

Senator Harsdorf,

I want to thank you for your support of Senate Bill 24 (Curves for Women bill). I have been a member of Curves for almost four months and this is the first fitness program that I have faithfully worked out 3+ times per week. In the past I have been a member at the YMCA and Bally's, but I have never felt the camaraderie that I feel at Curves. My husband appreciates the both the physical and psychological changes he has witnessed over the past few months. Thank you once again and I look forward to monitoring the progress of this bill.

Sincerely,
Nadine Johnson
1331 Franklin Street
Baldwin, WI 54002

Good morning Senator Harsdorf:

I am writing to give you a testimonial regarding the above subject matter.

I am a diabetic and exercising at Curves regularly has definitely helped me keep my blood glucose numbers normal and also lowered my blood pressure. My medical doctor encourages me to continue to exercise at Curves to maintain a healthy life style.

There are several reasons I like Curves, it is a 30 minute workout and I am a full time working mother and therefore time is of the essence to me. The machines are definitely catered to women in that I don't get sore working out on them like I use to at a previous exercise facility I attended which was for men and women. I also like the fact that it is for "women only." I would truly be dissapointed if the legislature would allow men to join Curves. Women need a place where we can exercise and keep our privacy. Friendships are made at Curves. We discuss women topics and that is one of the reasons I like going to Curves. I think too many people in this world are "sue" happy. This gentlemen should have better ways to spend his than time than trying to join a Curves which is for women. There are many other co-ed exercise facilities that he could join or why not open his own facility for men?

Thank you for your time and consideration. If you have any questions, please feel free to contact me at (home) 715-684-2244 or work (651-264-5358).

Sincerely,

Sharon Widiker
2367 60th Avenue
Woodville, WI 54028

madison.com

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Fitness Centers In Sex-bias Dispute

Curves Is Being Sued, And A Bill Would Exempt Fitness Centers From The Gender-bias Rule.

Wisconsin State Journal :: FRONT :: A1

Sunday, February 9, 2003

Tom Sheehan State government reporter

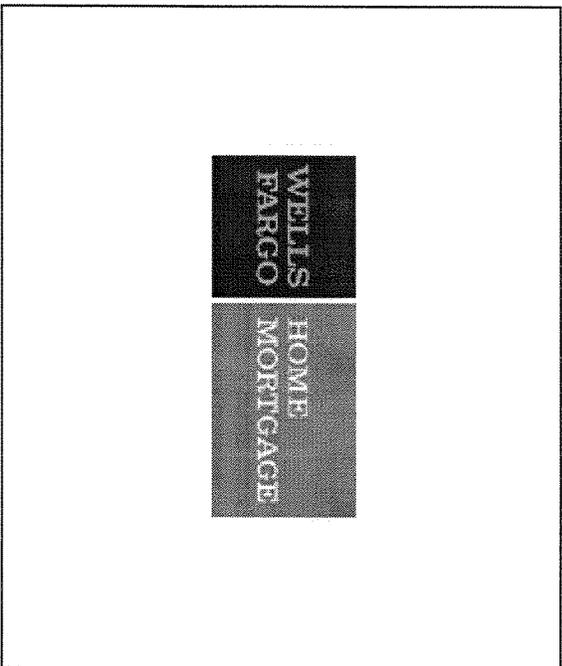
Curves fitness centers are as popular with some women as roses on Valentine's Day. More than 5,000 of the franchises have been sold in the United States since 1995.

"Women just want to have their privacy when they work out," said Casey Schroeder, who owns five Curves centers in western Wisconsin and eastern Minnesota. Curves markets fitness and weight loss programs to primarily women.

But Charles Swayne of La Crosse has a problem with what he calls the exclusive nature of Curves. He's giving Schroeder and Curves corporate headquarters in Waco, Texas, a legal workout.

Swayne, who has owned fitness centers in La Crosse, has filed claims against 173 Curves franchises in Wisconsin, saying they violate state anti-discrimination laws for public accommodations. That law prohibits discrimination in public accommodations based on sex, race, color, creed,

disability, sexual orientation, national origin or ancestry.



