

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CRISTINA NICHOLE IGLESIAS
(a.k.a. CRISTIAN NOEL IGLESIAS),

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS, *et al.*,

Defendants.

Case No. 19-cv-00415-NJR

JOINT STATUS REPORT

The parties respectfully submit this Joint Status Report pursuant to paragraph 9 of the Court's May 31, 2022, Stipulated Order providing that the parties shall update the Court on significant developments related to the surgeries described in the Stipulated Order. Doc. 269.

Facial Feminization and Breast Augmentation

Defendants previously reported that BOP was advised that the surgeon identified as Surgeon 1 in the Stipulated Order generally performs facial feminization surgery in two stages, with breast augmentation occurring during one of those stages. Doc. 256-1 at 3. BOP was further advised the two surgeries would be spaced apart by approximately one month, and after the second surgery, Ms. Iglesias will want to wait about four weeks before having another surgery (such as vaginoplasty). *Id.*

On June 16, 2022, Ms. Iglesias had a follow-up telehealth appointment with Surgeon 1 to review CT results and set a plan for surgery. July 8, 2022 Decl. of Gregg Fearday ¶ 4. Defendants report that Ms. Iglesias is currently scheduled for the first (of two) facial feminization surgeries with Surgeon 1 on August 23, 2022. *Id.* The second facial feminization surgery, which will also include breast augmentation, is currently pending scheduling by Surgeon 1. *Id.* On July 6 and again on July 7, BOP's contractor contacted Surgeon 1's office to again request a date for the second surgery. *Id.*

Ms. Iglesias went to the emergency room on June 21, 2022 for an issue related to her gallbladder, and she had a follow-up appointment with a general surgeon regarding her gallbladder on June 28. *Id.* ¶¶ 5-6. According to the medical records, the general surgeon advised Ms. Iglesias can be scheduled for a “laparoscopic cholecystectomy, possible open, possible intraoperative cholangiogram” whenever she can return to the hospital. *Id.* ¶ 6. Defendants report that after receiving those medical records on July 6, BOP asked its contractor to arrange for surgery as soon as possible. *Id.* On July 7, BOP’s contractor advised that a cholecystectomy is scheduled for July 14. *Id.* BOP intends to keep Surgeon 1 apprised of the status of Ms. Iglesias’s gallbladder-related procedures, so that Surgeon 1 can make a clinical determination on the appropriateness of moving forward with facial feminization on the currently scheduled surgery date of August 23. *Id.* ¶ 6 n.1.

Vaginoplasty

Defendants previously reported that BOP was advised that the office of the Chicago-based surgeon identified as Surgeon 2 in the Stipulated Order needs to work on contracts and some other logistical issues before they can arrange to see Ms. Iglesias for an in-person consult. June 10 Declaration of Gregg Fearday ¶ 6. Defendants report that on June 13, 2022, BOP was advised that Surgeon 2’s office was still working on those same issues they previously identified. July 8 Fearday Decl. ¶ 7. On June 28, 2022, Surgeon 2 advised he was checking with administration. *Id.* Also on June 28, 2022, Surgeon 2’s office advised the decision is still being worked on with the administration’s “senior leaders,” that they were hoping to have an answer in the “next few weeks,” and that their legal team asked if there was a contract to review. *Id.* Defendants report that BOP’s contractor advised that they sent a contract to Surgeon 2’s office on June 28 and plan to follow up with that office on July 8.

Hair Removal

Ms. Iglesias has a third dermatology appointment for laser hair removal scheduled for July 11,

2022. Fearday Decl. ¶ 8.

Dated: July 8, 2022

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United States Attorney

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Respectfully submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CRISTINA NICHOLE IGLESIAS (a.k.a.,)	
CRISTIAN NOEL IGLESIAS),)	
)	
Plaintiff,)	
)	
vs.)	Case No. 19-cv-00415-NJR
)	
IAN CONNORS, ET AL.,)	
)	
Defendants.)	

DECLARATION OF GREGG FEARDAY

I, Gregg Fearday, make the following declaration, in accordance with the provisions of 28 U.S.C. § 1746:

1. I am currently employed by the Federal Bureau of Prisons (“BOP”) as Health Systems Specialist for the BOP’s Residential Reentry Branch of the Reentry Services Division. I have held my current position since December 2014. I have been employed by the BOP since April 1994.

