

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
Tallahassee Division**

JANE DOE, individually and on behalf
of her minor daughter, SUSAN DOE,
et al.,

Plaintiffs,

v.

JOSEPH A. LADAPO, M.D., *in his
official capacity as Florida's Surgeon
General of the Florida Department of
Health,* et al.,

Defendants.

Case No. 4:23-cv-00114-RH-MAF

**DECLARATION OF KAI POPE IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Kai Pope, hereby declare and state as follows:

1. I am over the age of 18, of sound mind, and in all respects competent to testify. I have personal knowledge of the information contained in this Declaration and would testify completely to those facts if called to do so.
2. I am 51 years old, and I am a plaintiff in this Action.
3. I am a Florida resident. I live in Palm Harbor, Florida. I am a physician with Hospice. I have been a Hospice physician for the past 20 years, and have been practicing in Florida for the past 11 years.

4. I am a man and I am also transgender. Although I was incorrectly assigned the sex female at birth, my gender identity is male. I experience and have been diagnosed with gender dysphoria due to the significant distress caused by the disconnect between my sex assigned at birth and my gender identity.

5. I have legally changed my name and my gender marker on my government-issued identification documents, and am legally recognized as male by the state and federal government.

6. I have been prescribed testosterone, which has allowed me to bring my body into alignment with my male gender identity. I receive my medical care from Dr. Miranda Giusti, D.O., who has a private practice in the Tampa area. I have seen Dr. Giusti for many years.

7. I underwent top surgery (a bilateral mastectomy) in December of 2021, which further helped to bring my body into alignment with my gender identity. I have experienced a tremendous improvement in quality of life due to being on testosterone and having top surgery.

8. In preparation for a phalloplasty, I obtained a hysterectomy in March of 2023.

9. I feel very privileged that I have had access to the medical care that I need and have not had the same obstacles and barriers to accessing transition-related healthcare that many transgender Floridians experience. Being a physician has

afforded me greater knowledge of, and access to, the healthcare system, and that has allowed me to navigate my transition pretty seamlessly. That all changed, however, on Thursday, July 13th during a phone call in which my surgeon informed me that due to SB 254, my phalloplasty surgery was cancelled.

10. It took over a year to schedule the phalloplasty, but I finally had my surgery scheduled for September 14th, 2023 at the University of Miami. The surgery has been deemed medically necessary for the treatment of my gender dysphoria, I meet the criteria under the WPATH standards of care, and I provided two letters attesting to my readiness for surgery from my mental health providers. I have already scheduled to take time off work, made arrangements for support and caretaking after my surgery, obtained the prerequisite care, including a hysterectomy, and received prior authorization from my health insurance provider for the surgery.

11. When I received the phone call from my surgeon informing me that my surgery had been cancelled due to SB 254, I felt completely blindsided. First, I felt confused, and then the confusion was replaced by devastation, as it had taken so much time and effort to get to this point, and I am less than two months out from my scheduled procedure. Without that surgery, I will continue to experience medical injury from my gender dysphoria and cannot receive the full treatment prescribed for me.


12. Each day since the phone call, I wake up feeling like this is a nightmare. I have been prescribed treatment that my physician, my surgeon, and my mental health provider have all deemed medically necessary for me, the surgeon stands ready to provide it, and I cannot receive it exclusively because of barriers created by state law. It is frustrating and alarming to me that the government is dictating who can and cannot receive essential medical care.

13. As a physician, I am well versed in the practice of medicine, the regulation of the medical profession, the adherence by medical providers to the authoritative Standards of Care for the treatment of conditions, and the informed consent model. The restrictions put in place by the state have no legitimate or rational purpose. They cause harm to me and other transgender people like me.

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

Executed this 24th day of July, 2023.

Respectfully Submitted,

DocuSigned by:

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Kai Pope