

COPY

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 13

DANE COUNTY

WISCONSIN MEDICAL SOCIETY, INC.,
and DAVID M. HOFFMANN, M.D.

Plaintiffs,

vs.

Case No.: 07-CV-4035

MICHAEL L. MORGAN,

Defendant.

**AFFIDAVIT OF CYNTHIA L. BUCHKO IN SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

2008 JUN -6 AM 8:50
DANE COUNTY
CIRCUIT COURT

CYNTHIA L. BUCHKO, first being duly sworn, states as follows:

1. I am one of the attorneys for the Plaintiffs in the above-entitled action.
2. Attached hereto as Exhibit A is a true and correct copy of an excerpt from the

Analysis by the Legislative Reference Bureau of 1975 AB 725, LRB Draft # 5938/1, a publicly available document.

3. Attached hereto as Exhibit B is a true and correct copy of Wisconsin Laws of 1975 Ch. 37, a publicly available document.

4. Attached hereto as Exhibit C is a true and correct copy of Legislative Fiscal Bureau Informational Paper 83: "Injured Patients and Families Compensation Fund," a publicly available document.

5. Attached hereto as Exhibit D is a true and correct copy of 2003 Wis. Act 111, a publicly available document.
6. Attached hereto as Exhibit E is a true and correct copy of the Legislative Fiscal Bureau Joint Committee on Finance Paper #450: "Injured Patients and Families Compensation Fund (Insurance and Health and Family Services)," dated May 17, 2005, a publicly available document.
7. Attached hereto as Exhibit F is a true and correct copy of "Injured Patients and Families Compensation Fund: An Audit," dated March 2007, published by the Legislative Audit Bureau, a publicly available document.
8. Attached hereto as Exhibit G is a true and correct copy of the Legislative Reference Bureau Analysis, 2001 AB 274, LRB-2268/3, a publicly available document.
9. Attached hereto as Exhibit H is a true and correct copy of 2003 Wis. Act 33, § 864, a publicly available document.
10. Attached hereto as Exhibit I is a true and correct copy of excerpts from the Legislative Fiscal Bureau Comparative Summary of Budget Provisions of 2001 Act 16, pp. 708-751, a publicly available document.
11. Attached hereto as Exhibit J is a true and correct copy of the Legislative Fiscal Bureau Joint Committee on Finance Paper #379: "Medical Assistance Trust Fund (DHFS – Health Care Financing – Base Funding and Revenue)," dated May 20, 2003, a publicly available document.
12. Attached hereto as Exhibit K is a true and correct copy of excerpts from the Legislative Fiscal Bureau Comparative Summary of Budget Provisions of 2003 Act 33, pp. 342-367, a publicly available document.

13. Attached hereto as Exhibit L is a true and correct copy of excerpts from the Legislative Fiscal Bureau Comparative Summary of Budget Provisions of 2005 Act 25, pp. 400-415 and 772-785, a publicly available document.

14. Attached hereto as Exhibit M is a true and correct copy of excerpts from 2007 Wis. Act 20, a publicly available document.

15. Attached hereto as Exhibit N is a true and correct copy of excerpts from the Legislative Fiscal Bureau Committee of Conference Summary of Budget Provisions 2007-09, pp. 329-361, is a publicly available document.

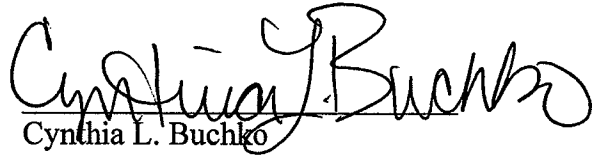
16. Attached hereto as Exhibit O is a true and correct copy of portions of Plaintiffs' Responses to Defendant's First Set of Interrogatories, Requests for Admission, and Requests for Production of Documents.

17. Attached hereto as Exhibit P is a true and correct copy of portions of Defendants' Responses to Answers to Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendants Michael L. Morgan and Dawn Marie Sass.

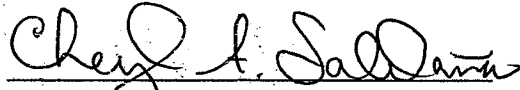
18. Attached hereto as Exhibit Q is a true and correct copy of Injured Patients and Families Compensation Fund 2007 Functional and Progress Report, a publicly available document.

19. Attached hereto as Exhibit R is a true and correct copy of Legislative Fiscal Bureau Transfer of Cash Management Functions to DOA (State Treasury) Paper #697, a publicly available document.

Dated this 6th day of June, 2008.


Cynthia L. Buchko

Subscribed and sworn to before me
this 6th day of June, 2008.



Notary Public, State of Wisconsin

My commission expires: 11/6/11