

EXHIBIT PX-24

**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 GREGORY WRIGHT

I, Gregory Wright, declare as follows:

1. I am 57 years old and live in State College, Pennsylvania with my husband Ron Gebhardtsbauer. I am a licensed acupuncturist and operate a private practice.

2. 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 why I want the Commonwealth to recognize my marriage to Ron, my partner of 19 years, and to explain how the Commonwealth of Pennsylvania's refusal to recognize our marriage harms both of us.

3. Ron and I moved to State College in 2008, when Ron took a job teaching at Penn State University. We are active members of our community and of the University Baptist & Brethren Church.

4. When it became possible to do so in 2011, we registered as domestic partners in State College. A true and correct copy of our domestic partnership certificate with a press photograph of the ceremony, produced in this litigation as GEBHARDTWRIGHT00006, are attached as Exhibit PX-24-A. We have long wanted to get married to publicly declare our love and commitment to each other. The term “partner” does not adequately convey our love for each other or the level of commitment we have made to each other.

5. I want to spend the rest of my life with Ron. He is a man of integrity, and I am inspired by him every single day. He strives to see the best in people and makes me want to be the best I can be.

6. We had hoped to marry in State College where our friends and community are located. The pastor of our church had agreed to officiate at our wedding if marriage in Pennsylvania became a possibility. A true and correct copy of an article from the Daily Collegian discussing our plans, produced in this litigation as GEBHARDTWRIGHT00001, is attached as Exhibit PX-24-B.

7. When the United States Supreme Court struck down the federal Defense of Marriage Act, that meant for the first time that, if we were to marry outside of Pennsylvania, the federal government would recognize our marriage (at least for some purposes) even if Pennsylvania would not. Because we had long wanted to be recognized as married, we decided to get married outside of

Pennsylvania even though we knew that our marriage would not be recognized once we returned home.

8. On November 27, 2013, while visiting family in Maryland for Thanksgiving, we got married in a small civil ceremony in Rockville, Maryland. A true and correct copy of our marriage license, produced in this litigation as GEBHARDTWRIGHT00008, is attached as Exhibit PX-24-C. A true and correct copy of a photograph of us at the ceremony, produced in this litigation as GEBHARDTWRIGHT00669, is attached as Exhibit PX-24-D.

9. We would have preferred to be married in our own church and with our wider community, but because it was important to us, after 19 years together, to finally have our love and commitment officially recognized, and because Ron's mother, who is 90 years old, and his sister and brother were excited to stand with us at our ceremony, we decided to get married now rather than wait for some uncertain date in the future when Pennsylvania law might change.

10. This year, because our marriage is recognized by the federal government, we have filed joint income taxes for the first time. Unfortunately, because Pennsylvania does not recognize our marriage, we had to file our state returns separately. This means we essentially had to do our taxes twice – once jointly for the federal government and once separately for Pennsylvania.

11. In addition, when we filed our state returns, we each had to identify ourselves as single even though we are now married.

12. Because Pennsylvania does not allow us to marry and will not recognize our Maryland marriage, we have gone to considerable expense to have an attorney prepare wills, health care powers of attorney, and financial powers of attorney, to try to replicate some of the protections that married couples have by default. For the same reason, we own our homes as joint tenants with right of survivorship. Though these documents allow us to approximate some of the protections of marriage, there are many others we would have if we were married that the documents cannot provide.

13. I also worry that, if one of us were to have a medical emergency, we might not have our healthcare powers of attorney available or they might not be respected. If our marriage were recognized, our relationship would simply be recognized without the need for special documentation.

14. I also worry that, when one of us dies, the other will have to pay a 15% inheritance tax on the entire estate. Again, if our marriage were recognized, we would not have this added expense. If Ron were to die first, paying the inheritance tax would create significant financial difficulties for me.

