

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

AUGUST DEKKER, *et al.*,

Plaintiffs,

v.

JASON WEIDA, *et al.*,

Defendants.

Case No. 4:22-cv-00325-RH-MAF

DECLARATION OF SHANI RIVAUX

Pursuant to 28 U.S.C. § 1746, I, Shani Rivaux, do hereby declare as follows:

1. I am over 18 years of age.
2. I am a Partner at the law firm of Pillsbury Winthrop Shaw Pittman LLP and serve as counsel of record for the plaintiffs in the above-captioned matter.
3. I have personal knowledge of the stated herein, except those stated on information and belief, and if called upon, could and would testify competently to them.
4. I submit this declaration in support of Plaintiffs' Motion to Exclude Expert Testimony of Dr. Paul W. Hruz and Supporting Memorandum of Law.
5. Attached as **Exhibit A** is a true and correct copy of the expert witness report of Dr. Paul W. Hruz, M.D., Ph.D. that was submitted by Defendants in this

matter.

6. Attached as **Exhibit B** is a true and correct copy of the expert witness rebuttal report of Dr. Paul W. Hruz, M.D., Ph.D. that was submitted by Defendants in this matter.

7. Attached as **Exhibit C** is a true and correct copy of excerpts of the transcript of the deposition of Dr. Paul W. Hruz on September 29, 2021, taken in *Kadel v. Folwell*, No. 1:19-cv-00272-LCB-LPA (M.D.N.C.) (“*Kadel*”).

8. Attached as **Exhibit D** is a true and correct copy of the expert witness report of Dr. Paul W. Hruz, M.D., Ph.D. (including a copy of his curriculum vitae) dated April 30, 2021 and was entered as Exhibit 1 to Dr. Hruz’s deposition in *Kadel* on September 29, 2021.

9. Attached as **Exhibit E** is a true and correct copy of excerpts of the transcript of the deposition of Dr. Paul W. Hruz on November 20, 2017 taken in relation to *Adams by & through Kasper v. Sch. Bd. of St. Johns Cty., Fla.*, 318 F. Supp. 3d 1293 (M.D. Fla. 2018), and which was entered as Exhibit 2 to Dr. Hruz’s deposition in *Kadel* on September 29, 2021.

10. Attached as **Exhibit F** is a true and correct copy of the transcript of the deposition of Dr. Paul W. Hruz on July 16, 2018 taken in relation to *Bruce v. South Dakota*, No. 17-cv-05080 (D.S.D), and which was entered as Exhibit 3 to Dr. Hruz’s deposition in *Kadel* on September 29, 2021.

11. Attached as **Exhibit G** is a true and correct copy of the article “Gender nonconforming youth: current perspectives,” published in the scientific journal *Adolescent Health, Medicine and Therapeutics* on May 25, 2017, and which was entered as Exhibit 8 to Dr. Hruz’s deposition in *Kadel* on September 29, 2021.

12. Attached as **Exhibit H** is a true and correct copy of excerpts of *Understanding the Well-Being of LGBTQI+ Populations*, a Consensus Study Report of the National Academies of Sciences, Engineering, and Medicine published in 2020.

13. Attached as **Exhibit I** is a true and correct copy of a printout of the webpage “Understanding Unapproved Use of Approved Drugs ‘Off Label,’” published by the U.S. Food and Drug Administration, and which was entered as Exhibit 15 to Dr. Hruz’s deposition in *Kadel* on September 29, 2021.

14. Attached as **Exhibit J** is a true and correct copy of “Policy Statement: Off- Label Use of Drugs in Children” from the American Academy of Pediatrics, which was published in the scientific journal *Pediatrics* on March 2014 and was entered as Exhibit 17 to Dr. Hruz’s deposition in *Kadel* on September 29, 2021.

15. Attached as **Exhibit K** is a true and correct copy of Declaration of Dr. Norman P. Spack, M.D., dated December 5, 2017, which was filed in *Adams by & through Kasper v. Sch. Bd. of St. Johns Cty., Fla.*, 318 F. Supp. 3d 1293 (M.D. Fla.

2018), and which was entered as Exhibit 19 to Dr. Hruz's deposition in *Kadel* on September 29, 2021.

16. Attached as **Exhibit L** is a true and correct copy of excerpts of the transcript of the deposition of Kim Hutton on December 5, 2017 taken in relation to *Adams by & through Kasper v. Sch. Bd. of St. Johns Cty., Fla.*, 318 F. Supp. 3d 1293 (M.D. Fla. 2018).

17. Attached as **Exhibit M** is a true and correct copy of a printout of the web- page "I International Conference on Gender, Sex and Education in Madrid against the LGBTI doctrine which is taking hold of Western countries is a resounding success," published by the Gender and Sex Conference on February 28, 2018, and which was entered as Exhibit 6 to Dr. Hruz's deposition in *Kadel* on September 29, 2021.

18. Attached as **Exhibit N** is a true and correct copy of the article "Do Clinical Data From Transgender Adolescents Support the Phenomenon of 'Rapid-Onset Gender Dysphoria'?", accepted for publication in the scientific journal *The Journal of Pediatrics* on November 10, 2021, and published online on November 15, 2021.

19. Attached as **Exhibit O** is a true and correct copy of excerpts of the transcript of the deposition of Dr. Patrick Lappert on September 30, 2021, taken in *Kadel*.

20. Attached as **Exhibit P** is a true and correct copy of an email from Lisa Tetrault to Omar Gonzalez-Pagan dated April 4, 2023.

21. Attached as **Exhibit Q** is a true and correct copy of excerpts of the transcript of the deposition of Dr. Van Metter taken in this case.

22. Attached as **Exhibit R** is a true and correct copy of the *APA*, Statement on Dr. Kenneth Zucker and Gender Identity Disorder (May 23, 2008), which was entered as Ex. 10 in the deposition of Dr. Van Metter in this case.

23. Attached as **Exhibit S** is a true and correct copy of the American Psychological Association Resolution on Gender Identify Change Efforts, dated February 2021.

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

Executed on this 7th day of April, 2023.

By: /s/ Shani Rivaux

Shani Rivaux (Fl. Bar No. 42095)
600 Brickell Avenue, Suite 3100
Miami, Florida 33131
(786) 913-4900
shani.rivaux@pillsbury.com