In addition to fighting Swayne's gender discrimination claims, Curves owners in the state are supporting a bill that would create an exception to the discrimination law for fitness centers. A legislative hearing is scheduled on that proposal this week.

In the early '90s, Swayne wanted to open his own female-only fitness center but state regulators said that would be illegal, said Swayne's attorney, Dawn Marie Harris. Swayne was not allowed to hold aerobics classes exclusively for women.

Now, Swayne's legal battles are coming to a head. An administrative law judge found Curves violated the law in one of those 173 claims, but the company has appealed that decision. A ruling has not been issued in the appeal. But a ruling is expected soon on another claim, and those two

cases could serve as test cases for the remaining 171 claims, Harris said.

Curves will continue to appeal Swayne's cases, if necessary, said Roger Schmidt, general counsel for Curves International in Waco.

Wisconsin's law is more restrictive than that of any other state, he added. "This is not about discrimination, it's about privacy. I do not want women working out where I work out, and in Texas, we don't have that (law) here," Schmidt said.

Wisconsin is the only state in which Curves faces discrimination claims or lawsuits, Schmidt said. Men are welcomed to join, but nationwide none currently belong, he said.

*marked
for
woman*

Swayne's claims were filed with the state's Equal Rights Division. Curves owners from across the state have joined forces, hiring an attorney and a lobbyist, Schroeder said.

Some states, including Massachusetts and Illinois, have created exceptions to their discrimination laws for fitness centers, said Gordon Malaise, an attorney for the Legislative Reference Bureau.

The Curves bill, introduced last week by Sen. Carol Roessler, R-Oshkosh, would create a narrow exception in Wisconsin, he said.

Roessler said she was asked to introduce the legislation by the owner of Curves in Fond du Lac and West Bend. Fitness centers should be able to decide who they want to cater to, she said. "This would give those facilities a choice to provide for particular gender-only times," Roessler said.

Although some women don't mind exercising in a co-ed environment, others want privacy, Roessler said.

"They can come as they are, without feeling they have to dress up and wear makeup," Roessler.

Women should not support Roessler's bill, however, Harris said.

"Are we (women) going to go back to the dark ages and not be able to compete on golf courses and that sort of thing?" asked Harris, suggesting the term "fitness center" could be loosely interpreted.

If you go

* What: Public hearing on bill introduced by Sen. Carol Roessler, R-Oshkosh, that would allow fitness centers to decide who they want to cater to. It is being heard by the Senate Committee on Health, Children, Families, Aging and Long Term Care.

* When: 10 a.m. Thursday.

* Where: Room 201 Southeast at the Capitol.

Talking Points

Senate Bill 24 “CURVES BILL”

- Senate Bill 24 provides an exception to the accommodation law prohibiting gender discrimination in regards to a for-profit fitness center.
- Current law allows for exclusions for non-profit associations
- Wisconsin is one of a handful of states that has a public accommodation law. This bill is simply amending that statute to create an exception, which is consistent with current exceptions – separate public toilets, showers, saunas, and dressings rooms for each sex and does not prohibit a domestic abuse services organization from providing separate facilities, care, treatment, or services for each sex.
- The federal accommodation law does not include gender in its definition of discrimination, and therefore this bill would not violate federal law and/or the constitution.
- This is a privacy issue. Women are more inclined to feel self conscious about their bodies, and are less apt to exercise in the presence of men. This bill would allow for fitness centers to exist specifically designed to meet the needs of one sex - either men or women.
- For example, Curves:
 - Many Curves clients have said that they would not continue to go there if any men joined. They feel more relaxed and at ease.
 - The machines at Curves facilities are specifically designed for a woman.
- Similar bills have been passed in other states that have this same public accommodation law, such as Massachusetts and Illinois.
- This Bill DOES NOT create discrimination against potential employees and owners.



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Special Sections



State Senate bill would benefit fitness centers with gender restrictions

By Tom Sheehan, Feb. 8, 2003

MADISON -- Curves fitness centers are as popular with some women as roses on Valentine's Day. More than 5,000 of the franchises have been sold in the U.S. since 1995.

"Women just want to have their privacy when they work out," said Casey Schroeder, who owns five Curves centers in western Wisconsin and eastern Minnesota. Each has between 300 and 400 members, she said.

