

**UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT**

RICHARD WEST and JOSEPH
BRUYETTE, individually and on behalf of a
class of similarly situated persons,

Plaintiffs,

v.

AL GOBEILLE, Vermont Secretary of
Human Services, MARTHA MAKSYM,
Vermont Deputy Secretary of Human
Services, MICHAEL TOUCHETTE,
Vermont Department of Corrections
Commissioner, BENJAMIN WATTS,
Vermont Department of Corrections Health
Services Director, in their official capacities,
VERMONT DEPARTMENT OF
CORRECTIONS, and CENTURION OF
VERMONT, LLC,

Defendants.

Case No.

**DECLARATION OF JOSEPH BRUYETTE
IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

I, Joseph Bruyette, declare under penalty of perjury and in accordance with the laws of the United States and of the State of Vermont that:

1. I am one of the plaintiffs in this case.
2. I am 59 years old.
3. I am in the legal custody of the Vermont Department of Corrections (DOC).
4. I am currently being held at Northwest Correctional Facility in Swanton, VT because of an upcoming Vermont superior court hearing on April 30, 2019.
5. For most of my time incarcerated by DOC, I have been placed in out of state correctional facilities. Until early April 2019, I was incarcerated in Tallahatchie County Correctional Facility. I expect to be returned to the Tallahatchie County Correctional Facility within approximately one month.
6. I first entered into DOC custody in 1987. My maximum release date is January 18, 2043. I have passed my minimum release date.

7. I have been diagnosed with, and currently suffer from, chronic Hepatitis C (cHCV). My initial diagnosis was made in 1994 or 1995. My life expectancy is longer than one year.
8. I believe I have suffered liver scarring and I have experienced several chronic conditions associated with cHCV, including fatigue, abdominal pain, difficulty digesting, bleeding hemorrhoids, and loss of appetite.
9. These conditions cause me to suffer nearly every day. In addition to my physical pain, my cHCV diagnosis causes me stress and worry.
10. My doctor has informed me that I am a good medical candidate for cHCV treatment.
11. I have requested treatment for cHCV, but that treatment has been repeatedly denied by the DOC.
12. I have exhausted my administrative remedies.
13. On January 2, 2019, I submitted a grievance form to notify the DOC that I had been denied treatment for cHCV.
14. I did not receive a response to my January 2, 2019 grievance.
15. On February 11, 2019, I appealed the non-response to the Corrections Executive seeking treatment for cHCV.
16. I did not receive a response to my February 11, 2019 grievance.
17. On March 18, 2019, I appealed a decision to deny my cHCV treatment to the DOC Commissioner of Corrections seeking treatment for cHCV.
18. On April 11, 2019, I received a response to my March 18, 2019 Commissioner appeal letter from the Corrections Executive. On the response form, the "denied" box was checked. The Executive's findings stated that Vermont inmates at Tallahatchie County Correctional Facility "will be reviewed and triaged for initiation of treatment" and told me to work with my medical team in my current facility. I have put in a healthcare request form at my current facility and have not received any response yet.

DATED: April 26, 2019, at Swanton, Vermont.


Joseph Bruyette