

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CHELSEA TORRES, et al.,

Plaintiffs,

v.

Case No. 15-CV-288-bbc

KITTY RHOADES,

Defendant.

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DEFENDANT'S RESPONSE TO PLAINTIFFS' PROPOSED FINDINGS OF  
FACT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

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Defendant Kitty Rhoades, by her undersigned legal counsel, submits these responses to plaintiffs' proposed findings of fact.

1. Plaintiffs Chelsea Torres and Jessamy Torres are both women and are married to one another. Declaration of Chelsea Torres ("Chelsea Dec.") at ¶¶ 2, 6; Declaration of Jessamy Torres ("Jessamy Dec.") at ¶¶ 2, 6.

**RESPONSE:** Not disputed.

2. They reside in Madison, Dane County, Wisconsin. Chelsea Dec. at ¶ 3; Jessamy Dec. at ¶ 3.

**RESPONSE:** Not disputed.

3. Chelsea Torres is 36 years old. Chelsea Dec. at ¶ 2.

**RESPONSE:** Not disputed.

4. Jessamy Torres is 35 years old. Jessamy Dec. at ¶ 2.

**RESPONSE:** Not disputed.

5. Chelsea and Jessamy Torres met in 2001. *Id.* at ¶ 5.

**RESPONSE:** Not disputed.

6. They have been in a loving, committed relationship since 2010.

*Id.*

**RESPONSE:** Not disputed.

7. They were married on September 7, 2012 in New York, New York, in front of friends and family. Jessamy Dec. at ¶ 6; Chelsea Dec. at ¶ 6, Ex. A.

**RESPONSE:** Not disputed.

8. Jessamy is a Deputy with the Dane County Sheriff's Office. Jessamy Dec. at ¶ 4.

**RESPONSE:** Not disputed.

9. Chelsea is the Operations Manager for a local business. Chelsea Dec. at ¶ 4.

**RESPONSE:** Not disputed.

10. When Chelsea and Jessamy began discussions about having children, Chelsea expressed a desire to experience pregnancy, and they agreed that Chelsea would carry their child. If Chelsea had been unable to conceive, Jessamy would have been happy to carry their child. Chelsea Dec. at ¶ 9; Jessamy Dec. at ¶ 7.

**RESPONSE:** Not disputed.

11. In or around September 2013, Chelsea and Jessamy began working with a fertility clinic in order for Chelsea to conceive via artificial insemination, using an anonymous sperm donor, which was ultimately successful. Chelsea Dec. at ¶ 8; Jessamy Dec. at ¶ 8.

**RESPONSE:** Not disputed.

12. Jessamy wholly supported and agreed for her wife Chelsea to be inseminated with the sperm of an anonymous donor to accomplish conception. Jessamy Dec. at ¶ 8.

**RESPONSE:** Not disputed.

13. Chelsea and Jessamy both considered themselves and each other to be partners in the process, including with respect to selecting the anonymous donor. Jessamy Dec. at ¶ 7; Chelsea Dec. at ¶ 10.

**RESPONSE:** Not disputed.

14. On or about March 13, 2015, Chelsea was admitted to Meriter Hospital in Madison, Wisconsin to give birth. Jessamy Dec. at ¶ 9; Chelsea Dec. at ¶ 11.

**RESPONSE:** Not disputed.

15. During the birth, there were complications, and Jessamy watched as her wife lost blood and their son turned blue due to lack of oxygen. Jessamy Dec. at ¶ 10; Chelsea Dec. at ¶ 12.

**RESPONSE:** Not disputed.

16. Jessamy was terrified that her wife and their child would not survive. Jessamy Dec. at ¶ 10.

**RESPONSE:** Not disputed.

17. Fortunately, both Chelsea and A.T. survived, though both were required to spend several days in the hospital following the birth. Jessamy Dec. at ¶ 12; Chelsea Dec. at ¶ 13.

**RESPONSE:** Not disputed.

18. A.T. was placed in intensive care. Chelsea Dec. at ¶ 13.

**RESPONSE:** Not disputed.

19. Jessamy stayed at the hospital throughout this period, moving between floors to care for both her wife and son. Jessamy Dec. at ¶ 13.

**RESPONSE:** Not disputed.

20. On or around March 14, 2015, while at the hospital, Chelsea and Jessamy filled out a Department of Health Services (“DHS”) form for the purpose of obtaining a birth certificate for A.T. Chelsea Dec. at ¶ 14; Jessamy Dec. at ¶ 14.