But Charles Swayne of La Crosse has a problem with the exclusive nature of Curves. He's giving Schroeder and Curves' corporate headquarters in Waco, Texas, a legal workout.

It's not because he wants to gawk at women, and it's not because he wants to work out at Curves. Swayne, who has owned fitness centers in La Crosse, has filed claims against 173 Curves franchises in Wisconsin, saying they violate state antidiscrimination laws for public accommodations.

In a legal backlash to Swayne, Curves owners in Wisconsin are supporting a bill that would create an exception to the law for fitness centers. A legislative hearing is scheduled on that proposal this week.

Lori Zimmerman, the owner of the Curves gym on 3749 Douglas Ave. in Racine, said she feels its important for women to have a place where

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they feel comfortable to work out in and get healthy.

"We have real women that come and work out at our club," she said. "It's your mother and your sister. Many women are not comfortable working out with men. Some wouldn't step through the door of a traditional coed gym."

Zimmerman said she believes women should have the option to go to a gym like Curves that is just for women.

"We're going for an acceptable sense of privacy," she said.

The two Curves gyms in the Racine area -- the other is at 3701 Durand Ave. -- have 800 members between them. The company also has facilities at 1360A 15th Ave., Union Grove; 7957 W. Wind Lake Road, Unit K, Wind Lake; 446 S. Pine St., Burlington; and in Salem, Oak Creek, Kenosha and Pleasant Prairie.

"Obviously the environment is something that appeals to women," she said.

In the early '90s, Swayne wanted to open his own female-only fitness center but state regulators said that would be illegal, said Swayne's attorney, Dawn Marie Harris. Swayne also was not allowed to hold aerobics classes exclusively for women, Harris said.

"If he could have owned one of these Curves, he would have," Harris said.

An administrative law judge ruled in Swayne's favor in one case, which Curves has appealed. A decision is expected soon in another case, and those cases could set precedent for the other claims, Harris said.

Swayne is more interested in protecting his business interests than in anti-discrimination, said Roger Schmidt, general counsel for Curves International. Curves will continue to appeal Swayne's cases, if necessary to move it into the courts, Schmidt said.

"This is not about discrimination, it's about privacy. I do not want women working out where I work out, and in Texas, we don't have that (law) here," Schmidt said.

Wisconsin is the only state in which Curves faces discrimination claims or lawsuits, Schmidt said. Men are welcomed to join, but Curves currently has no male members nationwide, he said.

Swayne's claims represent the latest exchanges that go back a few years. He reached an undisclosed settlement in November 2002 with It Figures, a smaller chain of fitness centers marketed toward women, Harris said.

Last year, Curves successfully sued Swayne for infringing on their

trademark, Schmidt said.

"He thought he was cute, and he filed for the name 'Curves,' " Schmidt said.

Wisconsin law prohibits discrimination in public accommodations based on sex, race, color, creed, disability, sexual orientation, national origin or ancestry.

Curves owners from across the state have joined forces, hiring an attorney and a lobbyist for their cause, Schroeder said.

Some states, including Massachusetts and Illinois, have created exceptions to their discrimination laws for fitness centers, said Gordon Malaise, an attorney for the Legislative Reference Bureau.

"The Curves bill," introduced last week by Sen. Carol Roessler, R-Oshkosh, would create a narrow exception in Wisconsin, he said.

Roessler said she was asked to introduce the legislation by the owner of Curves in Fond du Lac and West Bend. Fitness centers should be able to decide to whom they want to cater, she said.

"This would give those facilities a choice to provide for particular-gender-only times," Roessler said.

Although some women don't mind exercising in a coed environment, others want privacy, Roessler said.

"They can come as they are, without feeling they have to dress up and wear makeup," Roessler.

Women should not support Roessler's bill, however, Harris said.

"Are we (women) going to go back to the dark ages and not be able to compete on golf courses and that sort of thing?" asked Harris, suggesting the term 'fitness center' could be loosely interpreted.

Roessler's bill is scheduled for a public hearing at 10 a.m. Thursday before the Senate Committee on Health, Children, Families, Age and Long Term Care, in Room 201 Southeast at the state Capitol.

