

**EXHIBIT K**

**ALVARADO, et al., v. AUSTIN, et al.**

**Declaration of**

**Army Chaplain (LTC) Jonathan Zagdanski**

**IN THE MATTER OF THE VACCINE MANDATE CHALLENGE**

**DECLARATION OF LTC JONATHAN D. ZAGDANSKI**

Pursuant to 28 U.S.C. §1746, I, JONATHAN D. ZAGDANSKI declare as follows:

1. My name is JONATHAN D. ZAGDANSKI. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of Army mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. I currently reside at Haspin, Israel. My home of record and where I am domiciled is Haspin, Israel 1292000.
4. I am a Reserve chaplain in the United States Army, serving at the rank of Lieutenant Colonel. I am currently assigned to the 353 Civil Affairs Command, 208 Drum Road, Staten Island 10305.
5. I began my military service on 06NOV96 when I joined as an Enlisted Infantry Soldier. I volunteered for Airborne training and subsequently volunteered for Ranger Selection. Upon successful completion of the Ranger Selection Course (Ranger Indoctrination Program), I was assigned to 3<sup>rd</sup> Ranger Battalion, 75<sup>th</sup> Ranger Regiment (Airborne). I was commissioned as a 2<sup>nd</sup> Lieutenant in April 2001. I served as an Active Duty Infantry Officer until September 2005 when I entered the Reserve Component. I became a United States Chaplain upon completion of the Chaplain Candidate Program in June 2010.6. My promotions were as follows:

|     |             |             |
|-----|-------------|-------------|
| 2LT | Active Army | 11 Apr 2001 |
| 1LT | Active Army | 11 Oct 2002 |
| CPT | Active Army | 01 Sep 2004 |
| MAJ | Reserve     | 07 Mar 2012 |
| LTC | Reserve     | 16 Apr 2018 |

I have approximately 25 years of service as of March 1,2022. I have served enough time to retire but do not wish to do so at this time.

7 During my military career, I have had the following deployments to either combat zones or foreign areas:

Iraq – Operation Iraqi Freedom; January 2003-July 2003

Iraq – Operation Enduring Freedom; Sep 2015 – Oct 2015

Afghanistan – Operation Freedom’s Sentinel; March 2018- April 2018

Afghanistan – Operation Freedom’s Sentinel; March 2019 – April 2019

8. I have received the following **awards and decorations**:

Bronze Star Medal  
Meritorious Service Medal  
Army Commendation Medal  
Army Achievement Medal (1st Oak Leaf Cluster)  
Iraq Campaign Medal  
National Defense Service Medal  
Global War on Terrorism Expeditionary Medal  
Army Good Conduct Medal  
Overseas Training Ribbon  
Army Service Ribbon  
Presidential Unit Citation Award  
Combat Infantryman’s Badge  
Expert Infantryman’s Badge  
Basic Parachutist Badge  
Botswana Defense Force Parachutist Badge  
Ranger Tab

I have attended the following Military Schools:

OSUT training Ft Benning, GA  
Airborne School  
Combat Lifesaver Course  
Ranger Indoctrination Program  
Ranger School  
Officer Candidate School (Distinguished Graduate)  
Infantry Officer Basic Course  
Bradley Leader’s Course  
Mountain Warfare Course

Chaplain Officer Basic Course  
Chaplain Officer Advanced Course  
Operational Religious Support Leader Course  
Intermediate Learning Education  
Senior Unit Ministry Team Operation Course

9. I submitted my Religious Accommodation Request (RAR) (or Religious exemption) at Exhibit 1 on 01 Feb 2022 asking to be excused from the Army's COVID-19 vaccine mandate based on my sincerely held religious beliefs. A summary of those reasons follows:

- a. The vaccines available were developed and/or tested using aborted fetal stem cells, Genesis (2:7), and Exodus (23:7) support my request.
- b. Our bodies belong to God and we are exhorted to take care of our bodies and not take medicines that have no long-term observation as per the Jewish Talmud.
- c. God already provided me with natural immunity, having contracted COVID-19 in December 2021. The book of Psalms (139:14) support my request.

10. My RAR was officially submitted through channels on 15FEB22 and is **“still pending”**.

11. Shortly after submitting my request, after two years in my position as Command Chaplain at the 353, it was time to transition out to a different role, which I did. Therefore, I no longer hold my position as Command Chaplain, but am in a “frozen” status due to my request, and cannot look for another position since I cannot transfer units as long as my request is pending. I therefore do not have a role in the organization and am unable to attend schools, which will hurt my chances for promotion. I have been inactive for the past 6 months due to my request being pending.

12. I have not been given the option to separate. Yet, I do not wish to separate.

I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

Aug 4<sup>th</sup> 2022

/S/ JONATHAN D. ZAGDANSKI