2. I am aware the Court ordered the Parties to “file a joint status report updating the Court on significant developments related to the surgeries described [in the Court’s May 31, 2022 Stipulated Order] on Friday, June 10, 2022, and every four weeks thereafter, until the Parties believe that such joint status reports are no longer necessary, but in no case extending past Plaintiff’s release from BOP custody.” (Doc. 269).

3. I write now to update the Court about those developments that have occurred since my last declaration, dated June 10, 2022.

4. Ms. Iglesias had a follow up telehealth appointment with Surgeon 1 on June 16, 2022 to review CT results and set a plan for surgery. Ms. Iglesias is currently scheduled for the first (of two) facial feminization surgeries with Surgeon 1 on August 23, 2022. The second facial

feminization surgery, which will also include breast augmentation, is currently pending scheduling by Surgeon 1. On July 6 and again on July 7, BOP's contractor contacted Surgeon 1's office to again request a date for the second surgery.

5. On June 22, 2022, BOP was advised that Surgeon 1's office advised they had a cancellation and accordingly could move up the date for Ms. Iglesias's first facial feminization surgery (to June 28). BOP expressed interest in moving up the surgery date. However, Ms. Iglesias had recently gone to the emergency room on June 21, 2022 for an issue related to her gallbladder. BOP, through its contractor, informed Surgeon 1's office of the emergency room visit. Surgeon 1's office responded that the first facial feminization surgery could not be moved up (to June 28) due to the recent emergency room visit. Surgeon 1's office advised the first facial feminization surgery is about seven hours long, and Ms. Iglesias needs to be in good shape to undergo anesthesia for that duration. Surgeon 1's office also advised they would continue with the previously scheduled date for the first surgery (August 23, 2022).

6. On June 28, 2022, Ms. Iglesias had a follow up appointment with a general surgeon regarding her gallbladder. The medical records from that visit were provided to BOP on July 6, 2022. The general surgeon advised Ms. Iglesias can be scheduled for a "laparoscopic cholecystectomy, possible open, possible intraoperative cholangiogram" whenever she can return to the hospital. The records indicate the risks (including bleeding, infection, damage to surrounding structures including the biliary tree warranting further surgery, seizures, DVTs, coma, and even death), benefits, and alternatives to undergoing surgery were discussed at length with Ms. Iglesias and that Ms. Iglesias understood these risks and wished to proceed with surgery. After receiving those records, BOP asked its contractor to arrange for surgery as soon as possible. On July 7, BOP's contractor advised that a cholecystectomy is scheduled for July 14.¹

¹ Given that Surgeon 1's office had indicated the first facial feminization surgery is about seven hours long, and Ms. Iglesias needs to be in good shape to undergo anesthesia for that duration, BOP

7. As reported previously, BOP was advised Surgeon 2's office needs to work on contracts and some other logistical issues before they can arrange to see Ms. Iglesias for an in-person consultation. BOP, through its contractor, has been following up with Surgeon 2's office to see if Surgeon 2 will move forward with Ms. Iglesias as a patient. On June 13, 2022, BOP was advised that Surgeon 2's office was still working on the contracts and other logistical issues. On June 28, 2022, Surgeon 2 advised he was checking with administration. Also on June 28, 2022, Surgeon 2's office advised the decision is still being worked on with the administration's "senior leaders," that they were hoping to have an answer in the "next few weeks," and that their legal team asked if there was a contract to review. BOP's contractor advised they sent a contract to Surgeon 2's office on June 28 and plan to follow up with Surgeon 2's office on July 8, 2022.

8. Ms. Iglesias has a third dermatology appointment for laser hair removal, currently scheduled for July 11, 2022.

9. BOP remains committed to providing Ms. Iglesias appropriate care and continues working diligently with our contractor.

I declare under penalty of perjury that the foregoing is true and correct to the best of my belief. Executed on this 8th day of July 2022.

Gregg Fearday

intends to keep Surgeon 1 apprised of the status of Ms. Iglesias's gallbladder-related procedures, so that Surgeon 1 can make a clinical determination on the appropriateness of moving forward with facial feminization on the currently scheduled surgery date of August 23.