Marci Laehr-Tenuta contributed to this report.

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Fitness center battle moves to Madison

Associated Press

Last Updated: Feb. 8, 2003

Madison - The battle over whether a chain of popular, women-only fitness centers is discriminating against men is moving from the courtroom to the Capitol.

A hearing is scheduled on a bill sponsored by state Sen. Carol Roessler (R-Oshkosh) that would allow the state's Curves fitness centers to continue serving only women.

La Crosse fitness center owner Charles Swayne has sued the company, which has sold more than 5,000 franchises since 1995. He claims Curves violates state anti-discrimination laws.

Roessler's bill would create a narrow exception in state law for fitness centers.

Swayne's attorney, Dawn Marie Harris, says women should not support Roessler's bill because the term "fitness center" could be loosely interpreted.

Harris said Swayne wanted to open his own female-only fitness center in the early 1990s, but state regulators told him that would be illegal. Swayne also was not allowed to hold aerobics classes exclusively for women, she said.

A version of this story appeared in the Milwaukee Journal Sentinel on Feb. 9, 2003.

Jermstad, Sara

From: Asbjornson, Karen
Sent: Monday, February 10, 2003 9:15 AM
To: Jermstad, Sara; Jermstad, Sara
Subject: New Forward Contact Ownership and Assignment

Constituent: Darrilyn Winterhack (90974)
610 Carrington St
Waupun, WI 53963-2120

Home: 920-324-3618

Email: winterhack@powerweb.net

Owner: Jermstad, Sara
Assigned: Jermstad, Sara
Summary: Curves bill

Issue:
Position:
Status: Pending
Contact Type: E-mail
Description: -----Original Message-----
From: Dale Winterhack [mailto:winterhack@powerweb.net]
Sent: Monday, February 10, 2003 9:05 AM
To: carol.roessler@legis.state.wi.us
Subject: Bill on Allowing Men to Join Curves for Women

Good morning Carol,

I understand that the law suit of discrimination against men joining Curves is coming up next week. I thank you for supporting the Curves view as I have been a member of Curves in Waupun, Wisconsin, since the day they opened. The thing that brought me to Curves was that it was for women only. I am a very active 61 year old woman but still feel that I need that extra exercise that works on every part of the body to keep me young and healthy AND, I would not continue to do that if men were allowed to join, as would a lot of other women from Curves. In talking about it every day I go, everyone is very upset that there might be a chance of men joining and I know a lot of women would discontinue going and therefore, there goes our keeping our body in shape.

I would hope that you could talk to other legislatures and tell them where we are coming from and maybe they can vote against the bill too.

Thank you for your help and GOOD LUCK next week.

Darrilyn Winterhack
610 Carrington Street
Waupun WI 53963

920/324-3618

Jermstad, Sara

From: Driedric, Michael
Sent: Tuesday, February 11, 2003 8:43 AM
To: Jermstad, Sara
Subject: New Forward Contact Assignment

Constituent: Gary Reid (89705)
415 Amherst Ave
Oshkosh, WI 54901-4301

Owner: Jermstad, Sara
Assigned: Jermstad, Sara
Summary: Curves

Issue:
Position:
Status: Pending
Contact Type: E-mail
Description: Sara,
He didn't leave an address but I assume this is him because he says former supporter.

-----Original Message-----

From: Gary Reid [mailto:beatlesfavband@hotmail.com]
Sent: Monday, February 10, 2003 12:34 PM
To: Sen.Roessler@legis.state.wi.us
Subject: equality

Saw the article about the bill you are introducing to permit one gender fitness centers and I must tell you I think it's wrong. God knows men could never get away with this. A very disappointed and former supporter.

