

Akilah Lane (60742990)
 Alex Rate (11226)
ACLU of Montana
 P.O. Box 1968
 Missoula, MT 59806
 406-203-3375
lanea@aclumontana.org
ratea@aclumontan.org

John Knight, pro hac vice forthcoming
ACLU Foundation
LGBTQ & HIV Project
 150 North Michigan Avenue, Suite 600
 Chicago, IL 60601
 Telephone: 312-201-9740
 Facsimile: 312-288-5225
jaknight@aclu.org

F. Thomas Hecht, pro hac vice forthcoming
 Tina B. Solis, pro hac vice forthcoming
 Seth A. Horvath, pro hac vice forthcoming
Nixon Peabody LLP
 70 West Madison Street, Suite 3500
 Chicago, IL 60601
 Telephone: 312-977-4443
 Facsimile: 312-977-4405
fthecht@nixonpeabody.com
tbsolis@nixonpeabody.com
sahorvath@nixonpeabody.com

Elizabeth Halverson PC
 1302 24th Street West #393
 Billings, MT 59102
 406-698-9929
ehalverson@halversonlaw.net

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**IN THE THIRTEENTH JUDICIAL DISTRICT COURT
 COUNTY OF YELLOWSTONE**

AMELIA MARQUEZ, an individual;)
and JOHN DOE, an individual;)
)
Plaintiffs,)

v.)

STATE OF MONTANA; GREGORY)
GIANFORTE, in his official capacity as)
the Governor of the State of Montana;)
the MONTANA DEPARTMENT OF)
PUBLIC HEALTH AND HUMAN)
SERVICES; and ADAM MEIER, in his)
official capacity as the Director of the)
Montana Department of Public Health)
and Human Services,)
Defendants.)

Case No. DV 21-00873

Judge

**AFFADAVIT OF AMELIA MARQUEZ
 IN SUPPORT OF PLAINTIFFS'
 MOTION FOR A PRELIMINARY
 INJUNCTION**

I, Amelia Marquez, affirm that:

1. I am a transgender female who has not changed the gender marker on her birth certificate and am one of the plaintiffs in this case. I submit this affidavit in support of Plaintiffs' Motion for Preliminary Injunction against the enforcement of SB 280 (the "Act").

2. I am a 27-year-old woman who was born in Yellowstone County, Montana. I currently reside in Billings, Montana.

3. For the last three years, I have been employed by Yellowstone Boys and Girls Ranch.

4. I am a transgender woman. At birth, I was assigned the sex designation of male so the sex designation on my birth certificate also incorrectly identified me as male. However, I have known that I am a woman for approximately five years.

5. I began living and presenting as the woman I know myself to be approximately five years ago. For the last four years, I have worked with medical and mental health providers to assist me in bringing my body and the other ways I express my gender into alignment with my female gender identity. I was diagnosed with gender dysphoria and have been taking feminizing hormone therapy for the last two years. I legally changed my name to one that is traditionally female two years ago. Additionally, I have changed my name and sex designation on my Montana driver's license, so that it accurately reflects who I am.

6. I do not wish to undergo any gender-affirming surgery at this time due to its cost and my inability to take the necessary time off from my work and my graduate studies for that surgery, as well as the necessary pre- and post-surgical care. Although my insurance would cover a portion of the costs of gender affirming surgery, I would still be required to pay many thousands of dollars out of pocket, which I cannot afford at this time.

7. I would like to change the sex designation on my birth certificate to match my female gender identity, but am unable to do so because of the Act. My inability to obtain a birth certificate that accurately reflects my female gender identity is a painful and stigmatizing reminder of the State of Montana's refusal to recognize me as a woman.

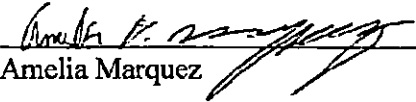
8. Further, denying me an accurate birth certificate places me at risk of embarrassment or even violence every time I am required to present my birth certificate, because it incorrectly identifies me as male.

9. I am typically perceived as a woman, so anytime I am forced to present an identity document, such as my birth certificate, that incorrectly identifies me as male, I am outed as transgender. The thought of being outed to a stranger in this way causes me a great deal of anxiety, because I can never be sure whether or not someone will respond negatively or even violently to me because I am transgender. I am well aware of the kind of discrimination and humiliation that transgender people commonly face.

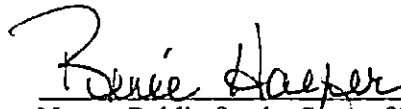
10. I have faced discrimination because I am transgender in both my personal and professional life. For example, when I ran for a seat in the Montana State Legislature, my opponent, other political figures, and one member of the media repeatedly misgendered me and used my previous male-identified name ("dead name"). This experience was not only humiliating, but directly led to further incidences of harassment. In addition, I was so terrified for my safety last year in a grocery store after being approached by a man who called me an anti-transgender epithet that I called my brother to come to the store and stay with me until I was able to safely get to my car. As a result of these and other experiences, I have learned to take extra precautions for my personal safety and am afraid anytime I am in situations where my status as transgender might be revealed to people who I do not already know and trust.

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

Dated: July 14, 2021.


Amelia Marquez

SUBSCRIBED AND SWORN before me this 14th day of July, 2021.


Notary Public for the State of Montana
Printed Name: Renee Haefler
Residing at Billings, MT
My Commission Expires: 4/23/23

