

Exhibit J

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ZANDER SCHLACTER, *et al.*,

Plaintiffs,

v.

U.S. DEPT. OF STATE, *et al.*,

Defendants.

Case No. 1:25-CV-01344-GLR

**DECLARATION OF DAVID DOE IN SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY INJUNCTION**

I, David Doe, being of legal age and sound mind, do hereby declare and state as follows:

1. I am a Plaintiff in the above-captioned case. I have actual knowledge of the matters stated in this declaration and would testify competently to these facts if called to do so.
2. I am 55 years old. I am a United States citizen and currently live in Pennsylvania.
3. I am employed as a lawyer in a law firm with an office in Philadelphia.
4. I am a man.
5. I am also transgender. I was assigned female at birth, but I have a male gender identity and live my life as a man.
6. Exhibit A to this declaration contains a recent photograph of me.
7. I was diagnosed with gender dysphoria in 2004 when I was 35 years old.
8. I have taken steps to bring all aspects of my life into conformity with my male gender identity, including steps to legally, socially, and medically transition. I finished my medical transition more than 15 years ago and have lived as the man that I am for more than 20 years.

9. I am an intensely private person. I am not “out” to the general public, and I would never volunteer my trans status to someone I didn’t know very well and trust.

10. Having or using identification documents that are inconsistent with my gender presentation was and is extremely stressful for me, which is why I updated all of my identity documents shortly after being diagnosed with gender dysphoria and understanding that I was transgender, almost 20 years ago.

11. While I was beginning my medical and legal transition, I was also formalizing my relationship with my wife. I proposed to her in August of 2005, and we planned our wedding for June of 2006. In accordance with my legal transition and to ensure I would be recognized as male in our marriage, I updated every identification document I had before our wedding.

12. This included my legal name and sex designation on my Pennsylvania driver’s license and with the Social Security Administration. Then, in the spring of 2006, I updated my birth certificate and the name and sex designation on my U.S. passport. I’ve had the correct male designation on my passport for 19 years.

13. I updated my passport to also ensure we could safely go on our honeymoon in Europe. I wanted to make sure that my passport was updated with both my name and correct sex designation before the trip as I knew that not only would I need to use it to fly, but I would need to provide it to car rental places and hotels as we traveled. I wanted to avoid the embarrassment of having the wrong information on the passport but also wanted to avoid any harassment, discrimination or threats to our physical safety as we visited some very rural areas.

14. Since our honeymoon, most of my international travel has been to visit my wife’s parents and family who live in a country that we can only reach by plane. My in-laws are elderly and not in good health. Because my mother-in-law is unable to travel, we need to travel to see her. My wife and I are prepared to travel to care for them on a moment’s notice in an emergency

situation.

15. My wife's home country also has far more stringent security protocol for visitors. I would be very concerned about my ability to pass through their airport security with an "F" sex designation on my passport, given my outward appearance and physical anatomy.

16. I have been able to travel safely and without issue using a U.S. passport that has correctly reflected my identity, including my male sex with an "M" sex designation, for nearly 20 years. My ability to continue to do so is contingent on having a passport that does not share private information about my transgender status without my permission.

17. In January, I was watching closely the State Department's actions in response to the Executive Order stating that federal identity documents must only reflect sex designations of male and female in accordance with "biological sex." I saw that Secretary of State Marco Rubio told passport officials to suspend applications requesting a change of sex designation or requesting an X designation.

18. This abrupt and alarming change in settled policy directly targeting transgender people greatly concerned me and so even though my passport did not expire until 2027, I decided to quickly submit my application to renew, before the policy changed even further. I was not requesting a change of my male sex designation, which I have had on every passport since 2006, so I believed I would receive back a new passport with the correct sex designation.

19. However, about two weeks later, on February 13, 2025, I received a passport back with a sex designation of "F," which now expires in February 2035. I also received a letter from the State Department which said that they had changed my sex designation "[t]o correct [my] information to show [my] biological sex at birth."

20. I was absolutely floored by this; it seemed almost unbelievable. I later told my wife that I was in shock and disbelief at this occurring, and she shared that she could not believe it was

real either. But it is very real and so is the harm that this incorrect passport is causing me and my family.

21. There are many tangible harms stemming from this incorrect sex designation on my passport. The chief harm is that I have determined I will not be able to travel internationally, for any purpose, unless or until the sex designation is corrected back to male. This means that should something serious happen to my in-laws, my wife will have to travel to care for them without me. This also means that I have cancelled international travel that I planned to do over the summer with my family.

22. I have made this determination because of the myriad ways that traveling with an incorrect sex designation on my passport could result in harassment, discrimination, privacy violations and at worst, physical violence. I could be scrutinized, detained, or even prevented from entering or leaving some countries by airport security or border officials. In countries like the one my wife is from, and my in-laws live in, this fear is especially credible, as the security protocol is far more intense than the United States.

23. I am incredibly worried and fearful about traveling with an incorrect sex designation on my passport because of the many services that require passport presentation while abroad. I would be required to produce the document at hotels, car rental agencies, to access medical services or to engage the services of the embassy or consular office in that country. Officials at any one of these organizations could use the incorrect sex designation as a basis to question my identity and refuse services or discriminate against me in some other significant way.

24. Though it hurts me deeply to put this in writing, I am also gravely concerned that the incorrect sex designation on my passport could be used as a basis to question, or at worst, fail to recognize my marriage and/or my relationship to my children. This fear is particularly relevant for countries we may be visiting that do not recognize same-sex marriage, which is most countries

in the world.

25. The other tangible harms stem from spending most of my adult life being hyper aware of the high incidence of discrimination, harassment, and violence faced by transgender people in the United States and the world, particularly when the sex they live as is not reflected on their official identity documents. This awareness comes from both my work in the local community and from my own personal attention to news reports and other data. It is because of this awareness that I have actively avoided situations where my transgender status could be discovered by strangers, including through record searches or outdated identity documents.

26. There are also intangible harms resulting from the incorrect sex designation on my passport, including psychological and emotional damage that is not easy to describe or quantify.

27. I fought against accepting that I was transgender with every fiber of my being for over 30 years. After I finally came to terms with the man I am and decided to live authentically, I found peace and happiness that I hadn't thought possible. I am proud to be an American, a husband, a father, and a business owner who works hard, pays his taxes, votes, volunteers time to his community and never misses his children's important school events. I strive every day to treat those around me with kindness and respect.

28. After receiving my renewed passport in February, I was deeply distraught to learn that no matter what my accomplishments or the honorable way in which I strive to live each day of my life, the country I love would seek to humiliate and degrade me in this way for no apparent reason other than malice.

* * *

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

Executed on May 5, 2025

/s/*
David Doe

*Counsel hereby certifies that he has a signed copy of the foregoing document available for inspection at any time by the court or a party to this action

Exhibit A

PHOTOGRAPH FILED UNDER SEAL