

ELECTRONICALLY FILED
2026 Feb 26 PM 10:46
CLERK OF THE DOUGLAS COUNTY DISTRICT COURT
CASE NUMBER: DG-2026-CV-000112
PII COMPLIANT

EXHIBIT 2

IN THE SEVENTH JUDICIAL DISTRICT
DOUGLAS COUNTY DISTRICT COURT
CIVIL DEPARTMENT

DANIEL DOE and MATTHEW MOE,

Plaintiffs,

v.

STATE OF KANSAS, *ex rel* KRIS
KOBACH, Attorney General; *et al.*,

Defendants.

Case No. _____

Div. No. 7

DECLARATION OF PLAINTIFF MATTHEW MOE

I, Matthew Moe, hereby declare and state as follows:

1. My name is Matthew Moe.¹ I am over 18 years old, of sound mind, have personal knowledge of the facts set forth in this Declaration, and would testify competently to those facts if called as a witness.

2. I am a Plaintiff in this action. I make this declaration in support of Plaintiffs' Motion for Temporary Restraining Order/Temporary Injunction.

3. I understand that SB 244 requires me to use restrooms in government buildings that are designated for the sex I was assigned at birth, even though that is inconsistent with my gender identity.

4. I also understand that SB 244 requires me to use a driver's license with a marker indicating my sex assigned at birth, even though that is inconsistent with my gender identity.

¹ Matthew Moe is a pseudonym. I am using a pseudonym to protect my right to privacy and myself from discrimination, harassment, and violence, as well as retaliation for seeking to protect my rights.

5. I grew up in South Carolina. I currently reside in Lawrence, which is in Douglas County.

6. I am a PhD student at a public university in Kansas.

7. I am involved in my community. I volunteer with science enrichment programs for children. I am also involved in the arts and theater.

8. I am a man.

9. I am also a transgender man. My sex assigned at birth was female, but I have a male gender identity.

10. I have known I was transgender since I was a preteen. I first read about transgender people in an article in the New Yorker and I immediately realized that reflected my experience.

11. I have lived openly as a man since I started college in early 2019. I was diagnosed with gender dysphoria in 2019. I've had gender affirming medical treatment.

12. In 2020, I legally changed my name in South Carolina by court order. After changing my name, I changed all of my documentation to reflect a male gender marker. This included my driver's license and birth certificate. All of my identity documents reflect my updated name and a male gender marker.

13. After I moved to Kansas in 2023, I got a Kansas driver's license with a male gender marker.

14. I have been living as a man since 2019. Since that time, I have only used men's restrooms. Since I updated my documentation in 2020 to reflect that I am a man, I have not encountered issues of misgendering when I use my driver's license. SB 244 would create terrible new problems for me.

15. Being outed as transgender during regular interactions in my day-to-day life due to SB 244's restrictions would be incredibly alienating and isolating for me. It would also be dangerous for me. That is one of the reasons I am proceeding under a pseudonym in this case. I do not want to publicly reveal that I am transgender. I want to protect my privacy, and to protect myself from harassment, violence, and discrimination, as well as retaliation for trying to protect my rights. I am also worried about backlash against those close to me if people learn I am transgender.

16. Having the correct gender marker on my driver's license allows me the autonomy and freedom to disclose my transgender identity on my terms, not the State's. When I use my driver's license, the name and picture reflect who I am, and the gender marker does, too. No one would know, just from looking at me or my driver's license, that I am transgender.

17. I know that having the wrong gender marker on my driver's license will subject me to discomfort and potential harassment from people who see the incorrect gender marker on my identification and immediately know that I am transgender.

18. If I am forced to obtain and use a driver's license that says I am female when that is not true, I will be forced to disclose my transgender identity any time I need to show identification: at school, bars and restaurants, when renting a car, at polling locations on Election Day, at the airport, entering government buildings, at future jobs, when picking up prescriptions, when checking into a hotel, when registering for professional conferences, and in many other scenarios.

19. If I am forced to use a Kansas driver's license that discloses my sex assigned at birth, that license will conflict with all of my other identification documents, including my birth

certificate. I worry that I may also be outed as transgender if I am required to present multiple forms of identification documents and my driver's license has to be one of them.

20. I want to fully participate in my life in Kansas. I fear that if my license is considered invalid, I would be unable to drive myself around, continue my work at a local bar, travel through airports, and participate in many other activities that require valid identification. My work at a local bar often requires me to close, and I am not done until 3 A.M. If I could not drive myself home, my only other option would be riding my bike, which would not be safe.

21. Using a license that reveals my sex assigned at birth will subject me to humiliation, degradation, fear, and potentially bodily harm, and I am extremely concerned that I will be denied services because my driver's license is inaccurate and reveals my transgender identity.

22. Using a restroom that is consistent with my gender identity has been essential to my social transition and life as a man.

23. I exclusively use male restrooms. I have not used the women's restroom since 2019. Using the restroom that corresponds with my gender identity is critical to my well-being. It would be very bad for my mental health. Before I transitioned, using the women's restroom was one of the things that made me feel the worst about myself. Even before I started living as a man, I would try to use the men's restroom whenever I could, including when I was participating in theater as a male character.

24. Under SB 244, I can no longer use the restroom that other men typically use.

25. Using a restroom that conflicts with my gender identity would be horrendous. I spend most of my time—around 60 to 70 hours a week—in government buildings for work, study, and research. There are not many single-occupancy restrooms in these buildings. Having to use the female restroom would out me to other people in the restroom with me, as well as those who

see me enter and exit the restroom, and lead to confusion and discomfort, on my part and theirs. I look like and am perceived as a man in my daily life. Using the women's restroom would raise many questions and could lead to harassment, as I would be perceived as a man in the women's restroom.

26. I also visit the Lawrence Public Library several times a week. I understand that SB 244 would apply to the library. I use the men's restroom at the public library as well.

27. I fear for my safety because of SB 244. The idea of being forced to use the women's restroom causes me a lot of anxiety, particularly because SB 244 empowers ordinary citizens to demand to know why I am in the restroom and sue me if they feel "aggrieved."

28. I worry that SB 244 will subject me to violence, harassment, and legal consequences no matter what restroom I use. If I use the men's restroom, I can be fined or charged with a crime for breaking the law. If I use the women's restroom, I can be sued by other people who think that I am using the wrong restroom.

29. If I continued to use the men's restroom at school and work, I fear putting my school and employer at risk because someone could threaten to sue them, or me, just for using the restroom like all other men do.

30. I know what it's like to experience discrimination for being transgender in my personal and professional life. For example, I have been harassed in a restroom before. It was terrifying. I am worried, given this law and the state of the world for transgender people, that this will happen more frequently. I know lots of other transgender people who have been harassed and been hurt. I am worried about that happening to me and other people in my community.

31. I love my community in Lawrence. It has an amazing art scene, with incredible creators. I love that I can walk into a neighborhood bar and know most of the people there and talk

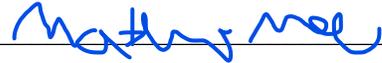
about my day. My PhD program has been rigorous and difficult, but I have found incredible community support here that has helped me get through it. The majority of that community is queer and transgender. Laws like SB 244 are going to be debilitating and destructive for this community.

32. I want to live my life safely and with dignity, but SB 244 makes that impossible for me. I believe that SB 244 violates my rights, freedoms, and liberties under the Kansas Constitution.

33. Having a driver's license and using the restroom consistent with my gender identity protects my privacy, dignity, mental health, well-being, safety, and personal autonomy, and I believe I have those same rights just like every other person in Kansas.

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

Executed on: 2/26/2026

By:  _____

Matthew Moe