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13 CHLOE E. BROCKMAN

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 IN AND FOR THE COUNTY OF SAN JOAQUIN – STOCKTON BRANCH

16 CHLOE E. BROCKMAN aka CHLOE
17 COLE, an individual

18 Plaintiff,

19 v.

20 KAISER FOUNDATION HOSPITALS,
INC., a California Corporation, THE
21 PERMANENTE MEDICAL GROUP, INC.,
a California Corporation, LISA KRISTINE
22 TAYLOR, M.D., an individual, HOP
23 NGUYEN LE, M.D., an individual,
SUSANNE E. WATSON, PHD., an
24 individual, LILIT ASULYAN PSYD, an
individual, and ESTER BALDWIN, LCSW,
25 an individual, and DOES 1 through 50,
26 inclusive,

27 Defendants.
28

Case No.: STK-CV-UMM-2023-0001612

DECLARATION OF KAYLA LOVDAHL

Dept.: 11B
Judge: Hon. Robert T. Waters
Assigned for All Purposes

Action Filed: February 22, 2023
Trial Date: Not Set

1 **DECLARATION OF KAYLA LOVDAHL**

2 I, Kayla Lovdahl, declare as follows:

3 1. I am over the age of eighteen and am competent to testify as to the matters herein. The
4 following is based on personal knowledge unless otherwise stated.

5 2. I am a woman, that is, an adult biological female person.

6 3. While growing up, I suffered for multiple years from, among other things, recurrent
7 intense anxiety and panic, extreme mood fluctuations, self-harm, problems at school resulting in
8 suspensions, oppositional behavior, defiant behavior, interpersonal peer relationship problems, anger,
9 depression, crying spells, significant appetite changes, irritability, agitation, decreased energy, panic
10 with hyperventilation, confusion, nausea, nightmares, explosive temper outbursts, poor concentration,
11 suicidal ideation, suicide attempts, sexual assault, and body image issues.

12 4. My home environment was very tense and hostile. There was often shouting, yelling,
13 threatening, and verbal abuse in my home. My parents would have severe arguments with yelling and
14 screaming throughout my life growing up. My mother had mental health issues including diagnosed
15 bi-polar mood disorder and she abused drugs. Specifically, she used "benzos" and opioids, which often
16 left her unconscious on the couch. There were moments growing up when I genuinely believed my
17 mom had died because she couldn't be awakened. My father abused alcohol and occasionally punched
18 holes through the walls or threw things at the walls. I engaged in yelling and screaming interactions
19 with my mother, particularly when she was in a negative mood. Because of the problematic
20 relationship with my mother, I felt more connected with my maternal grandmother.

21 5. I was sexually abused as a child from ages 4-8 years old. This sexual abuse has and
22 had a profound impact on the way I saw myself. I struggle with self-blame and hold negative core
23 beliefs about myself such as "I am worthless," "I am alone," "I am not enough," "I am broken," and
24 "I am unlovable." This abuse caused me to dislike my body and caused me to have an increasingly
25 negative view of being female. This abuse coupled with the poor role-model my mother provided, as
26 discussed herein, ruined my perception of women. I have a tendency to believe that women are
27 conniving and you need to watch your back with them. I had a great fear of becoming like my mother.
28 I also developed a negative and fearful worldview, which I still carry. I believe and believed that the

1 world is a scary and unforgiving place, success is dependent on chance, and the chances of achieving
2 anything meaningful in life are slim. Even if I do make an impact on the world, it will ultimately be
3 inconsequential after I am gone. I always had and continue to have a rather pessimistic view of the
4 world.

5 6. I had severe difficulty in making friends, and the few friends I did make at times
6 eventually moved away. Some of my friends' parents instructed them not to hang out with me. I had
7 behavior problems at school that sometimes-included throwing objects at other students and running
8 outside of the classroom.

9 7. At age 6, when family members were visiting, a physical altercation occurred and
10 police were called to my home. In first grade (at 6 years old), I wrote an assignment about having
11 thoughts of ending my life. At age 7, my mother was involuntarily hospitalized at a psychiatric
12 hospital because she was suicidal. I attempted suicide at age 7 by trying to strangle myself with a
13 jacket. I engaged in other forms of self-harm such as cutting, using scissors, staple packs, and broken
14 pencil sharpeners. I was bullied at school and by my peers. For example, I had an aversion to fruit.
15 My “friends” held me down forcefully while attempting to make me eat fruit. At age 9, I witnessed
16 my mother being forcefully dragged out of the house by police due to her suicide risk. At age eleven,
17 my mother was hospitalized again for suicidal ideation. It was traumatizing, but I generally viewed
18 these hospitalizations as positive events because of the hostile relationships I had with my mother.

