

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

CODY FLACK,
SARA ANN MAKENZIE,
MARIE KELLY, and
COURTNEY SHERWIN,

Plaintiffs,

v.

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

Defendants.

Case No. 3:18-cv-00309-wmc
Judge William Conley

DECLARATION OF EMMA GRUNENWALD-RIES

I, Emma Grunenwald-Ries, declare as follows:

1. I have personal knowledge of the matters stated in this declaration.
2. I have lived in Wisconsin for 30 years. I currently live in Madison, Wisconsin.
3. I am a 49-year-old transgender woman. I was assigned male at birth, but I am female. I have lived fully as a woman since February 2018.
4. I have been on Wisconsin Medicaid for approximately nine years. I rely on Wisconsin Medicaid for my health care needs.
5. I have been diagnosed with gender dysphoria.
6. I have known myself to be a woman since I was in third grade. I would go to bed every night and pray to wake up as a woman. I would often go over to my neighbor's apartment and we'd play with her dolls and play dress up. I remember this one time I put on a tutu, tights, a

tiara, and a necklace. I was so happy. But her dad walked in on us, and he spoke to my dad, and then I wasn't allowed to go over to my friend's apartment anymore.

7. I was bullied in high school because of my femininity. A couple of times I ended up with a bloody nose.

8. To distract myself from the confusion I felt about who I was, and the constant bullying I experienced, I threw myself into my studies and then into my work.

9. Approximately 20 years ago, during a period where I was very depressed and considering hurting myself, I searched the internet for an explanation of the incongruence I felt between my body and my mind. That was the first time I saw the word transgender. After spending time reading articles about being transgender, I was so relieved and happy. I was not alone. There were other people who also felt they were born into the wrong body.

10. Shortly after, I began to transition to living fully as the woman I know I am. I started coming out to my friends, family, and coworkers and I started taking hormones. However, I did not feel fully supported in my community, so after a couple of years, I felt I needed to stop my transition and I went back into my shell.

11. After I put my transition on hold, for a period of roughly seventeen years, I experienced serious bouts with depression and suffered extreme anxiety. I constantly thought about starting my transition again. However, I still did not feel supported by my community. During that period, unable to live as the woman I know I am, I seriously thought about harming myself.

12. About a year ago, I finally felt I had the support I needed to transition, and I began my transition again in February 2018. I started hormone therapy under the care of my primary care physician, Kathy Oriel, MD. The hormones have made me feel calm and more at

peace with my body. I have started to develop secondary female characteristics, which have helped minimize my gender dysphoria and depression. My body is starting to match how I feel inside.

13. As part of my gender transition, I began wearing women's clothing, makeup, and adopted my new name, Emma. Recently, I also changed my identity documents to reflect my new name and my correct sex, female.

14. While the hormones, clothing, makeup, and new name have helped me feel like the woman that I am, I still feel significant gender dysphoria related to my genitalia, my masculine facial features, and my chest.

15. To minimize my anxiety related to my genitalia, I engage in a practice called "tucking" to hide my genitals. However, tucking is incredibly uncomfortable and often causes skin irritations.

16. Whenever I'm in public, people stare at me. I often don't know if they're trying to figure out my gender or if they are planning to hurt me. I am constantly worried that someone will attack me.

17. To minimize my daily distress and treat my gender dysphoria, I would like to have genital reconstruction surgery (vaginoplasty), facial feminization, and chest reconstruction (breast augmentation). My physician, Dr. Oriel, has recommended that I obtain these treatments as part of my gender transition and to treat my gender dysphoria.

18. Without coverage from Wisconsin Medicaid, I do not have the means to pay for the surgeries I need. If I were to be denied these necessary treatments because of Wisconsin's Medicaid exclusion, I fear that I would spiral into depression. I'm concerned that I would think about harming myself again. I don't want to live forever with the amount of discomfort I'm

living with right now. I simply want to live fully as the woman I know I am and for everyone to see me that way too.

19. If I were able to get the gender-confirming surgeries I needed, it would be better than winning the lottery. It would positively impact every aspect of my life. People would stop staring at me. I would be able to simply walk in a public space without worrying that I do not fit in or that someone may hurt me. For the first time in my life, I would feel free.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 15 day of October, 2018.


Emma Grunenwald-Ries