

IN THE EIGHTEENTH JUDICIAL DISTRICT COURT OF
THE STATE OF KANSAS

In Re:)
Grand Jury Investigation) Case No. 07 MR 535
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AFFIDAVIT OF ANN ROE

Ann Roe (pseudonym), being first duly sworn, states as follows:

1. I live in Kansas and I consulted Dr. Tiller at Women's Health Care Services in Wichita, KS subsequent to July 1, 2003 about the possibility of obtaining an abortion. At that time I was pregnant and my fetus was past 22 weeks gestation. I did not receive an abortion.
2. I am submitting this affidavit because I understand that a grand jury in Kansas is trying to obtain the medical records of patients who visited Women's Health Care Services over the past 4 1/2 years, including records of women like me, who did not obtain an abortion.
3. I am proceeding under the pseudonym Ann Roe because I do not want to be expose myself, my child, or my family to harassment.
4. My husband and I already had one child when we found out that I was pregnant again. We were excited about the pregnancy and looked forward to having another child. Later, however, at one of my doctor's appointments, I

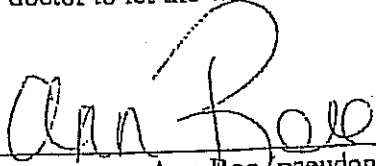
was told that the fetus I was carrying had severe spina bifida. We sought a second opinion and the second doctor confirmed the original diagnosis.

5. My husband and I were very upset about this diagnosis. We contemplated our choices. I know God does things for a reason. But I also knew that we didn't want to bring a child into the world that would suffer in pain and agony his or her whole life. We decided that I would seek to have an abortion.
6. After we made that decision, I visited Women's Health Care Services, where I met with Dr. Tiller. I relayed to him what the other doctors had explained to me and told him that I wanted to get an abortion. I was very upset.
7. Dr. Tiller did a sonogram and after reviewing it, he informed me that he did not believe my baby had spina bifida. He discussed spina bifida with me, showed me the sonogram, and then explained to me why he concluded that my baby did not have it. He knew that I wanted to have a baby and he told me that I should continue with the pregnancy because he believed the baby was healthy. He told me that he would never want a woman to have an abortion if she would regret it. He was the nicest person and comforted me during that very scary time. And he did not charge me a dime for the sonogram or the consultation.
8. I continued my pregnancy and gave birth to a healthy baby girl. Dr. Tiller saved my baby's life.
9. Although I did not have an abortion, I do not want my medical records from Dr. Tiller's office—or any medical records of mine—to be turned over to a grand jury. Who knows who will get their hands on those documents and

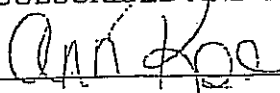
what they will do with them? I am horrified by what I see on the news about people going after Dr. Tiller and his patients. I don't trust that my identity and medical history would stay confidential if they records were turned over to strangers.

10. I do not want to relive that very difficult time in my life. I felt I had been punished when I went through that situation. Why should I and other women be repunished for their situations, and their medical decisions, by making those records public?

11. I had surgery a few years ago and the hospital was not permitted to release information to my husband about my medical condition because of privacy laws. It is outrageous that the government wouldn't allow my husband to learn my medical information, but now the government wants to force my doctor to let the whole world learn it.


Ann Roe (pseudonym)

SUBSCRIBED AND SWORN to before me this 30 day of January, 2008 by


Ann Roe

NOTARY PUBLIC

My Commission Expires:
