

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JESSICA HICKLIN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 4:16-cv-01357-NCC
	)	
GEORGE LOMBARDI, et al.,	)	
	)	
Defendants.	)	

**DEFENDANTS CORIZON, LLC, WILLIAM MCKINNEY, JOHN DEGHECETTO,  
THOMAS BREDEMAN, DIANA LARKIN, KIMBERLEY RANDOLPH, DALY SMITH,  
STORMI MOELLER, ERNEST GRAYPEL, ELIZABETH ATTERBERRY, AND KIM  
FOSTER’S ANSWER TO PLAINTIFF’S AMENDED COMPLAINT**

COME NOW Defendants, Corizon, LLC, William McKinney, John Deghetto, Thomas Bredeman, Diana Larkin, Kimberley Randolph, Daly Smith, Stormi Moeller, Ernest Graypel, Elizabeth Atterberry, and Kim Foster (collectively referred to as “Corizon defendants”), by and through undersigned counsel, and for their Answer to Plaintiff’s Amended Complaint (Doc. 152), state as follows:

**PRELIMINARY STATEMENT**

1. Corizon defendants admit that Plaintiff is a thirty-eight year old transgender woman in the custody of the MDOC and housed at PCC, but as the remaining allegations set forth in Paragraph 1 of Plaintiff’s Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, Corizon defendants deny same.

2. The allegations set forth in Paragraph 2 of Plaintiff’s Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

3. Corizon defendants admit that Plaintiff sought to change her name, but are without sufficient knowledge and information to admit or deny the remaining allegations and footnote set forth in Paragraph 3 of Plaintiff's Amended Complaint, and therefore deny same.

4. Corizon defendants deny the allegations set forth in Paragraph 4 of Plaintiff's Amended Complaint.

5. The allegations of Paragraph 5 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of Paragraph 5 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

6. Corizon defendants admit that hormone therapy has been provided and is currently being provided to transgender inmates in MDOC, but deny the remaining allegations contained in Paragraph 6 of Plaintiff's Amended Complaint as they are too overbroad and generalized. Further, the "medically necessary treatment" standard referred to is applicable on a case-by-case basis and not as blanket applications.

7. The allegations of Paragraph 7 of Plaintiff's Amended Complaint regarding "medically necessary treatment" call for a legal conclusion and any such standards are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 7 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

8. Corizon defendants admit that Plaintiff has gender dysphoria, but deny the remaining allegations as set forth in Paragraph 8 of Plaintiff's Amended Complaint.

9. The allegations of Paragraph 9 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

10. Corizon defendants deny the allegations set forth in Paragraph 10 of Plaintiff's Amended Complaint.

11. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 11 of Plaintiff's Amended Complaint and therefore deny same.

12. Corizon defendants admit that Plaintiff brings an action pursuant to 42 U.S.C. §1983, but deny the remaining allegations set forth in Paragraph 12 of Plaintiff's Amended Complaint.

#### **JURISDICTION AND VENUE**

13. Corizon defendants admit that Plaintiff is bringing this action seeking preliminary and permanent injunctive relief and declaratory relief pursuant to 42 U.S.C. §§1983 and 1988 as set forth in Paragraph 13 of Plaintiff's Amended Complaint, but deny that she is entitled to any such relief.

14. Corizon defendants admit the allegations set forth in Paragraph 14 of Plaintiff's Amended Complaint.

15. Corizon defendants admit the allegations set forth in Paragraph 15 of Plaintiff's Amended Complaint.

16. Corizon defendants admit the allegations set forth in Paragraph 16 of Plaintiff's Amended Complaint.

## PARTIES

17. Corizon defendants admit the allegations set forth in Paragraph 17 of Plaintiff's Amended Complaint.

18. The allegations set forth in Paragraph 18 of Plaintiff's Amended Complaint are not directed to Corizon defendants and therefore Corizon defendants make no response thereto. However, in the event said allegations are construed as being directed against Corizon defendants, then Corizon defendants hereby deny same.

19. The allegations set forth in Paragraph 19 of Plaintiff's Amended Complaint are not directed to Corizon defendants and therefore Corizon defendants make no response thereto. However, in the event said allegations are construed as being directed against Corizon defendants, then Corizon defendants hereby deny same.

20. The allegations set forth in Paragraph 20 of Plaintiff's Amended Complaint are not directed to Corizon defendants and therefore Corizon defendants make no response thereto. However, in the event said allegations are construed as being directed against Corizon defendants, then Corizon defendants hereby deny same.

21. The allegations set forth in Paragraph 21 of Plaintiff's Amended Complaint are not directed to Corizon defendants and therefore Corizon defendants make no response thereto. However, in the event said allegations are construed as being directed against Corizon defendants, then Corizon defendants hereby deny same.

22. The allegations set forth in Paragraph 22 of Plaintiff's Amended Complaint are not directed to Corizon defendants and therefore Corizon defendants make no response thereto. However, in the event said allegations are construed as being directed against Corizon defendants, then Corizon defendants hereby deny same.

23. The allegations set forth in Paragraph 23 of Plaintiff's Amended Complaint are not directed to Corizon defendants and therefore Corizon defendants make no response thereto. However, in the event said allegations are construed as being directed against Corizon defendants, then Corizon defendants hereby deny same.

24. The allegations set forth in Paragraph 24 of Plaintiff's Amended Complaint are not directed to Corizon defendants and therefore Corizon defendants make no response thereto. However, in the event said allegations are construed as being directed against Corizon defendants, then Corizon defendants hereby deny same.

25. Corizon defendants admit that Corizon, LLC is and was at all relevant times the contracted medical provider for MDOC operating through its employees and agents, but state that the remaining allegations contained in Paragraph 25 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

26. Corizon defendants admit that Defendant William McKinney, M.D. is an employee of Corizon, LLC, but state that the remaining allegations of Paragraph 26 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

27. Corizon defendants admit that Defendants John Deghetto, M.D. and Thomas Bredeman, D.O. are employees of Corizon, LLC, but state that the remaining allegations of Paragraph 27 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

28. Corizon defendants admit that Defendant Diana Larkin is an employee of Corizon, LLC, but state that the remaining allegations of Paragraph 28 of Plaintiff's Amended

Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

29. Corizon defendants admit that Defendant Kimberley Randolph is an employee of Corizon, LLC, but state that the remaining allegations of Paragraph 29 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

30. Corizon defendants admit that Defendant Daly Smith is employee of Corizon, LLC, but state that the remaining allegations of Paragraph 30 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

31. Corizon defendants admit that Defendant Stormi Moeller is an employee of Corizon, LLC, but state that the remaining allegations of Paragraph 31 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

32. Corizon defendants admit that Defendant Ernest Graypel, M.D. is an employee of Corizon, LLC, but state that the remaining allegations of Paragraph 32 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

33. Corizon defendants admit that Defendant Elizabeth Atterberry, M.D. is an employee of Corizon, LLC, but state that the remaining allegations of Paragraph 33 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

34. Corizon defendants admit that Defendant Kim Foster is an employee of Corizon, LLC, but state that the remaining allegations of Paragraph 34 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

### **FACTS**

35. Disregarding the lack of allegations against Corizon defendants contained in Paragraph 35 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 35 of Plaintiff's Amended Complaint, and therefore deny same.

36. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 36 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 36 of Plaintiff's Amended Complaint, and therefore deny same.

37. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 37 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 37 of Plaintiff's Amended Complaint, and therefore deny same.

38. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 38 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations regarding any purported "medical consensus" as alleged in Paragraph 38 of Plaintiff's Amended Complaint, and therefore deny same.

39. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 39 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 39 of Plaintiff's Amended Complaint, and therefore deny same.

40. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 40 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 40 of Plaintiff's Amended Complaint, and therefore deny same.

41. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 41 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations, and all subparts thereunder, of Paragraph 41 of Plaintiff's Amended Complaint, and therefore deny same.

42. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 42 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 42 of Plaintiff's Amended Complaint, and therefore deny same.

43. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 43 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 43 of Plaintiff's Amended Complaint, and therefore deny same.

44. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 44 of Plaintiff's Amended Complaint, Corizon defendants have insufficient

knowledge and information to admit or deny the overbroad allegations of Paragraph 44 of Plaintiff's Amended Complaint, and therefore deny same.

45. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 45 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 45 of Plaintiff's Amended Complaint, and therefore deny same.

46. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 46 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 46 of Plaintiff's Amended Complaint, and therefore deny same. Further, the allegations of Paragraph 46 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 46 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

47. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 47 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 47 of Plaintiff's Amended Complaint, and therefore deny same. The allegations, and all subparts thereunder, of Paragraph 47 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 47 of Plaintiff's

Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

48. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 48 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 48 of Plaintiff's Amended Complaint, and therefore deny same. The allegations of Paragraph 48 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 48 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

49. Disregarding the lack of specific allegations against this Corizon defendants contained in Paragraph 49 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 49 of Plaintiff's Amended Complaint, and therefore deny same. The allegations of Paragraph 49 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 49 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

50. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 50 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 50 of

Plaintiff's Amended Complaint, and therefore deny same. Given the general allegations of said Paragraph 50 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

51. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 51 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 51 of Plaintiff's Amended Complaint, and therefore deny same. The allegations of Paragraph 51 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 51 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

52. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 52 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 52 of Plaintiff's Complaint, and therefore deny same.

53. Disregarding the lack of allegations against Corizon defendants contained in Paragraph 53 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 53 of Plaintiff's Complaint, and therefore deny same. The allegations of Paragraph 54 of Plaintiff's Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications.

54. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 54 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 54 of Plaintiff's Amended Complaint, and therefore deny same. The allegations of Paragraph 54 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 54 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

55. Disregarding the lack of specific allegations against Corizon defendnats contained in Paragraph 55 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 55 of Plaintiff's Amended Complaint, and therefore deny same. The allegations of Paragraph 55 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 55 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

56. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 56 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 56 of Plaintiff's Amended Complaint, and therefore deny same.

57. Corizon defendants have insufficient information to admit or deny the allegations of Paragraph 57 of Plaintiff's Amended Complaint and are therefore unable to admit said allegations, so as a matter of form Corizon defendants deny same.

58. Corizon defendants deny the allegations as set forth in Paragraph 58 of Plaintiff's Amended Complaint.

59. Corizon defendants admit the allegations as set forth in Paragraph 59 of Plaintiff's Amended Complaint.

60. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 60 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 60 of Plaintiff's Amended Complaint, and therefore deny same.

61. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 61 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 61 of Plaintiff's Amended Complaint, and therefore deny same.

62. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 62 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 62 of Plaintiff's Amended Complaint, and therefore deny same.

63. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 63 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 63 of Plaintiff's Amended Complaint, and therefore deny same.

64. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 64 of Plaintiff's Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 64 of Plaintiff's Amended Complaint, and therefore deny same.

65. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 65 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 65 of Plaintiff's Amended Complaint, and therefore deny same.

66. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 66 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 66 of Plaintiff's Amended Complaint, and therefore deny same.

67. The allegations of Paragraph 67 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 67 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

68. Disregarding the lack of specific allegations against Corizon defendants contained in Paragraph 68 of Plaintiff's Amended Complaint, Corizon defendants have insufficient knowledge and information to admit or deny the overbroad allegations of Paragraph 68 of Plaintiff's Amended Complaint, and therefore deny same.

69. Corizon defendants admit the allegations as set forth in Paragraph 69 of Plaintiff's Amended Complaint.

70. Corizon defendants admit that Dr. Throop assessed Plaintiff on March 23, 2015, but deny the remaining allegations as set forth in Paragraph 70 of Plaintiff's Amended Complaint.

71. Corizon defendants admit the allegations as set forth in Paragraph 71 of Plaintiff's Amended Complaint.

72. Corizon defendants deny as a matter of form the allegations as they are set out in Paragraph 72 of Plaintiff's Amended Complaint.

73. Corizon defendants admit the allegations as set forth in Paragraph 73 of Plaintiff's Amended Complaint.

74. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations as set forth in Paragraph 74 of Plaintiff's Amended Complaint and therefore deny same.

75. Corizon defendants admit that on April 22, 2015, Plaintiff had a consultation with Defendant McKinney and that the note from that visit speaks for itself, but otherwise deny the remaining allegations set forth in Paragraph 75 of Plaintiff's Amended Complaint.

76. Corizon defendants admit the allegations as set forth in Paragraph 76 of Plaintiff's Amended Complaint.

77. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations as set forth in Paragraph 77 of Plaintiff's Amended Complaint and therefore deny same.

78. Corizon defendants admit that Ms. Hicklin met with Defendant Larkin on April 27, 2015 regarding an IRR, but deny the remaining allegations as set forth in Paragraph 78 of Plaintiff's Amended Complaint and therefore deny same.

79. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 79 of Plaintiff's Amended Complaint and therefore deny same.

80. The allegations as set forth in Paragraph 80 of Plaintiff's Amended Complaint are not directed toward Corizon defendants. If the allegations are construed as being directed toward Corizon defendants, then they deny same.