**RESPONSE:** Not disputed. However, defendant Rhoades notes that the “SECOND PARENT” sheet attached to the Declaration of Kyle Palazzo as Exhibit B to Exhibit A is not the DHS form. See Affidavit of Rebecca L. Biely (“Biely Aff.”), Ex. AA (“Mother’s Birth Certificate Worksheet—Hospital” (DHS Form F-05108)).

21. On the form, Chelsea and Jessamy indicated that they are married and that both are parents to A.T. Chelsea Dec. at ¶ 15; Jessamy Dec. at ¶ 15.

**RESPONSE:** Not disputed.

22. They supplied DHS with the requested information for both parents. Jessamy Dec. at ¶ 14; Chelsea Dec. at ¶ 14.

**RESPONSE:** Dispute as stated. Not disputed that the Torreses completed a birth certificate worksheet identifying both spouses as parents. Dispute that the information was “supplied” to DHS. A mother does not supply the information in the birth certificate worksheet to DHS directly. She completes the worksheet and gives it to hospital personnel. In turn, hospital personnel enter the information into the Statewide Vital Records Information System (“SVRIS”). DHS uses the information the hospital enters on SVRIS to create a birth certificate. Biely Aff. at ¶¶ 8, 11.

23. On March 30, 2015, Chelsea received a “Notification of Birth Certificate Registration” from DHS that, without explanation, omitted all of Jessamy’s information and listed only Chelsea as A.T.’s parent. Chelsea Dec. at ¶ 16, Ex. B; Jessamy Dec. at ¶ 16.

**RESPONSE:** Not disputed.

24. On April 24, 2015, counsel for the Torres family sent a letter and enclosures to Defendant Kitty Rhoades and DHS Legal Chief Counsel

requesting confirmation within seven days of receipt of the letter that DHS intended to issue a correct birth certificate that accurately listed both Chelsea and Jessamy and A.T.'s parents. Declaration of Attorney Kyle Palazzolo ("Dec. of Counsel") at ¶ 4, Ex. A.

**RESPONSE:** Not disputed.

25. Kitty Rhoades is the Secretary of the State of Wisconsin Department of Services. *Id.* at ¶ 5.

**RESPONSE:** Not disputed.

26. On May 1, 2015, the Chief Legal Counsel for DHS wrote to counsel for the Torres family stating that the "Vital Records Office . . . is evaluating the request and will respond when the evaluation is complete." *Id.* at ¶ 6, Ex. B.

**RESPONSE:** Not disputed.

27. As of the date of this filing, the Torres family has not received a birth certificate from the State of Wisconsin for A.T. that lists both of his parents. Chelsea Dec. at ¶ 17; Jessamy Dec. at ¶ 17.

**RESPONSE:** Not disputed.

28. Under Wisconsin law, a "man is presumed to be the natural father of a child" if "he and the child's natural mother are or have been married to each other and the child is conceived or born after marriage and before the granting of a decree of legal separation, annulment or divorce

between the parties.” Wis. Stat. § 891.41(1)(a) (hereafter termed the “spousal presumption of parentage” or “spousal presumption”).

**RESPONSE:** Defendant objects to this as a “finding of fact” because it is a legal conclusion. Defendant does not dispute that this is what Wis. Stat. § 891.41(1)(a) says.

29. The spousal presumption also applies to married couples who use assisted reproductive technology. Wis. Stat. § 891.40 (“If, under the supervision of a licensed physician and with the consent of her husband, a wife is inseminated artificially with semen donated by a man not her husband, the husband of the mother at the time of the conception of the child shall be the natural father of a child conceived.”).

**RESPONSE:** Dispute. Defendant objects to this as a “finding of fact” because it is a legal conclusion. In addition, the characterization of Wis. Stat. § 891.40 is incorrect. Section 891.40 does not “appl[y]” a “spousal presumption.” Under § 891.40(1), if a married woman conceives a child through artificial insemination supervised by a licensed physician with her husband’s written consent, her husband “shall be the natural father of a child conceived.” This is not a “presumption” of fatherhood, but a conclusive, irrebuttable establishment of legal fatherhood. Defendant does not dispute that Wis. Stat. § 891.40 is quoted accurately.

