

Akilah Deernose  
Alex Rate  
**ACLU of Montana**  
P.O. Box 1968  
Missoula, MT 59806 | 406-203-3375  
deernosea@aclumontana.org  
ratea@aclumontana.org

Elizabeth O. Gill\*  
Malita Picasso\*  
Arijeet Sensharma\*  
**ACLU Foundation**  
125 Broad Street  
New York, NY 10004 | 212-549-2561  
egill@aclunc.org  
mpicasso@aclu.org  
asensharma@aclu.org

Matthew P. Gordon  
**Perkins Coie LLP**  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101 | 206-359-8000  
mgordon@perkinscoie.com

Peter C. Renn\*  
Kell Olson\*  
Christina S. Paek\*  
**Lambda Legal Defense and  
Education Fund**  
800 S. Figueroa Street, Suite 1260  
Los Angeles, CA 90017 |  
213-382-7600  
prenn@lambdalegal.org  
kolson@lambdalegal.org  
cpaek@lambdalegal.org

Nora Huppert\*  
65 E. Wacker Place, Suite 2000  
Chicago, IL 60601 | 312-663-4413  
nhuppert@lambdalegal.org

\*subject to pro hac vice admission

**IN THE FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

**VAN GARDEREN, et. al.** )  
)  
**Plaintiffs,** )  
)  
**v.** )  
)  
**STATE OF MONTANA, et. al.** )  
)  
**Defendants.** )

**Case No.: DV-23-541**

**Judge: Hon. Jason Marks**

## **DECLARATION OF SCARLET VAN GARDEREN**

I, Scarlet van Garderen, hereby declare as follows:

1. I am a Plaintiff in this action. I offer this Declaration in support of Plaintiffs' Motion for Preliminary Injunction. I have personal knowledge of the facts set forth in this Declaration and could and would testify competently to those facts if called as a witness.

2. I am a seventeen-year-old rising senior in high school. I am actively involved in school activities including jazz band, concert band, marching band, and speech and debate. I enjoy programming, rock climbing, drawing, and learning how to play new musical instruments.

3. I live in Belgrade, Montana. I have lived in Montana my whole life.

4. I am transgender. When I was born, I was designated as male on my birth certificate but my gender identity is female.

5. I am currently receiving health care that would be prohibited by Montana Senate Bill 99 ("the Act").

6. Before I understood my gender identity, I could not see a future for myself, even a couple years forward. I did not feel safe in my body, especially when puberty began.

7. In early spring of 2021, as I began to understand my gender identity more, I first told one of my close friends that I was transgender. In May 2021, I came out to my mom, and eventually to the rest of my family. My parents and brother have accepted me and provided me with the love and support I need.

8. Throughout the summer and fall of 2021, I continued talking with my family about my gender identity. I began to transition socially, using a new name and female pronouns and wearing more feminine or neutral clothing. By December of 2021, I was using female pronouns and my preferred name exclusively in all areas of my life.

9. In November 2021, I began seeing a therapist. Eventually, I was referred to a doctor to discuss gender-affirming care.

10. In or around February of 2022, I started seeing an endocrinologist and, after discussing options with my parents and my doctor, I was prescribed puberty blockers.

11. After I turned 16, in July 2022, I started gender-affirming hormone therapy. I am currently seeing a nurse practitioner and a naturopath to provide this medical treatment along with regular visits with my therapist.

12. In December 2022, I legally changed my name to Scarlet.

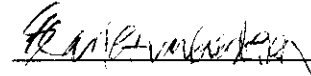
13. Puberty blockers and hormone therapy treatments have changed my life. Since starting gender-affirming medical care, I feel like a weight has been lifted. I can picture a future for myself again. Because I now feel safer in my body, I have been able to get more involved with friends, school, and activities. In addition to playing French horn and mellophone in my school bands, I am going to be the leader of the brass section this coming school year. It has been a relief to get to spend more time doing the things I love. I've even started learning more instruments in the past year: flute, trumpet, clarinet, and guitar, to name a few!

14. The prospect of losing access to my medical care is unthinkable to me. I do not believe I could live without the gender-affirming care I am now receiving.

15. I love living in Montana. I've lived here my entire life, my close friends are here, and I want to go to college here. I don't want to be forced out of the state I love to access the health care I need.

I declare under penalty of perjury that the foregoing is true to the best of my knowledge and belief.

DATED this 0<sup>th</sup> day of July, 2023.



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Scarlet van Garderen

## CERTIFICATE OF SERVICE

I, Akilah Maya Deernose, hereby certify that I have served true and accurate copies of the foregoing Affidavit - Affidavit to the following on 07-17-2023:

Austin Miles Knudsen (Govt Attorney)

215 N. Sanders

Helena MT 59620

Representing: Montana Board of Nursing, Gregory Gianforte, Montana Department of Public Health and Human Services, Charlie Brereton, Montana Board of Medical Examiners, State of Montana, Austin Knudsen

Service Method: eService

Alexander H. Rate (Attorney)

713 Loch Leven Drive

Livingston MT 59047

Representing: Katherine Mistretta, Paul Cross, Phoebe Cross, Scarlet van Garderen, Juanita Hodax, Ewout Van Garderen, Molly Cross, Jessica van Garderen

Service Method: eService

Matthew Prairie Gordon (Attorney)

1201 Third Ave

Seattle WA 98101

Representing: Katherine Mistretta, Paul Cross, Juanita Hodax, Ewout Van Garderen, Molly Cross, Jessica van Garderen

Service Method: eService

Electronically signed by Krystel Pickens on behalf of Akilah Maya Deernose

Dated: 07-17-2023