81. The allegations as set forth in Paragraph 81 of Plaintiff's Amended Complaint are not directed toward Corizon defendants. If the allegations are construed as being directed toward Corizon defendants, then they deny same.

82. Corizon defendants admit that Plaintiff submitted an HSR for permanent hair removal, but are without sufficient information and knowledge to admit or deny the remaining allegations as set forth in Paragraph 82 of Plaintiff's Amended Complaint, and therefore deny same.

83. Corizon defendants admit that Defendant Larkin signed a denial letter on April 27, 2015 and that the record speaks for itself, but otherwise deny the remaining allegations set forth in Paragraph 83 of Plaintiff's Amended Complaint.

84. Corizon defendants admit that Plaintiff submitted a second-stage grievance as set forth in Paragraph 84 of Plaintiff's Amended Complaint.

85. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 85 of Plaintiff's Amended Complaint and therefore deny same.

86. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 86 of Plaintiff's Amended Complaint and therefore deny same.

87. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 87 of Plaintiff's Amended Complaint and therefore deny same.

88. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 88 of Plaintiff's Amended Complaint and therefore deny same.

89. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 90 of Plaintiff's Amended Complaint, though do state that the document speaks for itself, and therefore deny same.

90. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 90 of Plaintiff's Amended Complaint and therefore deny same.

91. Corizon defendants admit that the referenced document speaks for itself, but otherwise deny the remaining allegations set forth in Paragraph 91 of Plaintiff's Amended Complaint.

92. Corizon defendants admit that Defendant Wade signed a denial letter on July 20, 2015 and that the record speaks for itself, but otherwise deny the remaining allegations set forth in Paragraph 92 of Plaintiff's Amended Complaint.

93. Corizon defendants admit that the referenced document speaks for itself, but otherwise deny the remaining allegations set forth in Paragraph 93 of Plaintiff's Amended Complaint.

94. Corizon defendants admit that on August 26, 2015, Plaintiff met with Dr. Throop, but is without sufficient knowledge and information to admit or deny the remaining allegations set forth in Paragraph 45 of Plaintiff's Amended Complaint and therefore deny same.

95. Corizon defendants deny the allegations as set forth in Paragraph 95 of Plaintiff's Amended Complaint.

96. Corizon defendants admit that the referenced document speaks for itself, but otherwise deny the remaining allegations set forth in Paragraph 96 of Plaintiff's Amended Complaint.

97. Corizon defendants admit that on September 2, 2015, Plaintiff wrote letters to one or more of the defendants, but are without sufficient knowledge and information to admit or deny the remaining allegations set forth in Paragraph 97 of Plaintiff's Amended Complaint and therefore deny same.

98. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 98 of Plaintiff's Amended Complaint and therefore deny same.

99. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 99 of Plaintiff's Amended Complaint and therefore deny same.

100. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 100 of Plaintiff's Amended Complaint and therefore deny same.

101. Corizon defendants admit that Plaintiff wrote to Defendant Larkin and that the referenced documents speak for themselves, but deny the remaining allegations as set forth in Paragraph 101 of Plaintiff's Amended Complaint.

102. Corizon defendants deny the allegations set forth in Paragraph 102 of Plaintiff's Amended Complaint.

103. Corizon defendants deny the allegations set forth in Paragraph 103 of Plaintiff's Amended Complaint.

104. Corizon defendants the allegations set forth in Paragraph 104 of Plaintiff's Amended Complaint and further state that references to Standard of Care are vague and overbroad and, therefore, cannot apply "Standard of Care" to same.

105. The allegations of Paragraph 105 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny as statements of fact, and therefore Corizon defendants deny same.

106. Corizon defendants admit the allegations set forth in Paragraph 106 of Plaintiff's Amended Complaint.

107. Corizon defendants are without sufficient knowledge and information to admit or deny the allegations set forth in Paragraph 107 of Plaintiff's Amended Complaint but note that medical records speak for themselves, but otherwise deny same.

108. Corizon defendants admit that Dr. Stephens diagnosed Plaintiff with gender dysphoria, but deny the remaining allegations as set forth in Paragraph 108 of Plaintiff's Amended Complaint.

109. The allegations of Paragraph 109 of Plaintiff's Amended Complaint are too overbroad and generalized to admit or deny, and that the medical records of Dr. Stephens speak for themselves, but Corizon defendants deny the allegations in Paragraph 109 of Plaintiff's Amended Complaint as a matter of form.

