

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

ALINA BOYDEN and
SHANNON ANDREWS,

Plaintiffs,

Case No. 17-cv-264

v.

STATE OF WISCONSIN DEPARTMENT
OF EMPLOYEE TRUST FUNDS, et al.,

Defendants.

**SECOND SUPPLEMENTAL EXPERT WITNESS REPORT
OF LOREN S. SCHECHTER, M.D.**

I, Loren S. Schechter, M.D., have been retained by counsel for the Plaintiffs as an expert in the above-captioned lawsuit to provide an expert opinion. I have been asked to address one additional issue raised by Defendants' brief in opposition to Plaintiffs' motion for summary judgment regarding the surgical treatment provided for gender dysphoria. I have been asked to address the degree to which reconstructive surgeries for a non-transgender person, including those to reconstruct the person's external genitalia, may have a cosmetic, rather than purely reconstructive, purpose.

I have personal knowledge of the matters stated in this supplemental report as well as my other reports. I may further supplement these opinions in response to information produced by Defendants in discovery and in response to additional information from Defendants' experts. My opinions contained in this supplemental report are based on: (1) my clinical experience as a surgeon performing gender confirming surgeries for patients; (2) my knowledge of the peer-reviewed research, including my own, regarding gender confirming surgeries, which reflects the clinical advancements in these procedures and the corresponding growth in research related to their safety and effectiveness in treating gender dysphoria; (3) my work as a contributing author of the WPATH SOC; and (4) my work as an author and teacher of surgical techniques used in gender confirming surgeries.

In my report of May 31, 2018, I explained that: “surgeons perform procedures to reconstruct male or female external genitalia for individuals who have certain medical conditions (*e.g.*, cancer) or who have suffered traumatic injuries to or disabling infections of their genitalia. For the male genitalia, this would include procedures to correct conditions such as hypospadias, epispadias, exstrophy, fournier’s gangrene, penile webbing, or buried penis (which can occur as a result of obesity, diabetes, or recurrent infections). For the female genitalia, this would include procedures to correct conditions such as congenital absence of the vagina or reconstruction of the vagina/yulva following oncologic resection, traumatic injury, or infection.”

In my supplemental report of June 25, 2018, I further explained that: “breast reconstructive procedures for cisgender women are not intended to treat the medical reason for the mastectomy, the cancer, but rather to help restore a women’s sense of femininity and sexuality as well as improve self-esteem and well-being.”

I also pointed out that “[b]reast reduction surgery helps to alleviate symptoms of breast hypertrophy and symptomatic macromastia (*e.g.* neck/upper back pain, shoulder grooving, skin irritation beneath/between the breasts, difficulty finding clothing, discomfort/difficulty exercising, etc...) includes both a functional (reconstructive) component as well as a cosmetic component. Following the removal of tissue, the breast is rebuilt in a cosmetically appealing manner in other words, the breast is not simply amputated with the sole intention of relieving symptoms of large breasts.”

It is also true that the surgeries to treat congenital breast deformities (*i.e.*, Poland’s syndrome), cleft lip, as well as surgeries to reconstruct male or female external genitalia for non-transgender individuals with medical conditions, traumatic injuries, disabling infections or congenital absence of a vagina, such as those mentioned above, serve purposes other than addressing the underlying medical or congenital condition and have a cosmetic, rather than a purely functional, purpose.

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

Executed this 9th day of July, 2018.



Loren S. Schechter, M.D.