

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

NICOLAS TALBOTT, ERICA VANDAL, KATE )  
COLE, GORDON HERRERO, DANY )  
DANRIDGE, JAMIE HASH, KODA NATURE, )  
and CAEL NEARY, )  
Plaintiffs, )

v. )

DONALD J. TRUMP, in his official capacity as )  
President of the United States; the UNITED )  
STATES OF AMERICA; PETER B. HEGSETH, )  
in his official capacity as Secretary of Defense; )  
MARK AVERILL, in his official capacity as )  
Acting Secretary of the Army; the UNITED )  
STATES DEPARTMENT OF THE ARMY; )  
TERENCE EMMERT, in his official capacity as )  
Acting Secretary of the Navy; the UNITED )  
STATES DEPARTMENT OF THE NAVY; )  
GARY ASHWORTH, in his official capacity as )  
Acting Secretary of the Air Force; the UNITED )  
STATES DEPARTMENT OF THE AIR FORCE; )  
TELITA CROSLAND, in her official capacity as )  
Director of the Defense Health Agency; and the )  
DEFENSE HEALTH AGENCY, )  
Defendants. )

Civil Action No. 25-cv-240-ACR

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**DECLARATION OF JOSEPH J. WARDENSKI  
IN SUPPORT OF PLAINTIFFS' APPLICATION FOR PRELIMINARY INJUNCTION**

I, Joseph J. Wardenski, hereby declare:

1. All facts set forth herein are based on my personal knowledge, and if called upon to testify as to the contents of this Declaration, I could and would do so.

2. I am an attorney with the law firm of Wardenski P.C., counsel for Plaintiffs in the above-captioned matter.

3. I provide this declaration in support of Plaintiffs' Application for a Preliminary Injunction.

4. Attached hereto as **Exhibit A** is a true and correct copy of "Remarks on Ending the Ban on Transgender Service in the U.S. Military as Delivered by Secretary of Defense Ash Carter," dated June 30, 2016, obtained from the website <https://www.defense.gov/News/Speeches/Speech/Article/821833/remarks-on-ending-the-ban-on-transgender-service-in-the-us-military/#:~:text=Now%2C%20as%20a%20result%20of,military%20just%20for%20being%20tr> ansgender on February 2, 2025.

5. Attached hereto as **Exhibit B** is a true and correct copy of "Transgender Service in the U.S. Military: An Implementation Handbook," dated September 30, 2016, obtained from the website [https://dod.defense.gov/Portals/1/features/2016/0616\\_policy/DoDTGHandbook\\_093016.pdf](https://dod.defense.gov/Portals/1/features/2016/0616_policy/DoDTGHandbook_093016.pdf) on February 2, 2025.

6. Attached hereto as **Exhibit C** is a true and correct copy of "Statement by Chief Pentagon Spokesperson Dana W. White on Transgender Accessions," dated June 30, 2017, obtained from the website <https://www.defense.gov/News/Releases/Release/Article/1236145/statement-by-chief-pentagon-spokesperson-dana-w-white-on-transgender-accessions/> on February 2, 2025.

7. Attached hereto as **Exhibit D** is a true and correct copy of a news article by Laurel Wamsley, dated July 26, 2017, with the title "Trump Says Transgender People Can't Serve in the Military," obtained from the website <https://www.npr.org/sections/thetwo-way/2017/07/26/539470211/trump-says-transgender-people-cant-serve-in-military> on February 2, 2025.

8. Attached hereto as **Exhibit E** is a true and correct copy of a press release by the Palm Center, dated August 1, 2017, with the title “Fifty-Six Retired Generals and Admirals Warn That President Trump’s Anti-Transgender Tweets, If Implemented, Would Degrade Military Readiness,” obtained from the website <https://palmcenterlegacy.org/wp-content/uploads/2017/08/56-GOFO-statement-2.pdf> on February 2, 2025.

9. Attached hereto as **Exhibit F** is a true and correct copy of a Presidential Memorandum for the Secretary of Defense and Secretary of Homeland Security, dated August 25, 2017 with the subject “Military Service by Transgender Individuals,” obtained from the website <https://trumpwhitehouse.archives.gov/presidential-actions/presidential-memorandum-secretary-defense-secretary-homeland-security/> on February 2, 2025.