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Jermstad, Sara

From: Asbjornson, Karen
Sent: Monday, February 10, 2003 9:15 AM
To: Jermstad, Sara; Jermstad, Sara
Subject: New Forward Contact Ownership and Assignment

Constituent: Darrilyn Winterhack (90974)
610 Carrington St
Waupun, WI 53963-2120

Home: 920-324-3618

Email: winterhack@powerweb.net

Owner: Jermstad, Sara
Assigned: Jermstad, Sara
Summary: Curves bill

Issue:
Position:
Status: Pending
Contact Type: E-mail
Description: -----Original Message-----
From: Dale Winterhack [mailto:winterhack@powerweb.net]
Sent: Monday, February 10, 2003 9:05 AM
To: carol.roessler@legis.state.wi.us
Subject: Bill on Allowing Men to Join Curves for Women

Good morning Carol,

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I would hope that you could talk to other legislatures and tell them where we are coming from and maybe they can vote against the bill too.

Thank you for your help and GOOD LUCK next week.

Darrilyn Winterhack
610 Carrington Street
Waupun WI 53963

920/324-3618

Jermstad, Sara

From: Asbjornson, Karen
Sent: Monday, February 10, 2003 8:41 AM
To: Jermstad, Sara
Subject: FW: Women Only Fitness Centers
CR email

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----
From: JanLuckyme@aol.com [mailto:JanLuckyme@aol.com]
Sent: Sunday, February 09, 2003 7:52 PM
To: sen.roessler@legis.state.wi.us
Subject: Women Only Fitness Centers

Dear Senator Roessler:

I just read an article in Sunday's Milwaukee Journal Sentinel stating that a hearing is scheduled on a bill that you are sponsoring that would allow the state's Curves fitness centers to continue to serve women only. Thank you!

Three years ago, I had my first bone scan. Since I was a non-exerciser woman, my doctor suggested that I do weight training and was put on medication. I didn't want to join Ballys because being an overweight woman (not height / weight proportionate), Ballys was intimidating to me. I would feel too self conscious because I don't have the body or the proper exercise clothes to fit into that environment. A Curves opened up just a mile from my house and it took me six months before I got the nerve to make an appointment to check it out.

I've been a Curves member since Feb. 2002. I look forward to going three times a week because everyone is friendly and you don't have to wear the latest exercise clothes to work out. I mostly wear a T-shirt and sweats. Since most of the women wear the same thing, I feel very comfortable.

Curves being for women was the best thing that opened up for all overweight women in Wisconsin. **I hope that your bill passes.** I don't want Charles Swayne to turn Curves into another fitness center like Ballys.

Sincerely,
Janine Augustin
Brookfield, WI

02/11/2003

Jermstad, Sara

From: Asbjornson, Karen
Sent: Monday, February 10, 2003 8:47 AM
To: Jermstad, Sara
Subject: FW: Curves Fitness Centers
CR email

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----
From: christopher whitehall [mailto:debwhi@core.com]
Sent: Sunday, February 09, 2003 6:58 PM
To: sen.roessler@legis.state.wi.us
Subject: Curves Fitness Centers

Dear Senator Roessler,
I am writing to commend you for sponsoring the bill to keep Curves a women only fitness center. I am currently a member of the Curves of Oak Creek. And, one of the main reasons I joined is that it is female only. I am a Christian lady, and feel much more comfortable exercising where the members are all ladies. I think that that is one reason many women like my self enjoy Curves so much. I am not sure that I would continue my member ship, if it became coed. There are many coed gyms that men can go to if they like. I think that Curves should remain a place that ladies can go to work out, and not have to feel uncomfortable or whatever, because of mixed company. Please keep me informed of developments.

Thank you so much.
Deb Whitehall, debwhi@core.com

02/11/2003

Jermstad, Sara

From: Asbjornson, Karen
Sent: Tuesday, February 11, 2003 2:27 PM
To: Jermstad, Sara
Subject: FW: Women's Privacy Law
CR email

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----
From: Julie Schultz [mailto:jeschultz@renlearn.com]
Sent: Tuesday, February 11, 2003 12:01 PM
To: 'sen.roessler@legis.state.wi.us'
Subject: Women's Privacy Law

Senator Roessler: I am contacting you regarding the legislation on the Women's Privacy Law being considered this week. I am a member of Curve's, and strongly feel that if men were allowed to attend Curve's fitness centers, many of the women members would no longer attend. The reason we joined Curve's was because we felt that we had our privacy and if we had wanted to join a fitness club where men participated, we would have joined the Princeton Club or any number of other health clubs. I certainly would not have joined Curve's if men were also participating. It is a privacy issue. There are many women at Curve's who probably have health problems and may not participate if men are allowed to join. Thank you for your consideration.

