

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

CHELSEA TORRES and JESSAMY
TORRES, individually and as next friends and
parents of A.T., a minor child, on behalf of
themselves and all others similarly situated,

Plaintiffs,

versus

KITTY RHOADES, in her official capacity as
Secretary of the State of Wisconsin
Department of Health Services,

Defendant.

CASE NO. 3:15-cv-00288

HON. BARBARA B. CRABB

CORRECTED DECLARATION OF CLEARESIA LOVELL-LEPAK

I, Clearesia Lovell-Lepak, an attorney, hereby state as follows:

1. I am a licensed attorney in the State of Wisconsin and I am one of the attorneys representing named Plaintiffs Chelsea Torres (“Chelsea”) and Jessamy Torres (“Jessamy”), individually and as next friends and parents of A.T., their son, and also seek to be one of the attorneys named by the Court to represent the putative Plaintiff Class in this case.
2. I have participated in negotiations with attorneys who represent the Defendant in this matter.
3. The Defendant made an offer in this case to issue A.T. a corrected birth certificate, with both Chelsea’s and Jessamy’s names listed as his parents, which was conditioned upon dismissal of this proposed class action. The offer applied only to A.T.’s birth certificate and not to birth certificates for other children the Plaintiff couple might have.

4. The Defendant later made a settlement offer with respect to the Plaintiff Class. In that offer, the Defendant offered to issue birth certificates listing both parents only to those same-sex spouses who had used “artificial insemination” in compliance with Wis. Stat. § 891.40, and would have required such spouses to meet burdensome evidentiary requirements not applied to other families in order to qualify for the birth certificates. On information and belief, many families are unable to meet such requirements despite having achieved pregnancy through the use of reproductive technology in a medical setting consistent with current medical standards of care.
5. I hereby declare, under penalties of perjury, that the facts stated in this declaration are personally known to me, and that they are true.

Dated this 14th day of October, 2015.

/s/Clearesia Lovell-Lepak

Clearesia Lovell-Lepak