

**Julaine Appling, Jo Egelhoff,
Jaren E. Hiller, Richard Kessenich,
and Edmund L. Webster,**

Plaintiffs,

vs.

**James E. Doyle, Karen Timberlake,
and John Kiesow,**

Defendants,

Case No. 2010 CV 004434

and

Honorable Daniel R. Moeser

**Katharina Heyning, Judith Trampf,
Wendy Woodruff, Mary Woodruff,
Jayne Dunnum, Robin Timm,
Virginia Wolf, Carol Schumacher,
Diane Schermann, and Michelle Collins**

Proposed Intervening
Defendants

**AFFIDAVIT OF JUDITH TRAMPF IN SUPPORT OF MOTION OF
PROPOSED INTERVENING DEFENDANTS FOR LEAVE TO INTERVENE**

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Judith Trampf, being first duly sworn on oath, depose and say:

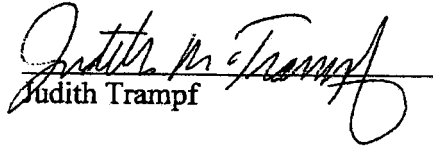
1. I live in Madison, Wisconsin, with my domestic partner, Katharina Heyning (Katy). We registered as domestic partners at the Dane County Courthouse on August 5, 2009. On June 19, 2009, we celebrated 20 years together as partners.
2. I was born in Wisconsin, and have spent most of my life in Wisconsin. I grew up in Wisconsin, was educated in Wisconsin, and work in Wisconsin.

3. I am the Director of Workplace Diversity for the University of Wisconsin. I have a Bachelor of Science from the University of Wisconsin, Platteville, and a Master of Science from the University of Wisconsin.
4. Katy and I jointly own our home in Madison. We also jointly own two cars, a pontoon boat, and bank accounts. While the ability to hold property as joint tenants is one of the domestic partnership benefits now available in Wisconsin, Katy and I owned property jointly before domestic partnership registration began.
5. My father, who lived in Ripon, Wisconsin, was ill in 1994. During his illness, Katy and I traveled 70 miles each way, three times a week, to help my parents. During that time, Katy ran my father's business, as he was unable to do so.
6. Katy and I have each prepared Power of Attorney for Health Care documents, and we each appointed the other as our health care decision-maker. We do have wills in which we each identify the other as primary beneficiary.
7. In 2002, while on traveling in New Orleans, Katy had a seizure. I called 911, and was allowed to ride to the hospital in the ambulance with Katy. When I got to the hospital, I told the person at the admission desk that I was Katy's domestic partner with her health care power of attorney. Katy was unconscious when she got to the hospital, but I was told that I could not make medical decisions for her unless I had the health care power of attorney documents with me. We had left the documents in Wisconsin, and could not get them while we were at the hospital. I called Katy's brother and told him that she was in the hospital. I was told that because I did not have the health care power of attorney documents with me, Katy's brother, as her nearest relative, could make her healthcare decisions in the event that Katy was unable to do so. This concerned me because Katy's brother does not know her wishes in this regard, as I do.
8. After Katy regained consciousness, she had difficulty responding to questions. The health care providers asked Katy questions, and to assist her, I answered them. Despite the fact that I was answering the questions addressed to Katy, at no time was any question directed to me by the health care providers.
9. Because we did not have Katy's signed health care power of attorney documentation with us, Katy and I decided to return to Wisconsin. We were concerned that if Katy had another seizure and was unable to make her own health care decisions, I would not be permitted to make those decisions for her unless I had the proper documents. We would have stayed longer in New Orleans if it were not for Katy's health issue and the fact that we did not have the signed health care power of attorney documentation with us.
10. As a result of our experience with the health care system when Katy had her seizure, I have sent e-mails to friends in same-sex relationships advising them to carry copies of their health care power of attorney documents when they travel, and I now do the same.

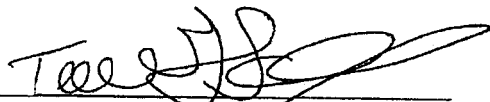
11. I recognize that our registration as domestic partners in Wisconsin will not eliminate the need to carry our health care power of attorney documents with us when we travel, as our registration as domestic partners is only effective in Wisconsin.
12. Because we now have domestic partner benefits in Wisconsin, I believe that we will be able to make health care decisions for one another, if needed, even without having documentation with us, so long as we are in Wisconsin. I believe that having domestic partner benefits makes it more likely that a hospital will respect our ability to make health care decisions for one another. I anticipate that it will not be as easy as it would be if we were married, because domestic partner benefits are new, and may not yet be widely understood in Wisconsin.
13. Because of Katy's seizure, she was unable to drive for six months. I used my vacation time and sick time to take her to doctor's appointments and drive her to and from work. It was my understanding that I had no legal right to take time off of work to care for her.
14. I am presently scheduled to have a minor medical procedure in November, 2010. It is my understanding that because Katy and I registered as domestic partners, at the time of my surgery, Katy will be able to take time off of work under Wisconsin's Family Medical Leave Act to be with me during my recovery.
15. I understand that our registration as domestic partners does not entitle Katy and I to get federal benefits such as social security survivor benefits, as a married couple would. I have contributed to social security during my entire career.
16. I understand that in Wisconsin, Katy and I are not able to marry. As domestic partners, we lack most of the legal rights available to married couples. Additionally, our relationship is only recognized in Wisconsin, although marriage is recognized in every state.
17. I believe that the term "marriage" carries connotations of full commitment and recognition as a family. To me, "domestic partner" sounds more temporary and contingent. By registering as Katy's domestic partner, I fully recognize that our status as domestic partners is distinct, separate and unique from the status of marriage.
18. When Katy and I registered as domestic partners, no one officiated; we merely signed some papers and had them filed with the Register of Deeds a few days later. There was no ceremony, as there would be with a marriage, even a civil marriage. Marriage is different than a domestic partnership, in part, because of the long tradition behind marriage, the universal understanding of what it is, and the general respect that marriage is given.
19. I am a citizen of the State of Wisconsin; I pay taxes as a citizen, and follow the laws. Despite that, as a person in a domestic partnership, I am unable to attain many of the same rights that are available to married couples. Although Katy and

I do not qualify for the majority of benefits available to people who are married, and although I believe that our domestic partnership does not get the same respect as a marriage, Katy and I would be harmed if the domestic partnership benefits are taken away from us. We would lose the official recognition of our relationship, and the few benefits it provides.

Dated September 29, 2010


Judith Trampf

Subscribed and sworn to before me
this 29 day of September, 2010


Notary Public, State of Wisconsin
My commission expires: 12/26/10

