

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

DOCKET
NUMBER

58

U.S. DISTRICT COURT
WEST. DIST. OF WISCONSIN

MAR 18 1992

FILED

JOSEPH W. SKUPNIEWITZ, CLERK

DEE FARMER,

Plaintiff,

v.

J. MICHAEL QUINLAN, ET AL.,

Defendants'.

CIVIL ACTION NO. 91-C-716-S

DECLARATION OF DEE FARMER

(0)

I, Dee Farmer, hereby declare and state:

1. I am the plaintiff in the above captioned case, in which I claim that the named defendants' were deliberate indifferent to my safety by designating me to a violent institution knowing that because of my transsexual condition I would be in grave danger of sexual assault and indeed, after only being in the general population of said institution for one week I was raped.

2. I have recieved a copy of the defendants' motion for summary judgment, which they assert claims of lack of personal involvement, qualified immunity and lack of personal jurisdiction. Defendants' motion is untimely according to the Court scheduling order.

3. Currently, I am awaiting a response from the defendants' to my second request for production of documents, which is due on or about March 14, 1992. The documents responsive to my

production request are necessary for the preparation of my response to the defendants' motion for summary judgment. Particularly, with regard to the personal involvement of each defendant and especially defendant QUINLAN. The documents are expected to show that each defendant had knowledge that USP--Terre Haute was and is, a violent institution with a history of sexual assaults, stabbings, etc. The evidence is further expected to show that each defendant showed reckless disregard for my safety by designating me to said institution knowing that I would be sexually assaulted. Moreover, the documents will demonstrate though the defendants' were aware of the danger of placing preoperate transsexual in violent environment of a penal institution they failed to promulgate any policy or directive for the effective designation of transsexual inmates.

4. Until I recieve these documents I can not properly and effectively file a response to the defendants' motion for summary judgment.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

3-3-92
Date

Dee Farmer
Dee Farmer