10. Attached hereto as **Exhibit G** is a true and correct copy of a Memorandum for the President, dated February 22, 2018, with the subject “Military Service by Transgender Individuals,” obtained from the website <https://media.defense.gov/2018/mar/23/2001894037/-1/-1/0/military-service-by-transgender-individuals.pdf> on February 2, 2025.

11. Attached hereto as **Exhibit H** is a true and correct copy of Department of Defense Instruction 6130.03, dated May 28, 2024, with the title “Medical Standards for Military Service: Appointment, Enlistment, or Induction,” obtained from the website [https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/613003\\_vol01.pdf?ver=B0uhh9e1k\\_MDTz4PuNU8Aw%3D%3D](https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/613003_vol01.pdf?ver=B0uhh9e1k_MDTz4PuNU8Aw%3D%3D) on February 2, 2025.

12. Attached hereto as **Exhibit I** is a true and correct copy of a news article by Jonathan J. Cooper, dated January 31, 2025, with the title “A List of Government Web Pages That Have Gone Dark to Comply With Trump Orders,” obtained from the website

<https://apnews.com/article/government-websites-changes-trump-transgender-dei-orders-383fc983c6ca48804f1404cbc61ee9e9> on February 3, 2025.

13. Attached hereto as **Exhibit J** is a true and correct copy of a United States Office of Personnel Management Memorandum, dated January 29, 2025, with the subject “Initial Guidance Regarding President Trump’s Executive Order *Defending Women*,” obtained from the website <https://www.opm.gov/media/yvlh1r3i/opm-memo-initial-guidance-regarding-trump-executive-order-defending-women-1-29-2025-final.pdf> on February 3, 2025.

14. Attached hereto as **Exhibit K** is a true and correct copy of a news article by Clare Sears, dated March 15, 2023, with the title “This Isn’t the First Time Conservatives Have Banned Cross-Dressing in America,” obtained from the website <https://jacobin.com/2023/03/cross-dressing-law-united-states-history-drag-bans> on February 3, 2025.

15. Attached hereto as **Exhibit L** is a true and correct copy of an article by Paisley Currah, dated May 27, 2022, with the title “What Sex Does,” obtained from the website [https://www.nybooks.com/online/2022/05/27/what-sex-does/?lp\\_txn\\_id=1604191](https://www.nybooks.com/online/2022/05/27/what-sex-does/?lp_txn_id=1604191) on February 3, 2025.

16. Attached hereto as **Exhibit M** is a true and correct copy of a report from the Movement Advancement Project, dated January 6, 2025, with the title “Healthcare Laws and Policies: Medicaid Coverage for Transgender-Related Health Care,” obtained from the website <https://www.lgbtmap.org/equality-maps/healthcare/medicaid> on February 3, 2025.

17. Attached hereto as **Exhibit N** is a true and correct copy of a news article by Adeel Hassan, dated March 21, 2024, with the title “States Passed a Record Number of Transgender Laws. Here’s What They Say,” obtained from the website <https://www.nytimes.com/2023/06/27/us/transgender-laws-states.html> on February 3, 2025.

18. Attached hereto as **Exhibit O** is a true and correct copy of the 2024 Republican Party platform, dated July 8, 2024, with the title “2024 GOP Platform: Make America Great Again!” obtained from the website [https://rncplatform.donaldjtrump.com/?\\_gl=1\\*wt036y\\*\\_gcl\\_au\\*NjkxNTM4OTE3LjE3Mzg1NDQ1NzU.&\\_ga=2.71513488.2051738220.1738544575-67571609.1738544575](https://rncplatform.donaldjtrump.com/?_gl=1*wt036y*_gcl_au*NjkxNTM4OTE3LjE3Mzg1NDQ1NzU.&_ga=2.71513488.2051738220.1738544575-67571609.1738544575) on February 3, 2025.

19. Attached hereto as **Exhibit P** is a true and correct copy of a news article by Meredith Deliso, dated January 19, 2025, with the title “As Trump Returns to Office, What He’s Promised to Do On Day 1,” obtained from the website <https://abcnews.go.com/Politics/trump-returns-office-promised-day-1/story?id=117753922> on February 3, 2025.

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

Dated: February 3, 2025

/s/ Joseph J. Wardenski

Joseph J. Wardenski