110. Corizon defendants deny the allegations set forth in Paragraph 110 of Plaintiff's Amended Complaint.

111. The allegations of Paragraph 111 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Corizon defendants are without sufficient knowledge and information to admit or deny that Plaintiff can be "medically treated," or that any medical treatment per se are required by any applicable "standard of care." Given the general allegations of said Paragraph 111 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

112. Corizon defendants are without sufficient information and knowledge to admit or deny the allegations as set forth in Paragraph 112 in Plaintiff's Amended Complaint as it refers to an MDOC policy, and therefore deny same.

113. Corizon defendants deny the allegations as set forth in Paragraph 113 of Plaintiff's Amended Complaint.

## CLAIM FOR RELIEF

### COUNT I

114. In response to Paragraph 114, Corizon defendants hereby incorporate by reference their answers to Paragraphs 1-113 of Plaintiff's Amended Complaint.

115. Corizon defendants admit that Plaintiff currently has gender dysphoria, but lacks sufficient knowledge and information to admit or deny whether that condition jeopardizes Plaintiff's health and as to the remaining allegations set forth in Paragraph 115 of Plaintiff's Amended Complaint, and that generalized statements cannot be admitted or denied, and therefore deny same in form.

116. The allegations of Paragraph 116 of Plaintiff's Amended Complaint regarding "standard of care" call for a legal conclusion and any such "standards" are only applicable on a case-by-case basis and not as blanket applications. Given the general allegations of said Paragraph 116 of Plaintiff's Amended Complaint, Corizon defendants are unable to admit same, so as a matter of form Corizon defendants deny said allegations.

117. Corizon defendants deny the allegations set forth in Paragraph 117 of Plaintiff's Amended Complaint.

118. Corizon defendants deny the allegations set forth in Paragraph 118 of Plaintiff's Amended Complaint.

119. Corizon defendants deny the allegations set forth in Paragraph 119 of Plaintiff's Amended Complaint.

120. Corizon defendants deny the allegations set forth in Paragraph 120 of Plaintiff's Amended Complaint.

121. Corizon defendants deny the allegations set forth in Paragraph 121 of Plaintiff's Amended Complaint.

122. Corizon defendants deny the allegations set forth in Paragraph 122 of Plaintiff's Amended Complaint.

## COUNT II

123. In response to Paragraph 123, Corizon defendants hereby incorporate by reference their answers to Paragraphs 1-122 of Plaintiff's Amended Complaint.

124. Corizon defendants are without sufficient information and knowledge to admit or deny the allegations as set forth in Paragraph 124 in Plaintiff's Amended Complaint as it refers to an MDOC policy, and therefore deny same.

125. Corizon defendants are without sufficient information and knowledge to admit or deny the allegations as set forth in Paragraph 125 in Plaintiff's Amended Complaint as it refers to an MDOC policy, and therefore deny same.

126. Corizon defendants are without sufficient information and knowledge to admit or deny the allegations as set forth in Paragraph 126 in Plaintiff's Amended Complaint as it refers to an MDOC policy, and therefore deny same.

127. Corizon defendants are without sufficient information and knowledge to admit or deny the allegations as set forth in Paragraph 127 in Plaintiff's Amended Complaint as it refers to an MDOC policy, and therefore deny same.

128. Corizon defendants are without sufficient information and knowledge to admit or deny the allegations as set forth in Paragraph 128 in Plaintiff's Amended Complaint as it refers to an MDOC policy, and therefore deny same.

**AFFIRMATIVE DEFENSES**

COME NOW Corizon defendants, by and through undersigned counsel, and for their Affirmative Defenses to Plaintiff's Amended Complaint, state as follows:

1. Plaintiff's Amended Complaint fails to plead an action upon which relief may be granted.
2. Corizon defendants reserve the right to introduce evidence on any other defense that may become appropriate through discovery or independent investigation.
3. Plaintiff's Amended Complaint fails to set forth special damages with certainty.
4. Corizon defendants demand a trial by jury.

WHEREFORE, having fully answered Plaintiff's Amended Complaint, Corizon defendants pray for this Honorable Court to dismiss Plaintiff's Amended Complaint at Plaintiff's cost.

Respectfully submitted,

*/s/ J. Thaddeus Eckenrode*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing was served via electronic mail on this 12<sup>th</sup> day of March, 2018 to the following:

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/s/ Paige McNary