

EXHIBIT PX-10

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

WHITEWOOD *et al.*,

Plaintiffs,

v.

WOLF *et al.*,

Defendants.

Civil Action

No. 13-1861-JEJ

DECLARATION OF LYNN HURDLE

I, Lynn Hurdle, declare as follows:

1. I am 44 years old. I submit this declaration in support of Plaintiffs' Motion for Summary Judgment in the matter of *Whitewood et al. v. Wolf, et al.*, to describe the importance of marriage to me and how the Commonwealth of Pennsylvania's refusal to allow my partner and me to marry hurts us.

2. I was born and raised in Meadville, a small town in Northeast Pennsylvania. I have lived in Pittsburgh for more than twenty years. I am a pediatric nurse and have for the past eight years worked at a pediatric practice in Pittsburgh's South Hills.

3. I have been in a committed relationship with Fredia Hurdle for 23 years. The story of our meeting is one of my favorites. I was a passenger on a Greyhound bus headed to Pittsburgh. The bus driver was unfamiliar with the

route, and asked if I knew the area. Having lived here my whole life, I offered to help with directions. We ended up a little off course, but had a good time in the process. The driver was Fredia. When we got to Pittsburgh, a bit behind schedule, I asked Fredia if she wanted to go out for a drink and she said yes. For about five months after that we “dated by Greyhound.” Fredia then moved to Pittsburgh to join me and we have been together and in love ever since. I was a little nervous about introducing Fredia to my family but when I asked my mom what she thought, she replied, “What’s not to like about Fredia!” A true and correct copy of a photograph showing Fredia and me in 1993, produced in this litigation as HURDLE000077, is attached as Exhibit PX-10-A.

4. Our home has always consisted of a large extended family. When Fredia first moved in, Ashley, my two-year-old daughter from a prior marriage, lived with us. Even though Fredia is not legally recognized as Ashley’s step-parent, she was very involved in Ashley’s day-to-day care. At one point we were president and treasurer at the same time of the school PTA. Ashley is now grown, living independently, getting a master’s degree, and soon to be married. True and correct copies of a photograph of Fredia and me with Ashley in 1994 and a photograph of Fredia and me in 1996, produced in this litigation as HURDLE000078 and HURDLE000079, are attached as Exhibits PX-10-B and PX-10-C. Besides Ashley, we have always had a mix of children, relatives and

others, living with us. After Fredia's sister died, two of her nephews and a niece lived with us for many years. We are caregivers by nature and have become known locally as the couple people go to when there are people in need of care. We took care of two children in the neighborhood when their families were going through difficult times. An elderly family friend of mine, who couldn't take care of herself, lived with us for 16 years until she passed away. We don't want to be known as the lesbian couple next door, or the interracial lesbian couple next door. We just want to be known as the caring couple in the neighborhood.

5. Fredia and I have wanted to get married for a long time, but the only place we want to do it is in Pennsylvania. This is where I grew up, where Fredia has made her life, where we work, and where my family and our friends live. Pennsylvania, and specifically Pittsburgh, is our home. Even though other states have begun to allow marriage by same-sex couples, we have elected not to travel out of state to get married. We are committed to waiting until we can get married in Pennsylvania. We did have a commitment ceremony at a local church in 2009, where we had 200 guests, family members and friends, help us celebrate our wonderful relationship. True and correct copies of two photographs of Fredia and me on our commitment day in 2009, produced in this litigation as HURDLE000072 and HURDLE000076, are attached as Exhibits PX-10-D and

PX-10-E. But obviously that did not make us officially married under Pennsylvania law.

6. Pennsylvania's refusal to allow us to marry has injured us emotionally and financially. If Fredia dies before me, I am not entitled to collect her pension or other job-related benefits, and I will have to pay taxes at a higher rate than would a lawfully married spouse. The same is true for Fredia if I pass before she does. We would like to file our taxes as "married filing jointly," but because we cannot marry in Pennsylvania and have not married elsewhere we cannot file either our federal or state returns as married. Over the years we have had to pay money for powers of attorney and other legal documents to try to protect ourselves because we do not have that official status of married. In 2009, after the commitment ceremony, I legally changed my name to take Fredia's last name, which cost us over \$400 and is something we would not have had to petition for and pay for if we were an opposite-sex couple.

7. Our inability to marry resulted in a very scary situation in the 1990s. I took Fredia to a Pittsburgh hospital with stomach pain, and they diagnosed a problem with her gall bladder. They kept her overnight and scheduled surgery for the next morning at 10:00. When I returned at 8:30 in the morning, Fredia was not in the room. Because we were not married and our relationship was not recognized as family, the only thing hospital staff would tell me is that they took Fredia early.

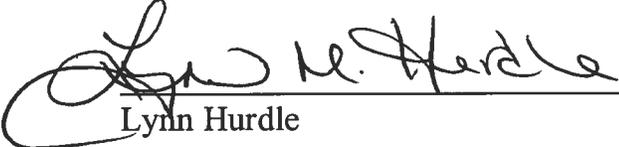
They wouldn't tell me why or where she was. It was really frightening not to know anything about what had happened to her or what was going on, and it seemed to last forever before she finally returned to the room. I felt completely helpless. Ever since this incident we have been careful to have and keep available appropriate legal documents. We wouldn't need to do this or worry about having another problem like this in the future if we were allowed to marry.

8. Fredia and I love each other, have lived our lives as if we were married, like any other American couple, and we want the Commonwealth of Pennsylvania to acknowledge that our relationship counts and is respected by the law. No one should be able to tell me I can't marry the person I love just because that person is another woman. A true and correct copy of a recent photograph of Fredia and me at Fallingwater, produced in this litigation as Hurdle000075, is attached as Exhibit PX-10-F.

9. I make this declaration from my own knowledge of the facts and circumstances set forth above. If necessary, I could and would testify at trial to these facts and circumstances.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4-16-14



Lynn Hurdle

EXHIBIT PX-10-A



EXHIBIT PX-10-B



EXHIBIT PX-10-C



EXHIBIT PX-10-D



EXHIBIT PX-10-E



HURDLE000076

EXHIBIT PX-10-F