Julie Schultz
5505 Kalas Street
Madison, WI 53716
608/222-0316-home
608/664-3881 ext. 2007-work

02/11/2003



FEB 11 2003

State Senator
Chuck Chvala

February 11, 2003

To: Senate Committee on Health, Children, Families and Long-Term Care
Senator Roessler, Chair
Senator Kanavas
Senator Brown
Senator Welch
Senator Schultz
Senator Robson
Senator Jauch
Senator Carpenter

From: Senator Chuck Chvala

Re: Senate Bill 24

At the request of my constituent David Meldman, please accept his written testimony in opposition to Senate Bill 24. Mr. Meldman is unable to testify at the public hearing on Thursday, February 13, 2003, but he would like to have his concerns included in the record of proceedings.

McGuire, Paula

From: Meldman@aol.com
Sent: Monday, February 10, 2003 10:15 AM
To: chuck.chvala@legis.state.wi.us
Subject: re: single sexism (attn Paula)

re: the single sexism bill scheduled for hearing thursday. Please submit my comments/thanks:

I would like to share some of my experiences as a stay at home father and ask you to consider whether civil rights laws should protect the prejudices of our time against the individual or whether they should protect the individual against the prejudices of our time.

while living in another state and staying home with two year old triplets i encountered many obstacles, two of which were: denial of admission to library programs and denial of admission to municipal recreation programs. The stated reason was that those programs were for moms and children not dads and children.

The proposal you are considering is based on the same idea. You will be confronted with a number of stereotypes and you will be asked to support them, so long as they are favorable to women and unfavorable to men. You will be asked, in short, to support the prejudice of our time. As with all prejudice in its time, it is a disease like high blood pressure: the people that have it feel great.

If you make this new rule it will welcome its own bending in ways you cannot control. Clancy knows men want to drink in peace. Did you know a few brews a day are good for you? Clancey has a mens health club. And if the only health club in Monroe is female only, what will you tell your son, when he has no place to excersize?

Children are not stupid, they are just inexperienced. They see how difficult institutions in our society make it for men to provide care for them. Not wishing to be a burden they ask mom for care. If you have single sexism gyms, which ones do you think will have the day care? Who do you think will have no choice but to take the kids with them when mom and dad go to seperate gyms?

Please give the individual a chance and say no to this proposal.

david meldman

Jermstad, Sara

From: Rothwell, Julie
Sent: Wednesday, February 12, 2003 4:13 PM
To: Jermstad, Sara
Subject: Curves comment

Hi,

A woman, Catherine Garfoot, who is not a constituent called in support of the curves bill. She said that she would be disappointed if Curves allowed men. She doesn't want to compete with men and will quit if she has to compete with men. She said that her Dr. has been after her for years to start excercising and she is now because she does not have to compete with men. She was just calling to comment.

Jermstad, Sara

From: Asbjornson, Karen
Sent: Thursday, February 13, 2003 8:06 AM
To: Jermstad, Sara
Subject: FW: Fitness Centers

CR email

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

From: Betty Grignon [mailto:bgrignon@societyinsurance.com]
Sent: Thursday, February 13, 2003 8:00 AM
To: Sen.roessler@legis.state.wi.us.
Subject: Fitness Centers

I sincerely hope that all fitness centers would be excluded from Public Accommodation Law. I am a member of Curves for Women. I joined two months ago for health reasons. I found that I enjoyed it tremendously and have made great strides in my cardiovascular health and my toning. It caters to the mature woman, which I am at age 58, and their special needs especially after menopause.

My employer provides a free membership to a full service club for all adults, however Curves fits my needs therefore I chose to pay my own way. I urge you to pass legislation to exclude all fitness centers in the State of Wisconsin from the Public Accommodation Law.

Thank you.

BETTY GRIGNON, AIC
Claims Representative
Society Insurance
1-800-242-9780 Ext 354
fax 920-922-9810
bgrignon@societyinsurance.com
Mail: P O Box 1029, Fond du Lac, WI 54936