

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

ALINA BOYDEN and
SHANNON ANDREWS,

Plaintiffs,

v.

Case No. 17-CV-0264

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

Defendants.

DEFENDANTS' PROPOSED SPECIAL VERDICT FORM

We, the jury, for our special verdict, do find as follows:

Liability – Title VII

1. Is the Wisconsin Department of Employee Trust Funds (ETF) Plaintiff Alina Boyden's "employer" under Title VII of the Civil Rights Act of 1964?

Answer: Yes _____ No _____

If yes, answer No. 2. If no, go to No. 3.

2. Did ETF intentionally discriminate against Boyden because of her sex?

Answer: Yes _____ No _____

Proceed to No. 3.

3. Is the Group Insurance Board (GIB) Boyden's "employer" under Title VII of the Civil Rights Act of 1964?

Answer: Yes _____ No _____

If yes, answer No. 4. If no, answer No 5.

4. Did GIB intentionally discriminate against Boyden because of her sex?

Answer: Yes _____ No _____

Proceed to No. 5.

5. Is ETF Plaintiff Shannon Andrews's "employer" under Title VII of the Civil Rights Act of 1964?

Answer: Yes _____ No _____

If yes, answer No. 6. If no, answer No. 7.

6. Did ETF intentionally discriminate against Andrews because of her sex?

Answer: Yes _____ No _____

Proceed to No. 7.

7. Is GIB Andrews's "employer" under Title VII of the Civil Rights Act of 1964?

Answer: Yes _____ No _____

If yes, answer No. 8. If no, answer no other questions on this form.

8. Did GIB intentionally discriminate against Andrews because of her sex?

Answer: Yes _____ No _____

Liability – ACA

1. Did ETF intentionally discriminate against Plaintiff Alina Boyden on the basis of her sex?

Answer: Yes _____ No _____

Proceed to No. 2.

2. Did ETF intentionally discriminate against Plaintiff Shannon Andrews on the basis of her sex?

Answer: Yes _____ No _____

Liability – Equal Protection

1. Was Robert Conlin personally involved in excluding State of Wisconsin state-employee health insurance coverage of “procedures, services, and supplies related to surgery and sex hormones associated with gender reassignment” in the Group Health Insurance Uniform Benefits to the Plaintiffs?

Answer: Yes _____ No _____

Proceed to No. 2.

2. Was Theodore Neitzke personally involved in excluding State of Wisconsin state-employee health insurance coverage of “procedures, services, and supplies related to surgery and sex hormones associated with gender reassignment” in the Group Health Insurance Uniform Benefits to the Plaintiffs?

Answer: Yes _____ No _____

Proceed to No. 3.

3. Did any of the following defendants intentionally discriminate against the Plaintiffs because of their sex?

Robert Conlin Yes _____ No _____

Michael Farrell Yes _____ No _____

Stacey Rolston Yes _____ No _____

Charles Grapentine Yes _____ No _____

Waylon Hurlburt Yes _____ No _____

J.P. Wieske Yes _____ No _____

Bob Ziegelbauer Yes _____ No _____

Theodore Neitzke Yes _____ No _____

Jennifer Stegall Yes _____ No _____

Robert Wimmer Yes _____ No _____

Herschel Day Yes _____ No _____

Nancy Thompson Yes _____ No _____

Damages

1. Has Plaintiff Alina Boyden suffered emotional pain and mental anguish caused by the violation of her rights?

Answer: Yes _____ No _____

If yes, answer No. 2. If no, answer No. 3.

2. What amount of money, if any, would reasonably compensate Boyden for her emotional pain and mental anguish caused by the violation of her rights?

ANSWER: \$_____

Proceed to No. 3.

3. Has Plaintiff Shannon Andrews suffered emotional pain and mental anguish caused by the violation of her rights?

Answer: Yes _____ No _____

If yes, answer No. 4. If no, answer No. 5.

4. What amount of money, if any, would reasonably compensate Andrews for her emotional pain and mental anguish caused by the violation of her rights?

ANSWER: \$_____

Proceed to No. 5.

5. Has Plaintiff Shannon Andrews suffered out-of-pocket monetary damages caused by the violation of her rights?

Answer: Yes _____ No _____

If yes, answer No. 6. If no, answer no more questions on this form.

6. What amount of money, if any, would reasonably compensate Andrews for her out-of-pocket damages caused by the violation of her rights?

ANSWER: \$_____

Dated this 7th day of September, 2018.

Respectfully submitted,

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