

## EXHIBIT PX-07

**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 DEB WHITEWOOD.**

I, Deb Whitewood, declare as follows:

1. I am 45 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 briefly describe the importance of marriage to me and how the Commonwealth of Pennsylvania's refusal to recognize my marriage is stigmatizing and hurtful.

2. I was born and raised in Pittsburgh, Pennsylvania. I have lived in a committed relationship with my wife, Susan, for twenty-two years.

3. Susan and I feel enormously blessed to have found each other. We had both finished college and were single. We each had the same goals in life, and still do. And we are both devout Christians. As such, we both had to do a lot of soul-searching about our relationship, but we quickly realized that we are meant for each other. I know God sent Susan to me and every day I understand how

lucky I am that He did. A true and correct copy of a photograph showing Susan and me as a young couple in the early 1990s, produced in this litigation as WHITEWOOD000411, is attached as Exhibit PX-07-A.

4. On October 16, 1993, we had a holy union ceremony at our church. A true and correct copy of a photograph showing Susan and me on that day, produced in this litigation as WHITEWOOD000410, is attached as Exhibit PX-07-B. Of course this did not create a legally recognized marriage. We also changed our last names at this time to form a combination of the two. My maiden name was White, and Susan's was Underwood, so we combined them to create Whitewood. In 2001, we traveled to Vermont to take advantage of that state's law to obtain a civil union, but that too did not result in a legally recognized marriage. We had prayed that someday we would be able to get married in our home state, Pennsylvania.

5. After the Supreme Court's decision in *Windsor*, on June 24, 2013, we went to the Washington County Register of Wills to apply for a marriage license, but the nice lady, Ms. Poknis, told us that state law forbade her from giving us the license.

6. After the federal government announced that it was recognizing same-sex marriages from any state, on October 19, 2013 we traveled to Deep Creek, Maryland, where we legally wed. We would have preferred to marry in our own community, but the potential federal benefits were simply too important to justify

waiting longer to get married in Pennsylvania. Even though an out-of-state marriage would not be recognized in Pennsylvania, the ability to file federal taxes as married would save us several thousand dollars each year, and this is money we very much could use to help pay for our daughters' upcoming college expenses. We hope that Pennsylvania will recognize our marriage in the near future.

7. Since 1994, we have lived in a home in Bridgeville, Pennsylvania, a suburban community outside of Pittsburgh. Our family has grown to five. We also have a dog, two cats and two tanks of fish. Susan and I have two daughters, who are also plaintiffs in this case. A.W. is now 17 and K.W. is 15. I am both girls' biological mother and Susan obtained second-parent adoptions after the children's births to establish a legal parent-child relationship with them. Both girls attend the local public school, South Fayette High School. True and correct copies of two photographs showing Susan and me with the girls as newborns, produced in this litigation as WHITEWOOD000412 and 413, are attached as Exhibits PX-07-C and PX-07-D.

8. In late 2012, we adopted a 20-month boy, L.W., who had been placed with us for the previous nine months as a foster child by Allegheny County Department of Children and Youth Services. We are an approved foster family through Three Rivers Adoption Council. While L.W. was our first foster placement, we have on many occasions provided "respite care," which is extended

babysitting for foster children to allow the foster parents to have an opportunity to re-charge. The judge in the Allegheny County Juvenile Court granted L.W.'s adoption after determining that it will promote his welfare. A true and correct copy of a photograph taken in court on the day of the adoption showing, from left to right, K.W., Judge Kathryn Hens-Greco, L.W., Susan, Deb and A.W., produced in this litigation as WHITEWOOD000409, is attached as Exhibit PX-07-E. A true and correct copy of a photograph showing the family celebration of L.W.'s second birthday, produced in this litigation as WHITEWOOD000416, is attached as Exhibit PX-07-F. L.W. just celebrated his third birthday in March.

9. Susan and I decided early on that we wanted what many people consider a traditional marriage. We made a conscious decision to be a one-income family, meaning that Susan is the breadwinner and I'm the stay-at-home mom who takes care of the kids and the home. From the time the girls first started school, I have been very involved in both their school and other activities. I've often been a classroom mom, chaperoned field trips, served on the PTA, coordinated fund-raising activities, been a concession-stand volunteer, band festival chair, and served in many other roles.

10. Our Christian faith plays a major role in the lives of all family members. We belong to and are actively involved in the Christ United Methodist Church of Bethel Park. I am the president of the Altar Guild, which prepares the

church's communion, cares for the sanctuary and holy items, and decorates for the holidays. A.W. and K.W. are in the youth group and church choir and sing every Sunday. A.W. is also in the Youth Praise band, which sings contemporary Christian songs at church and at community performances. We are at the church several days every week and it is a vital social and spiritual home for all of us.

11. I don't feel the government should be able to tell us who we are and are not allowed to marry. After being together 22 years and building a family around love and faith, we feel that that's a decision we should be able to make ourselves. We only want what every married couple wants – to have our relationship recognized by the law and to give us the security and protections that only marriage provides. Everyone in our world – the people in our neighborhood, at the kids' schools, at church, in Susan's workplace – recognizes us as a true family. We feel that it's time that the Commonwealth of Pennsylvania did, too.

12. The Commonwealth's refusal to recognize our marriage impacts us financially, but since Susan is our finance person I'll leave those matters to her.

13. The state's refusal to recognize our marriage causes anxiety, and this was brought home to me in the past year. Susan passed out on the subway and was taken to the hospital. I received notice and my first thought was that I needed my power of attorney in case the hospital wouldn't share information about Susan's condition with me or even allow me to see her. Being able to say I'm Susan's wife

should eliminate that problem in hospitals, but not until Pennsylvania recognizes marriages between same-sex couples.

14. Finally, the state's refusal to recognize our marriage hurts the entire family, including the children. It sends the message to our children that their family is less deserving of respect and support than other families. That's a hurtful message. Susan and I have loved each other for a long time, and every time I have to fill out a form where I can't check a box that says spouse or identify as married, it cuts like a knife, reminding me that my relationship is not as respected as those of other couples. And those cuts occur hundreds of times throughout the year. We just want our relationship to be recognized like those of other loving, committed couples with wonderful families like ours. We want our kids to see that their moms' relationship is respected in the same way that their friends' moms and dads are respected by the law.

15. Although Susan and I are a married couple, we cannot file our Pennsylvania taxes jointly, despite the fact that we can now file our federal taxes jointly. I want to be able to declare myself as "Married" on my Pennsylvania income tax return.

16. Should I or Susan die in Pennsylvania, where we live, I want our respective death certificates to reflect our marriage. I understand that, because of Pennsylvania's refusal to recognize my marriage, I would not be listed as Susan's

surviving spouse (or vice versa), and that official non-recognition of our commitment would compound the grief that I would feel at that time.

17. 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

Deb Whitewood  
Deb Whitewood



**EXHIBIT PX-07-A**



WHITEWOOD000411

**EXHIBIT PX-07-B**



WHITEWOOD000410

**EXHIBIT PX-07-C**



WHITEWOOD000412

**EXHIBIT PX-07-D**





## EXHIBIT PX-07-E



**EXHIBIT PX-07-F**