30. In accordance with the spousal presumption, Wis. Stat. § 69.14(1)(e)1 provides: “If the mother of a registrant under this section was married at any time from the conception to the birth of the registrant, the name of the husband of the mother shall be entered on the birth certificate as the legal father of the registrant. The name of the father entered under this subdivision may not be changed except by proceeding under ch. 767.”

**RESPONSE:** Dispute. Defendant Rhoades objects to this as a “finding of fact” because it is a legal conclusion. In addition, defendant Rhoades disputes that Wis. Stat. § 69.14(1)(e)1. is “[i]n accordance with the spousal presumption” because § 69.14(1)(e)1. does not specifically reference Wis. Stat. § 891.41, the presumption of paternity statute. Defendant does not dispute that Wis. Stat. § 69.14(1)(e)1. is quoted accurately.

31. DHS issues birth certificates to children born to married different-sex couples listing both spouses as parents regardless of whether the husband is not the child’s genetic parent, either because the mother had intercourse with a man other than her spouse or because the couple achieved pregnancy through donor insemination. Wis. Stat. § 69.14(1)(e)1.

**RESPONSE:** Defendant does not dispute that DHS, pursuant to Wis. Stat. § 69.14(1)(e)1., may occasionally issue birth certificates to married different-sex couples listing the husband as the father even if he is not, in fact, the child’s genetic parent.

32. DHS issues worksheets to be filled out by the mother or another “informant” shortly after birth. Dec. of Counsel at ¶ 7, Ex. C (“Mother’s Birth Certificate Worksheet-Non-Hospital” and “Attendant Birth Certificate Worksheet-Non-Hospital”) (together, “birth certificate worksheets”).

**RESPONSE:** Not disputed.

33. DHS creates a child’s birth certificate using the information provided on the birth certificate worksheet. *Id.* at ¶ 7, Ex. E (“FACTS ABOUT YOUR CHILD’S BIRTH CERTIFICATE”) (stating the “The State Vital Records Office will create a birth certificate for your child using the information you give on the birth certificate worksheet”).

**RESPONSE:** Not disputed. As clarification, state that DHS does not use the birth certificate worksheet itself to create a child’s birth certificate. A mother completes the worksheet and gives it to hospital personnel. In turn, hospital personnel enter the information into the Statewide Vital Records Information System (SVRIS). DHS uses the information the hospital enters on SVRIS to create a birth certificate. Biely Aff. at ¶¶ 8, 11.

34. The birth certificate worksheets and the instructions provided by DHS to assist in filling them out state that if a birth mother is married, the husband’s name must be entered on the form on the spaces designated for the

father. *Id.* at ¶ 7, Ex. C at 2 (“Husband’s Information must be completed”), Ex. D at 2 (same), Ex. E at Section E.

**RESPONSE:** Not disputed.

35. The birth certificate worksheets, instructions provided by DHS, and internal DHS guidance do not permit omission of the husband’s name if he is not the child’s genetic parent, or seek or offer any way of providing information concerning whether the husband is the child’s genetic parent. *Id.* at ¶ 7, Ex. C at 2, Ex. D at 2, Ex. E, Ex. F (Local Vital Records Office Handbook at pp. III-2, III-4-5).

**RESPONSE:** Defendant Rhoades does not dispute that the birth certificate worksheets, per Wis. Stat. § 69.14(1)(e)1., do not permit omission of the husband’s name even if he is not the child’s genetic parent. Section 69.14(1)(e)1. provides that the name of the father may be changed from the husband’s to the natural father if another man’s paternity of the child is proved under Wis. Stat. ch. 767. *See* Wis. Stat. § 69.15(3) (change of fact on birth certificate based on paternity finding).

36. DHS states expressly that it is irrelevant whether the husband is the child’s biological father; his name still goes on the original birth certificate as the father:

According to Wisconsin State Statute 69.14(1), whether or not your husband is the biological father of the child, you must complete the information requested in the “Husband Information” sections of the

worksheet, even if you are divorced during pregnancy. The husband's information may be removed from the birth certificate later by court order and a new birth certificate will be completed and placed on file to replace the original certificate.

*Id.* at ¶ 7, Ex. E at Section E(1); *see also id.* at Ex. F (Local Vital Records Office Handbook at pp. III-2, III-4-5).