19 8. Beginning around age 11, I gained unfettered and unsupervised access to the internet.
20 I began conversing with adults using anonymous apps. I suffered from non-physical sexual abuse
21 through these apps. Through my unfettered use of the internet, I also heard about transgenderism and
22 did some research online regarding transgenderism. I began to think transitioning would solve my
23 mental health struggles and thought I should try becoming a boy.

24 9. In April 2016, my school required me to visit with a psychiatrist because of emotional
25 and behavioral concerns. I had a counseling session with Dr. Meridee Loomer. I informed Dr. Loomer
26 privately in April 2016, that I was a boy and that I preferred the name “Kyle.”

27 10. A few months later, my parents also discovered I was claiming to be “transgender.” In
28 July 2016, my mother called Kaiser and sought counseling and requested puberty blockers for me. I

1 also immediately started wrapping my breasts with a binder and began socially transitioning. My
2 mother believed that me being “transgender” explained a lot my problems. My mother was very
3 LGBT affirming. She was an avid viewer of the show “RuPaul’s Drag Race.” When I first came out
4 as transgender, it was the first time I shared a common goal or interest with my mother. I finally
5 became the “gay son” she had always desired. During my childhood, I learned that my mother was
6 disappointed with my sex from a VHS tape video of an ultrasound where I could hear that my mother
7 saying the word “shit” when she found out I was female. Growing up, my mother would tell me that
8 “gay sons are nice to their mothers if they are accepting.” The improvement in our relationship didn’t
9 last long and we soon returned to yelling and screaming at each other.

10 11. I had visits with a few doctors who advised that I was not ready for cross-sex hormones.
11 One of these doctors was endocrinologist Dr. Mirna Escalante, who also suspected that I had mental
12 disorders and mood disorders and who told me that testosterone could not be administered until at
13 least age 16 years old. I also had visits with a psychiatrist, Dr. Divina Flores, who attempted to treat
14 some of my mental health issues with medications. But I had bad side effects from the medication
15 and the treatment stopped without any follow-up or resolution of my mental health problems. My
16 mental health issues continued to be severe. My mother called Kaiser in November 2016, speaking
17 with three different providers who had never seen me before noting the following symptoms:

18 **“Depression symptoms that include: depressed mood, crying spells, significant**
19 **appetite change, irritability, agitation, decreased energy, problems related to**
20 **social environment and Personal changes** Mother stated pt is in the process of being
a male from a female. **Mother stated pt has been getting up upset and unable to**
manage his depression sxs.”

21 **“Pt’s moods are changing frequently, pt has been “distracted.” Pt having**
22 **significant anxiety as well, not calming down or listening to Mom.** Pt is currently at
maternal grandmother's home, and Mom intends to pick him up to bring him directly
23 into the Stk Cpy office to be seen today. **When asked about concerns re: self/other**
harm, she states that he has made statements such as “what’s the point,” or “I
24 **should just drink bleach” recently but not today.** Mom mentions that pt reportedly
had a **knife** in his hand a couple of months ago, though was not doing anything w/ it,
25 gave it to Mom.”

26 “Kyle has problems with Oppositional/Defiant problems that include: oppositional,
27 defiant, argumentative, irritable, angry, blaming of others, easily annoyed and spiteful
and vindictive. Panic symptoms that include: trouble breathing, shaking and confusion”

28 “Patient presented to urgent services after his mother called Kaiser Psychiatry Triage
yesterday and today **reporting concerns over her son's agitation/labile behavior,**

1 mood fluctuations, and potential for self-harm/harming others. Patient's reported
2 that her son has been having unprovoked anger outbursts where he's been lashing
3 out (i.e. cursing) at her mostly and others. His mood has fluctuated in the past few
4 months and he's been experiencing panic attacks where he gets shortness of breath,
5 starts shaking, and gets confused."

6 (Emphasis added).

