

EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

JANE DOE, a minor child,	)	
by and through her next friends,	)	
MARY DOE and JOHN DOE;	)	
	)	Civil Action No. 6:23-cv-00566-ADA-DNM
Plaintiff,	)	
	)	
v.	)	
	)	
LORENA INDEPENDENT SCHOOL	)	
DISTRICT, and APRIL JEWELL;	)	
	)	
Defendants,	)	

DECLARATION OF KELSEY D'AMORE

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

1. My name is Kelsey D'Amore, and I am over 18 years of age and competent to testify to the matters set forth below based on my professional education, training, and experience, my personal knowledge, and my experience in treating Jane Doe.
2. I have a Master of Science degree in counseling from Southern Methodist University and Bachelor of Arts degrees in psychology and political science from Austin College.
3. I am a Licensed Professional Counselor-Supervisor, Registered Play Therapist-Supervisor, and Acudetox Specialist.
4. I work primarily with clients with complex trauma, anxiety, post-traumatic stress disorder ("PTSD"), depression, and attention-deficit/hyperactivity disorder.
5. In 2021, Jane Doe began counseling with my colleague, Natalie Morse.
6. Ms. Morse referred Jane Doe to me, and I have treated Jane since February 2024.
7. Jane Doe is now ten years old.

8. In my professional opinion, Jane Doe meets the criteria for F43.12 Post-Traumatic Stress Disorder, chronic.

9. Jane struggles with symptoms of irritability, anxiety, nervousness, low frustration tolerance, aggressive behaviors, poor coping skills, school avoidance, defiance, physical complaints (stomachaches, headaches, throbbing ears), separation anxiety from mom, attention seeking behaviors, and engaging in power struggles.

10. Jane often reported fear of going to school, fear the man who abused her would come after her, and fear of being kidnapped.

11. Jane often attempted to run out of school due to the significant level of distress she experienced in the school setting.

12. Jane sleeps with her mom and not in her own bed due to great terror, anxiety, and recurring nightmares.

13. Multiple trauma triggers exist for Jane, including the name of the man who sexually abused her or the color red, which cause her to experience panic attacks, physical distress, and terror.

14. From February 2024 to January 2026, I facilitated weekly counseling sessions with Jane Doe, to process her traumatic experiences from her previous school in Lorena, increase regulation skills, and decrease symptoms of PTSD and anxiety.

15. I treated Jane Doe utilizing play therapy, Somatic Experiencing, animal-assisted therapy, and Eye-Movement Desensitization and Reprocessing.

16. Jane has made progress in therapy and would play out scenes of “bad guys” and seek power in the playroom as a way to protect herself and feel safe.

17. Jane has been able to separate herself from her mother a little more, has been able to sleep in her own bed at times, and there have been fewer calls made to her parents to pick her up from school.

18. Due to this progress, in January 2026, Jane transitioned from weekly therapy sessions to as needed / maintenance sessions with me.

19. I understand that, in the lawsuit brought on Jane Doe's behalf, the defendants want to depose Jane regarding her "past, present, and future physical and psychological pain, suffering, and impairment" and "explore what that looks like directly with" Jane Doe.

20. I also understand that defendants propose deposing Jane for two hours and having one attorney ask her questions.

21. In my professional opinion, Jane Doe is not cognitively able to conceptualize answers to questions on "past, present, and future physical and psychological" injuries.

22. Children are not developmentally or cognitively able to address damages in this capacity, especially children like Jane Doe, who have experienced extensive trauma.

23. It is not appropriate to expect a child to speak to the impact their trauma had on their life.

24. A ten-year-old child, like Jane Doe, does not have the cognitive ability to conceptualize damages related to the past, present, and future.

25. Abstract thinking is the ability to evaluate, contemplate, and make deductive reasoning judgments, and this does not begin to emerge until a person is 12 to 13 years old.

26. Jane Doe was extremely young when she became a victim of sexual abuse, and it is more likely than not that she lacks words to describe her experience.

27. Moreover, there is extensive research that demonstrates how trauma alters physiology, brain structures, hormones, and even DNA.

28. Research has also found that perpetual, repeated exposure to trauma causes changes in the hippocampus, a brain structure that is associated with memory and recall, as well as the amygdala, the brain's fear center.

29. Prolonged repeated exposure to traumatic events over time causes the nervous system to enter a state of dissociation, or "freeze," which can impact a disruption in memory, identity, or perception.

30. Dissociation is often seen as a psychological defense mechanism in response to trauma.

31. In my professional opinion, it is more likely than not that Jane Doe will be put back into a dissociated state if she is required to be deposed and is asked questions she cannot cognitively answer.

32. Jane Doe is not cognitively able to speak to what defendants are proposing to ask her, and this will cause her further confusion, traumatization, and harm.

33. Requiring Jane Doe to be deposed, as defendants propose, greatly threatens the progress that Jane has fought for.

34. In my professional opinion, asking Jane Doe to speak to her injuries would also require her to recall the trauma of ongoing sexual abuse and will trigger a resurgence of her PTSD symptoms in both frequency and severity.

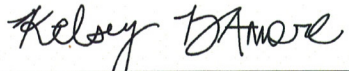
35. In my professional opinion, the proposed deposition of Jane Doe will cause her irreparable harm.

36. I ask the Court to refrain from having Jane Doe deposed.

37. My opinions are made to a reasonable degree of professional certainty.

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

Executed on 6/23/2026

A handwritten signature in black ink, appearing to read "Kelsey D'Amore", written over a horizontal line.

Kelsey D'Amore