**RESPONSE:** Not disputed.

37. If a mother is married at any time from conception to birth, and omits the name of the husband from the birth certificate worksheet, DHS sends the mother correspondence stating that the child's birth certificate "has not been legally filed." *Id.* at ¶ 7, Ex. G.

**RESPONSE:** Not disputed.

38. This correspondence informs the mother that if she refuses to provide the name of the husband, "whether or not he is the biological father of the child," for placement on the certificate as the father, the child "WILL NEVER have a birth certificate", "will NOT" be able to obtain a Social Security number", and "may have problems in the future when trying to obtain legal identity documents and/or benefits (e.g., custody, a driver's license, a passport)." *Id.* at ¶ 7, Ex. G (emphasis in original).

**RESPONSE:** Not disputed.

39. The birth certificate worksheets include a box under “Risk factors in this pregnancy” permitting a mother to indicate that her “[P]regnancy resulted from infertility treatment,” but the boxes underneath this heading do not permit a parent to indicate the use of “artificial insemination” alone. *Id.* at ¶ 7, Exs. C and D.

**RESPONSE:** Not disputed.

40. A mother is directed to “check all that apply,” followed by boxes for “[f]ertility-enhancing drugs, artificial insemination, or intrauterine insemination (e.g., Clomid, Pergonal),” and “Assisted Reproductive Technology [e.g., in vitro fertilization (IVF), gamete intrafallopian transfer (GIFT), ZIFT].” *Id.* at ¶ 7, Exs. C and D.

**RESPONSE:** Not disputed.

41. The forms do not seek any information about whether a couple complied with the requirements of Wis. Stat. § 891.40(1) for artificial insemination with respect to signed consents, or a doctor’s certification. *Id.* at ¶ 7, Exs. C and D.

**RESPONSE:** Not disputed. These forms are currently under review by DHS. Biely Aff. at ¶¶ 6, 7.

42. Defendant’s refusal to provide the Torres family with a two-parent birth certificate for A.T. poses significant and ongoing harm to

A.T., Chelsea, and Jessamy, and renders the family vulnerable to future harm. Chelsea Dec. at ¶ 18.

**RESPONSE:** Dispute. Defendant disputes that she has refused to provide a two-parent birth certificate for A.T. In response to a letter from Torreses' counsel to defendant Rhoades and DHS Chief Legal Counsel Rowe requesting a two-parent birth certificate for A.T., Rowe informed Torreses' counsel that DHS was evaluating their request and would respond when that evaluation was complete. *See supra* Response to PFOF 24. Rowe also asked counsel to "contact me if you have any questions." Biely Aff. at ¶ 18. That email was dated May 1, 2015. *Id.* Instead of working with DHS, the Torreses instituted this litigation on May 13, 2015. Biely Aff. at ¶ 19.

In addition, on June 9, 2015, undersigned counsel told the Torreses' counsel that DHS was prepared to give A.T. a two-parent birth certificate. That offer was not accepted. Affidavit of Maura FJ Whelan ("Whelan Aff.") at ¶ 6.

Later, on July 28, 2015, as a partial settlement of the class action, undersigned counsel offered, on behalf of defendant Rhoades, to give two-parent birth certificates to children like A.T., whose parents complied with the requirements of Wis. Stat. § 891.40(1), the artificial insemination statute. *See supra* at ¶¶ 11-13; Chelsea Dec. at ¶ 8;

Whelan Aff. at ¶ 7. Plaintiffs did not accept that offer. Whelan Aff. at ¶ 7.

43. Without an accurate birth certificate, it is difficult if not impossible for the Torres family to comply with legal identification requirements for A.T. *Id.* at ¶ 19.

**RESPONSE:** Dispute. This finding of fact is vague and ambiguous in using the term “legal identification requirements.” A.T. does have a birth certificate, Chelsea Dec. at ¶ 16, Ex. B; Jessamy Dec. at ¶ 16, and plaintiffs do not cite any identification that A.T. cannot obtain because that birth certificate lists Chelsea as a parent, but does not list Jessamy.

44. Birth certificates are vital to A.T.’s ability to obtain a Social Security card and a passport. Dec. of Counsel at ¶ 7, Ex. G; see also Social Security Administration, *Learn What Documents You Need To Get A Social Security Card*, available at <http://www.ssa.gov/ssnumber/ss5doc.htm>; United State Department of State, *Passports for Minors Under 16*, available at <http://travel.state.gov/content/passports/en/passports/under-16.html>.