7 12. A week later, on November 15, 2016, Dr. Escalante ordered the puberty blockers, but
8 mentioned that I could not start cross-sex hormones until 16 years old. After the injection, I had
9 increased mood changes and severe hot flashes, and my mother called Kaiser seeking psychiatric
10 assistance for me, but I did not receive any course of psychotherapy or psychiatric treatment.

11 13. Instead, I was referred to Dr. Susan Watson. Dr. Watson told us that there were no age
12 limits on cross-sex hormones or a mastectomy in Kaiser's policies and counseled us to proceed with
13 physical transition. Dr. Watson had not done any evaluation of me at this point.

14 14. On March 29, 2017, Dr. Watson performed an "evaluation session" concluding that I
15 was transgender and that I should receive chemical/surgical transition treatment. The evaluation was
16 perfunctory and Dr. Watson accepted my statements that I was transgender at face value without
17 questioning my self-diagnosis and without considering or meaningfully inquiring into my severe
18 history of mental health struggles. She also failed to inquire about and failed to discover the history
19 of sexual abuse that I suffered. After this single visit, I was then referred for a mastectomy.

20 15. On May 1, 2017, at 12 years old, I consulted with Winnie Tong M.D., a plastic surgeon,
21 who concluded after a perfunctory consultation that I was a good candidate for surgery.

22 16. Dr. Escalante continued to express concern for starting me on testosterone indicating
23 she had never put a child as young as me on testosterone.

24 17. I was then transferred out of Dr. Escalante's care to the Oakland clinic under Dr.
25 Kristine Taylor. Dr. Taylor immediately started me on testosterone. On June 6, 2017, I had my first
26 dose of testosterone. Two days later on June 8, 2017, my mother reported to Dr. Watson that I had
27 increased anger and frustration and related issues. My mother expressed concern that these issues
28 indicated bipolar illness.

18. Dr. Taylor and Dr. Watson did not evaluate or treat my mental health issues. In the

1 next few months, I was seen by about four different mental health providers for continued mental
2 health issues including suicidal ideation, cutting, anger, depression, mood swings, and related issues.
3 I was forced by my mother to attend pride clinic events, but I didn't want to do so, and I didn't feel
4 "pride." I expressed this lack of "pride" to my providers.

5 19. On July 11, 2017, I had "counseling" regarding fertility in which I told my providers I
6 did not know if I wanted to be a parent in the future, but this did not seem to create any concern for
7 them. At this point, I certainly had no concept of what it would mean to have children, and I didn't
8 even know if I would live to become an adult.

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1 20. On September 22, 2017, after I had just turned age 13, Dr. Tong performed a double
2 mastectomy on me. Here is a picture of me in the hospital soon after the operation:



20 21. After the surgery I continued to have social anxiety, low motivation, loneliness, lack
21 of friends, and no interest in seeing a therapist. I described myself at this time as “a loner, [who]
22 just really [doesn’t] like anyone else” and who does not engage with other peers.

23 22. Also, my mental health symptoms did not improve. They only got worse, and I
24 continued to have the following symptoms: hyperventilation, nausea, nightmares, anger outbursts in
25 which I would punch holes in the wall, suicidal ideation, appetite swings, energy swings, excessive
26 anxiety or worry, excessive fear of social situations, repeated nightmares, and explosive temper
27 outbursts. I was finally assessed with having “mood disorder with depressive features and social
28


1 anxiety,” and I received some medication management at this point. Some medications seemed to
2 improve my mood at various times, although the side effects of drowsiness were problematic. Prozac
3 seemed to be the best medication for me at that time.

4 23. Eventually, I started to realize that my mental health issues were not solved by my
5 “transition.” My problems did not go away. I realized that I just had mental health issues. So, I
6 detransitioned. I stopped injecting testosterone around the middle of 2021, while beginning a period
7 of detransition that took several more months. Thereafter, I stopped all contact and services with the
8 Kaiser Proud Clinic.

9 24. In August 2022, I sought regular psychological counseling to assist with my mental
10 health issues. I was diagnosed at the time with Social Anxiety Disorder and Mood Disorder with
11 depressive features. I received some regular treatment for a while for these issues, but I had no
12 confidence in the Kaiser system nor in my Kaiser provider and eventually stopped. But my severe
13 mental health issues have continued.

14 25. In 2023, I filed a lawsuit against my gender affirming care providers for medical
15 malpractice.

16 I declare until penalty of perjury under the laws of the State of California that the foregoing
17 is true and correct. Executed on March 12, 2024, at Lodi, California.

