

STATE OF ILLINOIS)
) ss.
COUNTY OF SANGAMON)

Shepard v. Madigan, et al.
USDC-CD Ill. 11-405

AFFIDAVIT

I, Terence J. Corrigan, duly sworn upon his oath, does depose and state, as follows:

1. This cause is pending before this Court on defendants' motion to dismiss plaintiffs' complaint.

2. Until the Court rules on the level of scrutiny applicable to the statute challenged in plaintiffs' complaint, defendants will not know whether it is necessary for defendants to compile statistics and retain an expert to justify the statutes at issue in this case.

3. Because defendants contend that intermediate scrutiny is applicable to these statutes, defendants have not yet retained an expert or compiled the necessary statistics.

4. If the Court believes that a higher level of scrutiny is applicable, defendants will need to have statistical evidence and expert testimony to respond fully to plaintiffs' motion for summary judgment.

5. Affiant has read the foregoing paragraphs; is competent to testify; and, if called, would so testify.

FURTHER AFFIANT SAYETH NOT.

s/Terence J. Corrigan
Affiant

TERENCE J. CORRIGAN

Subscribed and sworn to before me
this 2nd day of September, 2011.

s/Kelly Phillips
Notary Public

OFFICIAL SEAL
KELLY PHILLIPS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 05/10/15