**RESPONSE:** Defendant does not dispute that a birth certificate is vital to obtaining a Social Security card and passport. Defendant disputes that A.T. cannot secure a Social Security card or

passport with the birth certificate that he has. The Social Security Administration website provides that an individual must present a copy of a birth certificate to establish citizenship and age, but does not mention any requirement that a two-parent birth certificate is needed. Social Security Administration, *Learn What Documents You Need To Get A Social Security Card*, available at <http://www.ssa.gov/ssnumber/ss5doc.htm>. A.T. can submit his one-parent birth certificate to satisfy the requirements for obtaining a Social Security card. Likewise, the State Department allows a birth certificate to be used to prove U.S. Citizenship and parental relationship, but does not require that the birth certificate list both parents on it in order to obtain a passport. United State Department of State, *Passports for Minors Under 16*, available at <http://travel.state.gov/content/passports/en/passports/under-16.html>.

45. When A.T. or his parents must produce a birth certificate to establish Jessamy's parental rights and Jessamy's ability to take actions on A.T.'s behalf, such as to enroll him in school or extracurricular activities or authorize medical treatment, they are unable to do so. Chelsea Dec. at ¶ 19.

**RESPONSE:** Dispute. Defendant disputes this finding of fact because it is not a "fact" but is based on hypothetical situation that

might occur in the future. The plaintiffs have not identified any specific activity for which a birth certificate listing Jessamy as a parent has been required or will be required.

46. State agencies and employers often request birth certificates to enroll a child for needed benefits. *See, e.g.*, Wis. Stat. 632.885 (regarding health insurance for a child through a parent's employer-sponsored group plan); Dec. of Counsel at ¶ 7, Ex. G ("If you FAIL TO RESPOND to this letter . . . [y]our child may have problems in the future when trying to obtain . . . benefits.").

**RESPONSE:** Dispute. The cited statutory section, Wis. Stat. § 632.885, does not mention the use of birth certificates to prove parenthood. Exhibit G is a form letter addressed to married women who refuse to provide their husbands' names on the birth certificate worksheet, with the result that "[y]our child's birth certificate has not been legally filed in the State Vital Records Office." A child with no birth certificate may have problems in the future when trying to obtain benefits. This concern does not apply to A.T. because he was issued a birth certificate, Chelsea Dec. at ¶ 16, Ex. B; Jessamy Dec. at ¶ 16, and thus can produce that birth certificate to secure benefits.

47. Recognition of a parent on a birth certificate also provides for Social Security survivor benefits to the child in the event of the

parent's death and provides inheritance to the child in the event of the parent's death intestate. See Social Security Administration, *Benefits for Children*, available at <http://www.ssa.gov/pubs/EN-05-10085.pdf>; Wis. Stat. § 852.05.

**RESPONSE:** Dispute. The Social Security Administration website cited merely states: "When you apply for benefits for your child, you will need the child's birth certificate and the parent's and child's Social Security numbers." Social Security Administration, *Benefits for Children*, available at <http://www.ssa.gov/pubs/EN-05-10085.pdf>. The website does not state that the birth certificate needs to list both parents. Defendant further disputes that a birth certificate "provides inheritance to the child in the event of the parent's death intestate." The statute cited, Wis. Stat. § 852.05, relates to intestate succession for children born to unmarried parents. It allows inheritance from the father if his paternity has been adjudicated, or he has acknowledged his paternity in open court or in writing. Wis. Stat. § 852.05(1). Intestate succession under this statute is not based on the names that appear on a child's birth certificate. See *id.*

48. If A.T. were to go missing or be kidnapped, law enforcement agencies may require parents to produce a birth certificate to report a missing child or secure his return. See, e.g., Wis. Stat.

§ 938.991(4) (Interstate Compact on Juveniles discussing a parent's need for a birth certificate to regain custody)

**RESPONSE:** Dispute. The Interstate Compact on Juveniles requires a petition to be filed that is “accompanied by 2 certified copies of the document or documents on which the petitioner’s entitlement to the juvenile’s custody is based, such as birth certificates, letters of guardianship, or custody decrees.” Wis. Stat. § 938.991(4)(a). While a birth certificate is a document sufficient to show the entitlement to custody, it is not required.

