

Exhibit

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CAUSE NO. _____

LAZARO LOE, *et al.*,

Plaintiffs,

v.

THE STATE OF TEXAS, *et al.*,

Defendants.

§ IN THE DISTRICT COURT OF
§
§
§
§ TRAVIS COUNTY, TEXAS
§
§
§
§ _____ JUDICIAL DISTRICT
§

DECLARATION OF LAZARO LOE

1. My name is Lazaro Loe. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I would testify competently to these facts if called to do so.

2. I am a Plaintiff in this case and live in Bexar County, Texas. I am bringing claims on behalf of myself and as the parent and next friend of my daughter, Luna Loe.¹ Luna’s mom and I are now divorced, but we are both supportive of Luna and love her dearly.

3. I am a member of PFLAG, which is also a Plaintiff in this case.

4. Luna and I are both Hispanic/Latino. My grandparents immigrated to the United States from Spain and Mexico.

5. My parents met in the Air Force and my father worked afterwards as a career civil servant for the U.S. government.

6. I was born in Texas and grew up active in the Catholic Church. Growing up, I

¹ Lawrence Loe and Luna Loe are both pseudonyms. My daughter (who is a minor) and I are both proceeding pseudonymously to protect our right to privacy and ourselves from discrimination, harassment, and violence, as well as retaliation for seeking to protect our rights.

would frequently hear classmates and adults speak disparagingly about Mexicans, Mexican Americans, and people of other ethnicities. These kinds of words were always difficult to hear. My father educated me, though, to treat everyone with equal respect and dignity. My mother taught that everyone is deserving of love.

7. I have lived in Texas for most of my life. I am in the residential construction and private contracting industry and have made upgrades and improvements to many different historic properties and older homes in my area. I also own several properties. I pay taxes in this state, and my life, business, and home are all in Texas.

8. Luna was born in Texas, and this is the only home she's ever known. As a father, my primary goal is to ensure that Luna is safe, taken care of, and has everything she needs to thrive. Because of recent political attacks against transgender Texans, and SB 14 in particular, my ability to be a great dad for my kid has become much more difficult.

9. Luna is twelve years old and is a transgender girl. She was assigned the sex male at birth but her gender identity is female.

10. Luna uses she/her pronouns and is entering seventh grade. I had early indications that my daughter is a girl from her very early days of growing up. Luna always expressed extreme discomfort wearing boys' clothes or uniforms; but when she was allowed to wear girls' clothes, her discomfort immediately disappeared.

11. Luna's favorite color has always been pink, and she loved wearing dresses growing up. By the time that Luna was five or six years old, her friends naturally started using female pronouns for her and she went by female nicknames. Although it took me a bit of time to fully accept that Luna is transgender, I supported her by purchasing girls' clothes that she started wearing to school in first grade. She preferred to have her hair long and has kept growing out her

hair since kindergarten.

12. As my daughter persisted in her female gender identity, I tried to educate myself as a parent about what she might be going through. I first read a book called the *Gender Creative Child*, which was very illuminating. I then found other ways to educate myself. I researched articles and watched documentary films about our transgender families and their experiences. I learned more about what it means for someone to be transgender, especially as a child.

13. As a parent, I have always wanted what is best for my daughter and wish that I had understood even sooner what she would go through as a transgender young person and what she was dealing with from an early age. I also worried—and still worry—that she would face bullying, harassment, and discrimination as she got older.

14. There isn't any one moment that my daughter socially transitioned, since many of her friends have consistently known her as a girl since kindergarten. But by Luna's fourth grade year, in late 2020, she started asking everyone she knew to only use she/her/hers pronouns and refer to her by her chosen female name.

15. Being able to fully be herself as a girl at school and in public provided tremendous relief to Luna, who became happier, more social, and more self-confident. Her school performance dramatically improved. My daughter thrived, even as her school year was interrupted by the COVID-19 pandemic. Although this was a tough year for many, through family support and the support of her school and peers, it was the best school year Luna experienced academically to date. She has continued to excel and thrive ever since. To put it simply, Luna was ecstatic to fully be who she is in all areas of her life.

16. Luna first went to see a child psychologist when she was six years old. She opened up to her therapist from their first appointment and they built a strong relationship full of mutual

trust. Her psychologist diagnosed Luna with gender dysphoria based on Luna's developmental history, behavioral observations, and mental status exam.

17. Since 2017, Luna continued seeing her child psychologist. As she received this mental health support, I started researching health care that my daughter would need as she grows older. I found a clinic that provides health care to transgender adolescents. Together with Luna's mom, we decided to bring Luna to see a pediatric endocrinologist for an evaluation. Because Luna had been diagnosed with gender dysphoria, the pediatric endocrinologist started monitoring Luna's bloodwork and hormone levels over the course of a year with four separate appointments.

18. Luna told us that she did not want to go through puberty as a boy and couldn't fathom that happening. When her pediatric endocrinologist told us that puberty blockers would be medically necessary for the treatment of her gender dysphoria, Luna, her mother, and myself all agreed that starting puberty blockers was in Luna's best interest. We spoke with the doctor about the possible side effects of puberty blockers and we collectively determined that it would be beneficial and necessary for Luna to start receiving this medication.

