

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

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ALINA BOYDEN and  
SHANNON ANDREWS,

Plaintiffs,

v.

Case No. 17-CV-0264

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

Defendants.

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**DEFENDANTS' PROPOSED VOIR DIRE**

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Defendants Wisconsin Department of Employee Trust Funds (ETF), Wisconsin Group Insurance Board (GIB), Robert J. Conlin, Michael S. Farrell, Stacey Rolston, Herschel Day, Charles Grapentine, Waylon Hurlburt, Theodore Neitzke, Jennifer Stegall, Robert Wimmer, Nancy Thompson, J.P. Wieske, and Bob Ziegelbauer, in accordance with the Court's Preliminary Pretrial Conference Order (Dkt. 37) and *Jury Trial Procedures for Pretrial Submissions* (Dkt. 45), submit the following proposed voir dire questions.

1. (a) Do you have any friends, co-workers, or relatives who are transgender?
- (b) If so, please explain.

- (c) Did [your friend, co-worker, or relative] have transgender-related surgery? If not, do you know if they want to have transgender-related surgery?
- (d) Would the fact that this case involves the denial of insurance coverage for transgender-related surgery make it difficult for you to sit as an impartial juror on this case, given the relationship you have with [your friend, co-worker, or relative]?
2. Is there anything about the fact that the plaintiffs in this case are transgender which would interfere with your ability to be fair and impartial?
3. Do you believe that discrimination of transgender individuals is a serious a problem in health care or the insurance industry?
4. (a) Are you or any members of your immediate family an employee of the State of Wisconsin, where you would be covered under the Wisconsin State Employee Group Health Insurance Plan?
- (b) If so, please explain.
- (c) Have you or any members of your immediate family ever had a negative experience concerning your insurance coverage under the Wisconsin State Employee Group Health Insurance Plan?
5. Do you have any strong opinions about insurance companies or employee health insurance plans, which involve the denial of insurance coverage for transgender-related surgery, that would make it difficult for you to sit as an impartial juror on this case?
6. (a) Have you, relatives, or close friends ever been employed by, been a member of, or volunteered in, any organization whose mission includes protection of constitutional or civil rights? [Some examples include the ACLU, NAACP]
- (b) If so, please explain.
7. (a) Have you, relatives, or close friends ever been employed by, been a member of, or volunteered in, any organization whose mission includes advocacy for rights of the lesbian, gay, bisexual, transgender,

or queer (LGBTQ) population? [Some examples include Fair Wisconsin, GLAAD, Lambda Legal, OutReach LGBT Community Center]

- (b) If so, please explain.
8. (a) Did you, relatives, or any close friends ever participate in any protests or rallies regarding LGBTQ issues?
- (b) If so, please explain.
9. (a) Did you, relatives, or close friends ever believe you or they were the victim of discrimination?
- (b) If so, please explain.
- (c) Did you, relatives, or close friends think about filing a discrimination complaint?
10. (a) Because the defendants are state entities and state officials, they are represented by the Wisconsin Department of Justice. Do you have any negative feelings about the Department of Justice, or the Wisconsin Attorney General, Brad Schimel? Any negative feelings about the Wisconsin Department of Employee Trust Funds or the Group Insurance Board?
- (b) If so, please explain.

Dated this 7th day of September, 2018.

Respectfully submitted,

BRAD D. SCHIMEL  
Wisconsin Attorney General

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