

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

CODY FLACK and
SARA ANN MAKENZIE,

Plaintiffs,

v.

WISCONSIN DEPARTMENT OF
HEALTH SERVICES and
LINDA SEEMEYER, in her official capacity
as Secretary of the Wisconsin Department of
Health Services,

Defendants.

Case No. 3:18-cv-00309-wmc
Judge William Conley

DECLARATION OF BETH E. POTTER, MD

I, Beth E. Potter, MD, declare as follows:

1. I am a medical doctor with a specialization in family medicine. I submit this declaration in my capacity as one of the primary care physician of Sara Makenzie, a plaintiff in the above-captioned matter.
2. I earned my medical degree from Rush Medical College in Chicago in 1996, and I completed a residency in family medicine at the University of Wisconsin-Madison in 1999. I am Board Certified by the American Board of Family Medicine.
3. I practice and teach at the Wingra Family Medical Center in Madison, Wisconsin (Wingra).
4. I have been Sara Ann Makenzie's primary care physician at Wingra since 2015.
5. Ms. Makenzie is a transgender woman who, since before I started treating her in 2015, has lived as a woman in accordance with her female gender identity. When I first met with Ms. Makenzie, she had already been diagnosed with Gender Dysphoria, and her previous

primary care physician at Wingra, Dr. Trisha Schimek, had already prescribed her hormone therapy (Spironolactone and Estradiol).

6. As her primary care physician, I determined that Ms. Makenzie would benefit from continuing her hormonal therapy to treat her gender dysphoria. Ms. Makenzie has responded well to this treatment.

7. As my patient, Ms. Makenzie often discusses her desire for genital reconstruction surgery. Accordingly, in early 2018, I referred her to Dr. Katherine Gast, a plastic and reconstructive surgeon at UW Health in Madison, Wisconsin, who focuses on providing gender confirming surgeries for transgender people.

8. Based on my assessment of Ms. Makenzie, I determined that once Ms. Makenzie provided letters of support from two mental health providers, Ms. Makenzie would meet the standard of care criteria set forth by the World Professional Association for Transgender Health (WPATH) for receiving genital reconstruction surgery as part of her treatment for gender dysphoria.

9. I understand this declaration may be submitted in connection with Ms. Makenzie's claims in the above-captioned lawsuit. I do not take a position regarding the legal questions raised in that lawsuit.

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

Executed this 23 day of May, 2018.



Beth E. Potter, MD