19. Luna was excited to begin puberty blockers because she understood that they would help her continue to be her true and authentic self. She has thrived since socially transitioning at school and she doesn't want to face the trauma and hardship of being forced to be someone that she is not.

20. Luna has now been on puberty blockers for a year and they have had a hugely positive effect on her life. I have seen these positive changes first-hand as her dad.

21. My daughter has been given a reprieve from being forced to go through the wrong puberty, something that would be catastrophic for her mental health. She has been given the space she needs to be herself.

22. Luna is a girl who loves wearing her various girls' clothing styles and enjoys being with her female friends. She wears a two-piece swimsuit when she goes swimming or to the beach. (Her unicorn bathing suit has brought her so much joy this summer!). Being forced to go through puberty as a boy would upend and ruin her life, and mine as well.

23. Luna's mom and I want what is best for her and have seen the positive changes of her social transition and from puberty blockers. Luna has told me countless times that "of course I'm a girl" and was horrified last year when Ken Paxton tried to reclassify the health care she needs as "child abuse" under Texas law. She feared that she would be taken away from us and could lose access to the health care that she needs. The threat of being investigated by the state traumatized our family.

24. Even as a middle schooler, Luna has followed what has happened at the Texas Legislature and political attacks facing transgender youth across the country. She wants to stand up for herself and others like her, and be allowed to be who she is here in Texas without the government trying to block the health care that she needs to thrive.

25. The hostile environment in our state has already threatened interruptions to Luna's medical care, since the clinic where she originally saw a pediatric endocrinologist has now closed down. I had to scramble to find another doctor for my child and Luna is still able to access care in Texas, but SB 14 threatens to cut this care off completely. We are presently trying to find Luna health care out of state if this law goes into effect, but seeking care so far away is expensive, burdensome, and logistically difficult. It is also deeply discriminatory and sends a hateful message to my daughter that she is unwelcome in Texas and can't access the health care that she needs in the state where she was born and has lived all of her life.

26. Despite the political attacks against transgender youth in our state, Luna is

thriving in her school and our community. Her teachers and friends love her and want her to succeed and be happy, like all other kids. Luna enjoys swimming and is involved in art, piano, and theater, and tennis. She loves veggie ramen and sleepovers with her friends. She keeps busy and she loves her school. She has a thriving social life, while simultaneously being scared of our state legislators and politicians who seem intent on harming her.

27. It would be incredibly difficult and inconvenient for me and Luna to have to move and start a new life somewhere else. Luna's school is here, my career and business are here, and our home is here. We love Texas and want to stay here, but we may be forced to leave if our state cuts off access to the health care that Luna's doctors have determined to be medically necessary, and that we have collectively decided is in Luna's best interest.

28. If this health care ban goes into effect, Luna's access to health care would be in jeopardy, and my ability as a parent to provide best-practice, evidence-based health care to my child would be destroyed. Being able to access puberty blockers has had a tremendously positive effect on Luna's health and wellbeing. Losing access to this care and being forced to go through puberty based on her sex assigned at birth would severely harm my child.

29. As she grows older, Luna's doctors have also indicated that she would likely benefit from hormone therapy as medically necessary to treat her gender dysphoria, and will likely need this treatment in the near future. This would also be blocked by SB 14 if the law goes into effect. Luna, her mom, and I want her to have access to hormones that are medically necessary. This discriminatory law will prevent us from doing so. It is important to us to ensure that Luna can secure the health care that she needs to stay happy and healthy.

30. Continuing to access puberty blockers and seeking hormones in the near future to mitigate the symptoms of gender dysphoria is vital to Luna's health and wellbeing. As a parent, I

don't want to see my child suffer and don't understand why the state government would try to strip away my ability to seek the best possible health care for my child.

31. If SB 14 goes into effect and Luna loses access to this health care, I am deeply concerned about the anxiety, depression, and suicidality that she will face. Her body would masculinize and change physically, which would cause her irreparable harm. The years of work she has spent with her psychologist and medical team would be lost. Her happiness, health, autonomy, and independence would be stripped away by this cruel legislation; and we likely would be forced to leave our home here in Texas.

32. I can't imagine being forced to move out of state. Texas is the only home that Luna has ever known and my business, property, and life are all here. We would likely have to move out of state if it was the only way to continue accessing Luna's medically necessary health care. This would devastate our family and harm our community as a whole.

33. I want to do everything in my power to help protect and support my daughter. She is such a strong advocate for who she is and other people like her. Her bravery and fearlessness have been an inspiration for myself and all of those who meet her. If you met her or talked to her for thirty seconds, you would know immediately that she is a girl and is happy and thriving as who she is. SB 14 threatens to upend and ruin her life, and stopping the law from going into effect would immediately help her and allow her to continue to receive the health care that her doctors have determined is medically necessary.

34. My name is [REDACTED], my date of birth is [REDACTED]. My address is [REDACTED]
[REDACTED]. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bexar County, State of Texas on Jul 9, 2023.

[Redacted]

[Redacted]

Lazaro Loe
Lazaro Loe (Jul 9, 2023 15:29 CDT)

Lazaro Loe