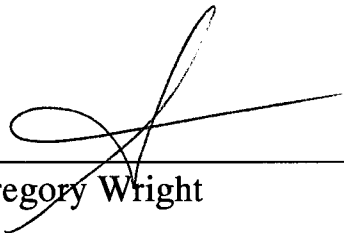
15. If Ron or I were to die in Pennsylvania, where we live, I would want our death certificates to reflect that we are married to each other. Because

Pennsylvania does not recognize our marriage, however, I would not be listed as Ron's surviving spouse on his death certificate (or he on mine) even though we have lived together for 19 years and even though we are now married.

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

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

Executed on: April 15, 2014



Gregory Wright

EXHIBIT PX-24-A



Domestic Partnership Registry



This Certificate Recognizes the Domestic Partnership Between

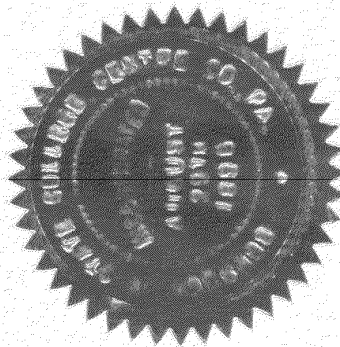
Ron Gebhardt sbauer

&

Gregory L. Wright



in the Borough of State College



Sharon K. Ergler

Sharon K. Ergler, Assistant Borough Secretary

October 1, 2011

Date

LOCAL & STATE

STATE COLLEGE



CDT photos/Abby Drey

State College Mayor Elizabeth Goreham signs documents Saturday for Ron Gebhardtshauer and Greg Wright to be part of the borough's domestic partnership registry at the newly dedicated Mayor Welch Plaza outside the municipal building. Wright said he and Gebhardtshauer have been together for 17 years and are happy to live in a town that offers the domestic partnership registry.

EXHIBIT PX-24-B

SPORTS

Men's basketball

Tim Frazier was cleared to return to the court after his injury. | Page 8



LOCAL

Crime rates

Local police saw a crime decrease for this year's Central Pa. Arts Festival compared to 2012. | Page 3

The Daily Collegian

Published independently by students at Penn State

collegian.psu.edu

@DailyCollegian

Vol. 113 No. 164

Tuesday, July 16, 2013

30¢ off campus

Couple fights to end SSM ban

BY SAM JANESCH
COLLEGIAN NEWS EDITOR

Ron Gebhardtbauer tapped the silver band on the ring finger of his left hand lightly on his kitchen table as he spoke of the wedding he wishes he could have. His fiancé, Greg Wright, sat beside him, as Ron couldn't help but say three times in a half hour how "madly in love" he was with Greg.

But despite the vows they've made to each other, the commitment and the 19 years of unwavering devotion, Ron and Greg cannot get married — at least not here. Not in the college town where they've settled down, where Ron bikes to work at the university and where Greg runs his acupuncture business.

And despite their pastor's willingness to marry them, they're waiting on more than just the official church approval. They're waiting on the amendment of what many call



finger or his teeth, and dignity on his kitchen table as he spoke of the wedding he wishes he could have. His fiancé, Greg Wright, sat beside him, as Ron couldn't help but say three times in a half hour how "madly in love" he was with Greg.

But despite the vows they've made to each other, the commitment and the 19 years of unwavering devotion, Ron and Greg cannot get married — at least not here. Not in the college town where they've settled down, where Ron bikes to work at the university and where Greg runs his acupuncture business.

And despite their pastor's willingness to marry them, they're waiting on more than just the official church approval. They're waiting on the amendment of what many call an outdated law.

Some of their friends have crossed state lines to say their vows, but for the State College couple, it's simple: they won't perform the sacred event anywhere other than here.

Filing suit

Gebhardtshauer and Wright are one of 10 Pennsylvania same-sex couples, and 23 total individuals, listed as plaintiffs in a lawsuit filed by the American Civil Liberties Union last week to end the commonwealth's ban on same-sex marriage.

Filed against Gov. Tom Corbett, Attorney General Kathleen Kane and other state officials, the suit puts a personal spin on the issue and seeks to both allow same-sex marriages in the commonwealth and allow marriages from other states to be recognized within state lines.

