

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

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ALINA BOYDEN and  
SHANNON ANDREWS,

Plaintiffs,

Case No. 17-cv-264

vs.

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

Defendants.

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**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

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Plaintiffs, Alina Boyden and Shannon Andrews,<sup>1</sup> (“Plaintiffs”), through their undersigned attorneys, hereby move for partial summary judgment against the State Defendants<sup>2</sup> pursuant to Federal Rule of Civil Procedure 56. Plaintiffs request that this Court enter an order: (1) declaring that Defendants’ policy of excluding “procedures, services, and supplies related to surgery and sex hormones associated with gender reassignment” (the “exclusion”) from coverage in state employee health insurance plans violates Title VII of the Civil Rights Act, the Equal Protection Clause of the Fourteenth Amendment, and section 1557 of the Affordable Care Act;

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<sup>1</sup> Plaintiffs have requested leave to add another plaintiff, Wren Logan, in their Motion to Amend the Complaint. (Dkt. # 74). If this Court grants leave to add Ms. Logan, Plaintiffs request that any declaratory and injunctive relief granted in response to this Motion for Summary Judgment be granted to her as well.

<sup>2</sup> For purposes of this motion, the Defendants are the State of Wisconsin Department of Employee Trust Funds (“ETF”), the Wisconsin Group Insurance Board (“GIB”) and Robert J. Conlin, the Secretary of ETF (“Conlin” or “the Secretary”). Plaintiffs have also moved to add the eleven (11) members of the GIB as defendants to the Section 1983 claim. (Dkt. # 74).

and (2) enjoining Defendants from enforcing the exclusion and ordering them to cover Plaintiffs' medically-necessary procedures, services and supplies related to gender confirmation surgery and sex hormones for treatment of gender dysphoria. In support of this motion, Plaintiffs submit this date a brief in support, proposed findings of fact, declarations and exhibits. Plaintiffs request a trial on damages.

Dated this 8th day of June, 2018.

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