49. If a couple’s marriage breaks down, a birth certificate establishes the child’s rights to child support from both parents.” Wisconsin Department of Children and Families, Bureau of Child Support, *“Your Guide to Legal Fatherhood,”* [http://dcf.wisconsin.gov/publications/pdf/dcf\\_p\\_dwsc15445.pdf](http://dcf.wisconsin.gov/publications/pdf/dcf_p_dwsc15445.pdf) (last viewed September 11, 2015).

**RESPONSE:** Dispute. As a threshold matter, a child’s right to child support is determined by the Wisconsin Statutes and not by pamphlets created by the Wisconsin Department of Children and Families. Also, the proposed finding of fact is missing an opening quotation mark, so defendant Rhoades cannot determine what part of the sentence is supposed to be a quotation.

Moreover, the document plaintiffs purported to quote, *Your Guide to Legal Fatherhood*, does not concern the establishment of child support if a marriage fails. In fact, it has nothing to do with married fathers. The intended audience for the document is *unmarried* fathers. The document does not suggest that a birth certificate establishes a child's right to support from both parents. Instead, it explains that "[t]he process of making a man the legal father is called 'paternity establishment.' Establishing paternity (legal fatherhood) allows the father to have his name on his child's birth record." The document makes clear that rights come from the legal establishment of paternity, not from the presence of a man's name on a birth certificate.

50. A birth certificate is the primary document used to establish parentage. It is "one of [a] child's most important documents" and "will be required at critical points throughout [a] child's life." Dec. of Counsel at ¶ 7, Ex. E.

**RESPONSE:** Dispute in part. Defendant Rhoades does not dispute that a birth certificate can be used to establish parentage, and that it is "one of [a] child's most important documents" and "will be required at critical points throughout [a] child's life." Defendant Rhoades disputes that Exhibit E supports the claim that a birth certificate is "the *primary* document used to establish parentage." As a

matter of law, a birth certificate is only “presumptive evidence of the . . . birth” it records and only “prima facie evidence” of any fact it records, such as the names of the child’s parents. Wis. Stat. § 891.09)1( (2).

51. During A.T.’s birth, Jessamy feared that Chelsea might not survive, and that if something were to happen to Chelsea, she might not be able to prove that she is A.T.’s parent. Jessamy at ¶¶ 10 and 11.

**RESPONSE:** Not disputed.

52. Fortunately, the staff at Meriter Hospital treated Jessamy as A.T.’s parent, but absent an accurate birth certificate, she may not be as fortunate in future medical emergencies. *Id.* at ¶ 13.

**RESPONSE:** Disputed. Defendant does not dispute that Meriter Hospital treated Jessamy as A.T.’s parent. Defendant disputes the remainder of this finding of fact because it is not a “fact” that has occurred but speculation as to what might occur in the future.

53. Even if Chelsea and Jessamy can explain the discrepancies in A.T.’s birth certificate and establish Jessamy’s equal claim to exercise control over A.T.’s care and custody, having to do so is likely to invade the privacy of the Torres family by revealing which parent has a genetic connection to A.T. Jessamy Dec. at ¶ 18. -

**RESPONSE:** Dispute. Defendant disputes this finding of fact because it is not a “fact” that has occurred but speculation as to what might occur in the future.

54. Jessamy’s inability to demonstrate her parentage with a birth certificate is painful to her, and makes her feel as though her government believes she is not a valid parent to A.T. *Id.* at ¶ 19.

**RESPONSE:** Not disputed.

55. Jessamy also worries that, as A.T. grows older he will internalize the State’s message that she is somehow less a parent to him than Chelsea, that his relationship to her is less secure, and that his family is not legitimate. *Id.*

**RESPONSE:** Not disputed.

56. She worries that A.T. will encounter discrimination because he has only one parent on his birth certificate. *Id.*

**RESPONSE:** Not disputed.

Dated at Madison, Wisconsin, this 2nd day of October, 2015.

BRAD D. SCHIMEL  
Attorney General

*s/Maura FJ Whelan*  
MAURA FJ WHELAN  
Assistant Attorney General  
State Bar #1027974

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**RESPONSE:** Not disputed.

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**RESPONSE:** Not disputed.

56. She worries that A.T. will encounter discrimination because he has only one parent on his birth certificate. *Id.*

**RESPONSE:** Not disputed.

Dated at Madison, Wisconsin, this 2nd day of October, 2015.

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