

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

CODY FLACK, *et al.*,

Plaintiffs,

v.

WISCONSIN DEPARTMENT OF
HEALTH SERVICES, *et al.*,

Defendants.

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

**CONSENT MOTION FOR LEAVE TO FILE AMENDED PROPOSED ORDER
GRANTING PERMANENT INJUNCTIVE AND EQUITABLE RELIEF**

Plaintiffs Cody Flack, *et al.*, respectfully move the Court for leave to file an amended Proposed Order Granting Final Injunctive and Equitable Relief (“Amended Proposed Order”), attached as Exhibit A to this motion, to replace Plaintiffs’ previously-filed proposed order [ECF No. 225-1] submitted with their Proposed Remedial Plan [ECF No. 225].

Plaintiffs, having reviewed Defendants’ Response to Plaintiffs’ Proposal for Equitable Relief [ECF No. 233], are submitting the Amended Proposed Order in a good-faith effort to address reasonable practicality concerns and other objections raised by Defendants in their response. The changes, which are reflected in the redline to the original proposed order attached as Exhibit B to this motion, include: (1) revising the proposed definitions of “gender-confirming treatments” and “prevailing standards of care” to address Defendants’ concerns; (2) adjusting certain requested compliance deadlines to reflect the timeframes Defendants identified as reasonable in their response; (3) conforming certain terminology to Defendants’ preferred nomenclature; (4) shortening the requested compliance reporting period from 18 months to one year; and (5) making other revisions to the proposed order and attached notice letters to address Defendants’ concerns and improve clarity.

Plaintiffs are prepared to address Defendants' remaining concerns and objections at the oral argument scheduled for October 9, 2019. For the reasons already briefed in Plaintiffs' briefs in support of their proposed plan [ECF No. 226] and in opposition to Defendants' proposal [ECF No. 232], Plaintiffs respectfully request that the Court order the relief contained in the Amended Proposed Order.

Dated: September 26, 2019

Respectfully submitted,

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