

COME NOW the parties to this action, by and through their counsel of record, and hereby stipulate and agree to the following regarding testimony and exhibits presented at the upcoming evidentiary hearing on Plaintiff's *Motion for Preliminary Injunction* (Dkt. 62).

WHEREAS the parties to this action hereby stipulate that the following categories of information within the Confidential PSI Reports governed by this Court's *Protective Order* (Dkt. 88), will be the subject of testimony at the upcoming evidentiary hearing:

1. The nature of Plaintiff's underlying criminal convictions;
2. Plaintiff's family history and childhood;
3. Plaintiff's mental health history;
4. Plaintiff's history of trauma;
5. Plaintiff's history of abuse;
6. Plaintiff's sexual history;
7. Plaintiff's prior suicide attempts and mental health history;
8. Plaintiff's substance abuse history;
9. Plaintiff's statements regarding cross-dressing;
10. Mental health and substance abuse treatment recommendations for Plaintiff by evaluators;
11. Any purported absence of statements by Plaintiff, her family members, evaluators, employers, probation officers, or other persons providing information contained in the Confidential PSI Documents regarding Plaintiff's history as a transgender woman or Plaintiff dressing in female clothing, wearing makeup, styling her hair in a feminine fashion, or otherwise living full-time as a woman prior to her incarceration.

WHEREAS the parties to this action also hereby stipulate and agree that, based on the testimony and evidence presented at the evidentiary hearing, counsel for any party may question witnesses about categories contained in the Confidential PSI Documents that are not listed above. However, prior to proceeding with such questioning, counsel seeking testimony outside the above-listed categories must meet and confer with the other parties before doing so.

WHEREAS the parties to this matter also hereby stipulate to the authenticity of the records thus far identified as exhibits for the upcoming hearing. No party will be required to call witnesses to authenticate a document or establish foundation for the admissibility of records pursuant to the business records exception, public records exception, and/or medical statements for purposes of diagnosis exception to the hearsay rules. For instance, the parties stipulate that pre- and post-incarceration medical and mental health treatment records, the Confidential PSI Documents, disciplinary offense reports, IR reports, grievances, SOTP progress reports, property records, concern forms, and policies are business records kept in the ordinary course of business. However, the parties also reserve the right to object to the admissibility of all or part of any of the offered exhibits on the grounds of lack of foundation, relevancy, prejudice, and/or hearsay-within-hearsay.

DATED this 9th day of October, 2018.

/s/ Lori Rifkin
Lori Rifkin
Attorney for Plaintiff

DATED this 9th day of October, 2018.

/s/ Dylan Eaton
Dylan Eaton
Attorney for Corizon Defendants

DATED this 9th day of October, 2018.

/s/ Brady J. Hall
Brady J. Hall
Attorney for IDOC Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of October, 2018, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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