

1 Jennifer C. Pizer (Admitted *Pro hac vice*)
2 Carmina Ocampo (Admitted *Pro hac vice*)
3 **LAMBDA LEGAL DEFENSE AND**
4 **EDUCATION FUND, INC.**
5 4221 Wilshire Blvd., Suite 280
6 Los Angeles, California 90010
7 Telephone: 213.382.7600
8 Facsimile: 213.351.6050
9 Email: jpizer@lambdalegal.org
10 cocampo@lambdalegal.org

11 Paul F. Eckstein (Bar No. 001822)
12 Daniel C. Barr (Bar No. 010149)
13 Kirstin T. Eidenbach (Bar No. 027341)
14 Barry G. Stratford (Bar No. 029923)
15 Alexis E. Danneman (Bar No. 030478)
16 **PERKINS COIE LLP**
17 2901 North Central Avenue, Suite 2000
18 Phoenix, Arizona 85012-2788
19 Telephone: 602.351.8000
20 Facsimile: 602.648.7000
21 Email: PEckstein@perkinscoie.com
22 DBarr@perkinscoie.com
23 KEidenbach@perkinscoie.com
24 BStratford@perkinscoie.com
25 ADanneman@perkinscoie.com
26 DocketPHX@perkinscoie.com

27 *Attorneys for Plaintiffs Nelda Majors, Karen*
28 *Bailey, David Larence, Kevin Patterson, George*
Martinez, Fred McQuire, Michelle Teichner,
Barbara Morrissey, Kathy Young, Jessica Young,
Kelli Olson, Jennifer Hoefle Olson, Kent Burbank,
Vicente Talanquer, C.J. Castro-Byrd, Jesús Castro-
Byrd, Patrick Ralph, Josefina Ahumada and
Equality Arizona

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Nelda Majors; Karen Bailey; David
Larence; Kevin Patterson; George
Martinez; Fred McQuire; Michelle
Teichner; Barbara Morrissey; Kathy
Young; Jessica Young; Kelli Olson;
Jennifer Hoefle Olson; Kent Burbank;
Vicente Talanquer; C.J. Castro-Byrd; Jesús
Castro-Byrd; Patrick Ralph; and Josefina
Ahumada; and Equality Arizona

Plaintiffs,

v.

Michael K. Jeanes, in his official capacity as
Clerk of the Superior Court of Maricopa

No. 2:14-cv-00518-JWS

**DECLARATION OF GEORGE
MARTINEZ**

1 County, Arizona; Will Humble, in his official
2 capacity as Director of the Department of
3 Health Services; and David Raber, in his
4 official capacity as Director of the Department
5 of Revenue,

6 Defendants.

7 George Martinez declares and states as follows:

8 1. I am a Plaintiff in this lawsuit along with my husband Fred McQuire. I am
9 62 years old and Fred is 69. We reside together in Green Valley, Arizona. I have personal
10 knowledge of the matters stated in this declaration and could and would so testify if called
11 as a witness.

12 2. I grew up in Arizona and have lived in this state my entire life. I am
13 Mexican-American and Yaqui. I did not go to college and served in the United States Air
14 Force. I am a Vietnam War veteran. After I was released from the Air Force, I started
15 working part-time as a clerk for the Arizona Court of Appeals in 1972 as part of a
16 government manpower program designed to teach unemployed workers job skills. In
17 1976, I was promoted and became the first Deputy Clerk of the Arizona Court of Appeals.

18 3. I love my job and have proudly worked as a Deputy Clerk for over three
19 decades. I find my job interesting because I meet different people and am exposed to
20 different issues like criminal, mental health and juvenile justice issues. I love the people
21 that I work with and have strong friendships with my co-workers. I retired four years ago
22 and then returned to work part-time at the Court. Three years ago, I was diagnosed with
23 prostate cancer, but I underwent surgery and radiation and once again went back to work
24 part-time. I am currently on medical leave under the Family and Medical Leave Act.

25 4. I have been in a loving relationship with my life partner and husband Fred
26 McQuire for forty-five years. Fred has worked as a manager at Wal-Mart, as a lieutenant
27 at the Arizona Department of Corrections and as a car salesman. He is now retired. Fred
28 is also a veteran and was in the Air Force, although our paths never crossed when we were
on duty.