Within two days of the filing, the liberal Kane already announced her opposition to the commonwealth's law "unconstitutional."



John Baranovsky/Collegean

Penn State professor Ron Gebhardtshauer, right, and his partner, Greg Wright, pose for a picture outside of Saint's Cafe, 123 W. Beaver Ave.

currently in place.

Gebhardtshauer, a professor of actuarial science at Penn State and head of the actuarial science department, said he didn't realize the lawsuit would make national news, but he feels that it's the right thing to do.

"It feels really good because I'm going back to 30 years ago when I couldn't even speak the word, and now I feel like if this helps us and everybody else that wants to get married in the state of Pennsylvania that can't, this

is a wonderful thing," Wright said. "It's a chance to be part of something greater. It's scary. It's awesome."

Coming out and finding love As they sat at their kitchen table in a quiet neighborhood past the Penn State Golf Courses, Gebhardtshauer scooted his chair just a little closer to Wright, putting his hand gently on Greg's back as his fiancé spoke about "coming out in a culture where

it just wasn't accepted."

For Wright, coming out wasn't something he even thought about until a friend came out to him — a situation, he said, which "gave [him] permission to even think about it."

And even then, it was something he kept a secret for a long time — until a graduate student psychologist he was seeing helped him with the coming out process.

Gebhardtshauer grew up in Newark, Del., and moved to

Allentown, Pa., in high school, attended Penn State in the early '70s and said he didn't realize he was gay at the time.

"I didn't come out until 1979 when I was 27," he said. "Back then, it took a lot longer for people to figure it out, because you would never see the word gay or homosexual in the newspaper. But like Greg, I knew I was different. It took a while to sort of figure out what that was."

See SSM, Page 2.

Displaced

Bassnectar to DJ at BJC

Shawley was sentenced to serve one year and seven months to four years and nine months, as well as pay a restitution fee of \$2,700 for bone marrow testing on the cattle to see if they had been starved, according to the release.

Man sentenced on

counts of sex crimes
A Howard man was sentenced Monday to nine to 23 years in prison after being convicted in April on multiple counts of dissemination of obscene materials to minors, as well as other counts, according to a press release issued by the Centre County District

Attorney's Office. Daniel Hanley, 44, was convicted on three counts of dissemination of obscene materials to minors, 21 counts of indecent assault on a person less than 16 years old, two counts of indecent assault of a person less than 13 years old and nine total counts of corruption

of minors, according to the release. The counts stem from repeated incidents with three minors, one of which being the daughter of a woman Hanley was in a relationship with, according to the release. One of the people who were abused by Hanley testified

at trial that Hanley twice showed her videos of adults having sex, which Hanley said at trial was accidental, according to the release. Hanley also sent the people he abused pictures of himself naked, as well as touched their breasts and buttocks, according to the release.

Cristena Perez, of Danville, reads to Caroline Wolfe and Jenne Cole outside the Theater Building as part of their Honors Music Instruction class on Monday.

John Baranowski/Collegian

'The Crucible'
July 19-20, July 26-27
The State Theatre,
130 W. College Ave.
The State College Community Theatre will perform the Arthur Miller play, "The Crucible," which spotlights the Salem Witch Trials and won a 1953 Tony Award for Best Play.

WingFest

Every Thursday starting July 18, 5:30 p.m.

Tussey Mountain
Admission is \$5 with free parking. Tickets for wings cost \$1 each, where each ticket can be exchanged for two wings. Local restaurants' wing flavors compete each week for the attendees' votes to move on to the finals on Aug. 29.

Local couple fights to end Pa. SSM ban

SSM, From Page 1.

Now, 19 years after running into each other in the streets of Washington, D.C., the couple is engaged and "finally in a place we can actually announce our love for each other," Wright said.

