

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

CODY FLACK and
SARA ANN MAKENZIE,

Plaintiffs,

v.

Case No. 18-CV-0309

WISCONSIN DEPARTMENT OF
HEALTH SERVICES and
LINDA SEEMEYER, in her official
capacity as Secretary of the Wisconsin
Department of Health Services,

Defendants.

**DECLARATION OF COLIN ROTH IN SUPPORT OF
OPPOSITION TO PLAINTIFFS' MOTION TO STRIKE**

I, **COLIN ROTH**, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am employed as an Assistant Attorney General at the Wisconsin Department of Justice (DOJ). I am one of the attorneys for Defendants in the above-captioned matter.
2. This declaration is based on my personal knowledge.
3. Attached hereto as Exhibit A is a true and correct copy of a transcript of the deposition of Michelle Ostrander, Ph.D., dated April 1, 2019.
4. Because Exhibit A contains information designated confidential pursuant to the protective order in this case, it is being filed under seal.

I declare under penalty of perjury that the forgoing is true and correct.

Executed on the 24th day of June, 2019.

Respectfully submitted,

s/ Colin T. Roth
COLIN T. ROTH
Assistant Attorney General
State Bar #1103985

Exhibit A

(Filed under seal)