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19 
20 Kayla Lovdahl

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COURT OF THE STATE OF CALIFORNIA SAN JOAQUIN SUPERIOR COURT – STOCKTON BRANCH		FOR COURT USE ONLY
TITLE OF CASE (Abbreviated) Chloe E. Brockman v. Kaiser Foundation Hospitals, Inc., et al.		
ATTORNEY(S) NAME AND ADDRESS Charles S. LiMandri, Esq; Paul M. Jonna, Esq. Robert E. Weisenburger, Esq. LiMANDRI & JONNA LLP P.O. Box 9120 Rancho Santa Fe, California 92067 Tele: (858) 759-9930; Fax: (858) 759-9938		
ATTORNEY(S) FOR: Plaintiff Chloe E. Brockman	Dept. 11B	CASE NO.: STK-CV-UMM-2023-0001612

PROOF OF SERVICE

I, Rebecca M. Oakley, declare that: I am over the age of 18 years and not a party to the action; I am employed in, or am a resident of the County of San Diego, California, and my business address is P.O. Box 9120, Rancho Santa Fe, CA 92067, Telephone number (858) 759-9930; Facsimile number (858) 759-9938. I further declare that I served the following document(s) on the parties in this action:

Motion for Leave to Amend

1. **PLAINTIFF CHLOE E. BROCKMAN’S NOTICE OF MOTION AND MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
2. **PLAINTIFF CHLOE E. BROCKMAN’S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
3. **PLAINTIFF CHLOE E. BROCKMAN’S NOTICE OF LODGMENT OF CONFIDENTIALLY MARKED DOCUMENTS IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
4. **DECLARATION OF CHLOE E. BROCKMAN;**
5. **DECLARATION OF CHARLES S. LIMANDRI IN SUPPORT OF PLAINTIFF CHLOE E. BROCKMAN’S MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
6. **DECLARATION OF JOCELYN T. BROCKMAN;**
7. **DECLARATION OF ROBIN A. DEA, M.D.;**
8. **DECLARATION OF NATHAN SZAJNBERG, M.D.;**
9. **DECLARATION OF MICHAEL LAIDLAW, M.D.;**
10. **DECLARATION OF JOHN PERROTTI, M.D.;**
11. **DECLARATION OF STEPHEN B. LEVINE, M.D.;**
12. **DECLARATION OF TIM CROSBY, LMFT;**
13. **DECLARATION OF KAYLA LOVDAHL;**
14. **DECLARATION OF ELISABETH “BETH” BOURNE;**
15. **DECLARATION OF LAUREN WOHL-SANCHEZ; and**
16. **[Proposed] ORDER In SUPPORT OF PLAINTIFF CHLOE E. BROCKMAN’S MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES.**

Motion to Seal

1. **PLAINTIFF CHLOE E. BROCKMAN’S NOTICE OF MOTION AND MOTION TO SEAL DOCUMENTS LODGED IN SUPPORT OF MOTION FOR LEAVE TO AMEND**

COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;

- 2. PLAINTIFF CHLOE E. BROCKMAN'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO SEAL DOCUMENTS LODGED IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES; and**
- 3. [Proposed] ORDER In SUPPORT OF PLAINTIFF CHLOE E. BROCKMAN'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO SEAL DOCUMENTS LODGED IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES**

by one or more of the following methods of service to:

****SEE ATTACHED SERVICE LIST**

 (BY U.S. MAIL) I caused such document(s) to be sealed in envelopes, and with the correct postage thereon fully prepaid, either deposited in the United States Postal Service or placed for collection and mailing following ordinary business practices.

 X **(BY E-MAIL/ELECTRONIC MAIL)** I caused a copy of the foregoing document(s) to be sent to the persons at the e-mail addresses listed above, this date via internet/electronic mail.

 X **(BY ELECTRONIC FILING/SERVICE)** I caused such document(s) to be Electronically Filed and/or Service through OneLegal.

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

Executed on April 18, 2024



Rebecca M. Oakley

COURT OF THE STATE OF CALIFORNIA
SAN JOAQUIN SUPERIOR COURT – STOCKTON BRANCH

Chloe E. Brockman v. Kaiser Foundation Hospitals, Inc., et al.
CASE NO.: STK-CV-UMM-2023-0001612

SERVICE LIST

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