While the minister of their church has not made an official decision, Gebhardt said their pastor said she would be happy to marry them and is starting to talk to the minister in hopes that one day they can be married there. Though they currently do not wish to name their pastor or church, the couple said it will probably be acceptable. They could have gone to Canada. They could have dashed down to D.C. They could have even rushed up to Wright's boyhood church in New York, where the minister said he would marry them. But they don't live in those places, Wright said with a slightly annoyed smile.

"We want to get married in our church with our church family

there to celebrate with us," Gebhardt said, matter-of-factly. "I want to get married in our church, in our state."

Right now, Pennsylvania laws do not provide Gebhardt and Wright even though protection, even though they've always shared all their assets. Both of their families are completely supportive, but their wills and testaments could potentially be challenged if a family member wanted to prevent one of the men from receiving the other's money.

"We've had to go to lawyers and go through all these very complicated processes to help get us something closer to what a married couple would have," Wright said.

Senior Staff Attorney for the ACLU Leslie Cooper said wills are only one of the ways same-sex couples do not have the "automatic protection" of the law.

"If you die without a will and you're a married couple, the

rules dictate that your property passes directly to your spouse," Cooper said. "So if your will is contested for whatever reason, it means the wishes will not be honored."

And while the legal benefits of marriage — such as inheritance or taxes — are a major reason for their fight, Gebhardt said it's much more than that. "We just think of each other as our spouses, and we love each other so we just want to be married for that reason," he said.

Gaining local support

When the State College Borough started granting domestic partnerships in 2011, they may not have automatically gained any additional rights, but Gebhardt and Wright were still one of the first ones in line.

They were one of five couples who were given the recognition on Oct. 1, 2011, and with State College Mayor Elizabeth

Goreham presenting the couple with their certificate, Gebhardt said it was important to have their relationship recognized.

Borough Manager Tom Fountaine said the domestic partnership provides an opportunity for couples — whether they are the same sex or not — to file an affidavit that could potentially give them additional benefits.

Various employers around State College will utilize the affidavit to provide same-sex couples with other benefits such as healthcare, but there is no legal mandate for employers to recognize the union, Fountaine said. Two years after Goreham signed and approved the Domestic Partner Registry ordinance, 18 couples are currently registered in State College, he said. Goreham, who said she agrees with the Supreme Court's decision to strike down the Defense of Marriage Act, said she's proud

Gebhardt and Wright are representing State College in the statewide issue.

"We are so happy that they are willing to stand up for the right thing," Goreham said. "Citizens can make a big difference, especially in this town."

Goreham said the couple is taking a "bold step" to rid Pennsylvania of "unwanted legislation."

As for the next step in the legal process, Cooper said it is up to the defendants to respond. "We're looking forward to eventually getting to a trial in the case where we can put on the evidence to show that there is absolutely no justification to treat lesbian and gay couples differently than heterosexual couples, and deny these couples the same respect and protection that these other couples can count on," Cooper said.

Read full story on collegian.psu.edu.

To email reporter: saj5180@psu.edu

EXHIBIT PX-24-C

Office of the Clerk of the Circuit Court for Montgomery County, MD

State of Maryland

Montgomery County, Sct.

I HEREBY CERTIFY, That a Marriage License was issued to

RON GEBHARDTSBAUER Age 61 Marital Status SINGLE

GREGORY LEE WRIGHT Age 57 Marital Status SINGLE

on the 18th day of October A.D. 2013

as appears by the Record of Marriage Licenses of this office, Liber 845 Folio 279

And I further certify that a Certificate of Marriage was returned to this office on

