enable
11 me to serve my country. I looked into the Reserve Officers' Training Corps
12 ("ROTC") at Kent State and decided to pursue a career in the military.

13 **Coming Out and Transitioning**

14 4. Growing up, I always wore boy's clothes and wore my hair short. I
15 knew that I was transgender before I even knew the word. As a small child, I
16 would tell people that I thought I was supposed to have been born a boy. Then,
17 when I was 12, my friend said that she thought I might be transgender. I
18 immediately researched what that meant, and quickly realized that the word
19 transgender described me.

20 5. But, I lived in a small town and feared people's reaction if they
21 learned that I am transgender. For the first few years after realizing that I am
22 transgender, I shared my identity only with a small group of confidants. At the age
23 of 16, I came out as transgender to my mother. Shortly thereafter, she took me to a
24 therapist. The therapist diagnosed me with gender dysphoria.

25 6. In 2012, I began taking hormones according to my transition plan
26 developed with my doctor. I live my life now as who I really am -- a man.

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Attempted Enlistment

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2 7. After graduating from college in 2012, I contacted several military
3 recruiters to express my interest in enlisting in the military. But, the recruiters told
4 me that I would not be permitted to enlist because I am transgender.

5 8. Without the military as a career, I had to support myself and my
6 grandmother with whatever job I could find. I worked as a bus driver for a low
7 wage with no benefits. I was an Operations Manager for a while, organizing
8 deliveries and making my own deliveries, but the job had no benefits and required
9 significant car repair costs. I found seasonal work as a truck driver in the summer.
10 I still hoped to enlist in the military one day.

11 9. In June 2016, I got a call from a friend that the ban on military service
12 by transgender people was being lifted, and new inclusive policies permitting
13 enlistment were being implemented. I was thrilled.

14 10. I was prepared to enlist as soon as the new inclusive policies were put
15 into place. I reached out to recruiters in various branches of the military.
16 However, several recruiters refused to speak with me or meet with me because I
17 am transgender.

18 11. Eventually I found a recruiter for the Air Force National Guard who
19 advised me that he would work with me to enlist. He advised me that I needed to
20 fill out standard enlistment paper work, and also needed to secure a letter from my
21 doctor certifying that being transgender has no adverse effects on my ability to
22 perform military-related duties. Similarly, I needed a letter certifying that old
23 injuries to my knee and ankle would have no adverse effects on my ability to
24 perform military-related duties.

25 12. The recruiter advised me that the next step in the process would be to
26 meet with the regional Military Entrance Processing Station (“MEPS”) in
27 Cincinnati for a physical exam and to take the Armed Service Vocational Aptitude
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1 Battery (“ASVAB”) test. He later told me that MEPS would not begin processing
2 for transgender enlistees until June 2017.

3 13. After speaking with this recruiter, I scheduled my appointment with
4 my doctor for July 2017, began studying practice ASVAB exams, and trained
5 regularly for the physical exam, all in anticipation of enlisting as soon as the
6 policies permitting transgender enlistment were put into place.

7 14. However, in July 2017, I learned that President Trump, through a
8 series of tweets, announced that transgender people would continue to be shut out
9 of the military. My heart sunk. I felt devastated and lost. I had mentally and
10 physically prepared to begin my military career. Now, my future was uncertain. It
11 was as if someone told me that I was not good enough, that I was not worthy to
12 serve my country.

13 15. In August 2017, a statement officially reinstating the ban came down.
14 I feared that I would never be permitted to fulfill my dream of military service.

15 **Current Status**

16 16. If the ban were lifted today, I immediately would seek to enlist in the
17 United States military. Military service continues to be my goal.

18 17. I am actively searching for a job where I can support myself and my
19 grandmother, who is unwell. Small towns like Lisbon, Ohio do not have many job
20 opportunities. I currently do not have health insurance. I wear glasses and I have
21 not been able to afford to go to the optometrist since college. Until the ban was
22 issued, I had planned on serving in the military. I know that enlisting in the
23 military provides a stable job, a steady income, and health benefits. Enlisting
24 would also give me a path to retirement or the option to return to civilian life with
25 the benefit of military service on my resume. Now, I must prepare for a different
26 future. I fear that I will never find a career where I can support myself and my
27 family. I may have to move to find work, but I do not know if I can afford
28 relocation expenses.

1 18. I think the ban negatively impacts society because it reinforces a
2 pervasive lack of understanding about transgender people and gender dysphoria.
3 After learning of the ban, some people I know said that I must not be worthy of the
4 military, because the President would not make such a change without significant
5 research. But I am not aware of any research demonstrating that transgender
6 people are unfit for military service. I know that I am fit to serve in the military. I
7 am concerned that because the military ban sends a very negative message about
8 transgender people and encourages bias and lack of understanding about
9 transgender people, it will affect my status in the community and my ability to
10 pursue a career outside of the military.


11 19. Even now, I continue to study for the ASVAB and prepare for the
12 physical exam in hopes that one day, I can enlist in the military, begin my career,
13 and finally serve my country.

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

Dated: September 28, 2017


Nicolas Talbott