November 27, 2013, by CAROLYN L THOMPSON, Minister or Authorized Official,

showing that the above named parties were married at ROCKVILLE MD

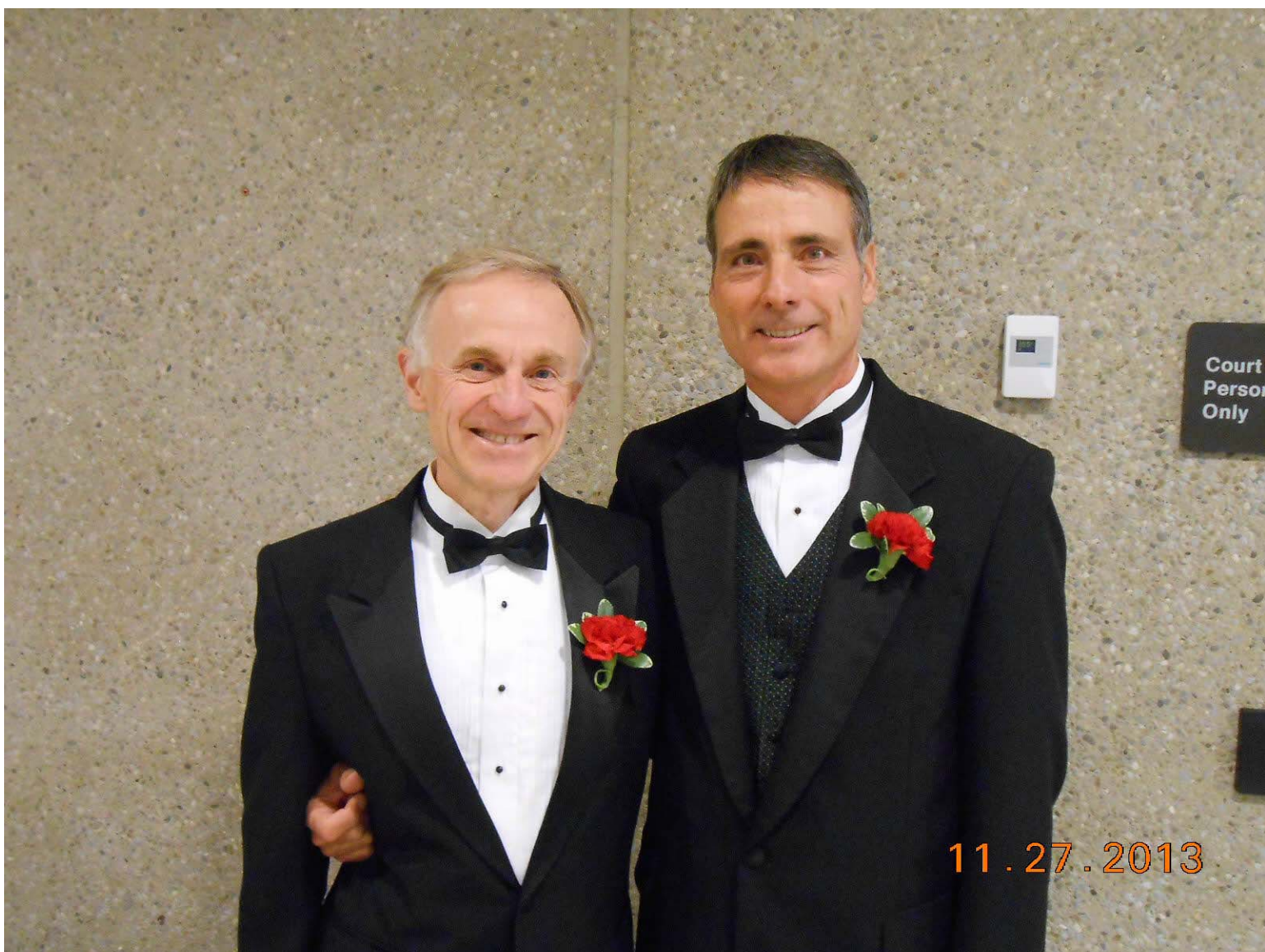
on November 27, 2013

*In Testimony Whereof, I hereunto subscribe my name and
affix the seal of the Circuit Court for Montgomery County,
at Rockville, Maryland, this 27th
day of November A.D. 2013*



Loretta E. Knight
Loretta E. Knight
Clerk of the Circuit Court for Montgomery County

EXHIBIT PX-24-D



GEBHARDTWRIGHT000669