1 5. I first met Fred in December 1969. Fred was serving in the Air Force and
2 he had just moved to Arizona from Guam. We met in a gay bar in Arizona. Back then,
3 gay bars played an important role in the gay community. We did not have any gay support
4 groups to go to and you had to go to a bar if you wanted to meet other gay people. During
5 the day, we had to hide that we were gay from our co-workers, but at night at gay bars
6 where we were surrounded by friends and men like us, we could be ourselves. After Fred
7 and I met, we became close friends right away. By March 17, 1970, we were a couple and
8 had moved in together. We realized early on that we found the perfect match in one
9 another. We began a committed relationship of love and support that continues to this
10 day.

11 6. Fred and I had a commitment ceremony in 1980 to celebrate ten years of
12 being together. Back then gay people could not get married so we had a commitment
13 ceremony. A friend told us that there was one priest in Arizona who would officiate
14 commitment ceremonies for same-sex couples. We met with the priest, whose name was
15 Father Francis, and he told us that he could not wear any of his vestments for the
16 ceremony because we were gay. We had dinner with Father Francis and he got to know
17 us. He ended up wearing his vestments anyway during the ceremony. I think he made an
18 exception and wore his vestments because he liked us. Our commitment ceremony was
19 very special. At least a hundred of our friends came and we held the ceremony in a
20 historical house downtown. Fred surprised me with a mariachi band and we had a big
21 potluck. Unfortunately, our families were not there. Back then Fred and I were too afraid
22 to tell our families that we were gay, although I wished and hoped that they could have
23 been there. We do not have to hide our relationship from our families now, but things
24 were so different in the past.

25 7. For most of our lives, Fred and I had to hide from our families and co-
26 workers that we are gay and in a relationship. When Fred and I were in the Air Force, we
27 pretended that we were heterosexual because we feared being abused or discharged if
28 people found out that we were gay. Back then, the higher-ups in the Air Force would have

1 meetings with us soldiers and say, “If you know someone is a homosexual, you have to
2 turn them in right away.” I was always terrified that someone would find out that I was
3 gay and turn me in. Similarly, when I first started working at the court in the 1970’s, I was
4 deathly afraid that my co-workers and the judges would find out that I was gay and that
5 they would find some reason to fire me. Fred was a car salesman and he was also afraid
6 that his co-workers and customers would reject him if they found out that he was gay. I
7 could not answer the phone in our home because Fred was afraid that his employer would
8 call and find out that he was gay if I answered it. We lived in constant fear that we would
9 lose our jobs and grew accustomed to hiding our relationship and the pain and
10 inconvenience that resulted from us doing so.

11 8. Family parties were almost unbearable because I had to pretend that I was
12 heterosexual. I used to quake in my boots during family gatherings when aunts and uncles
13 asked me why I was not married and why I did not have a girlfriend. Fred and I pretended
14 that our relationship did not exist. It was stressful to constantly deal with the daily
15 humiliation of keeping our identities and relationship a secret. Over the years, our families
16 eventually showed their love and support for our relationship. I never told my father that I
17 was gay but my father loved Fred and never asked us any questions. My mother knew that
18 I was gay and was supportive and so were my brothers and sisters. Fred’s family is also
19 very supportive of us now.

20 9. Fred and I enjoyed camping and traveling to different states in the country
21 together. We visited California, Nevada and Utah and we visited Fred’s family in
22 Mississippi and Springfield, Illinois, where Fred grew up. Like every other relationship,
23 we have had our ups and downs. But our love has persevered through all the good and the
24 bad times. We’ve gone through rough times but we’ve always ended up together and have
25 built a life together. Just last March, we bought our dream house in Green Valley and we
26 are so happy living there with our poodle terrier, Buggy.

27 10. Fred and I have battled life-threatening illnesses in recent years and our
28 relationship involves significant caretaking of each other. Taking care of each other as we

1 struggle with poor health has brought us closer together and has made us stronger. Fred
2 suffers with chronic obstructive pulmonary disease, vascular problems and Parkinson's
3 disease. He has chronic neck and back aches and walking is very difficult for him. In the
4 past few years, Fred has been hospitalized several times. I have acted as his caregiver.
5 When Fred was last in the hospital I went to the hospital every day to see him. I lectured
6 him about how he had to eat and get strong. Now the tables have turned and I am sick and
7 do not feel like eating or doing anything. And now Fred is the one taking care of me and
8 urging me to eat every day.

9 11. I am also fighting life-threatening illness. Three years ago I was diagnosed
10 with Stage IV prostate cancer. The Department of Veterans Affairs issued a
11 determination that my prostate cancer is 100% associated with exposure to Agent Orange
12 during the Vietnam War, and that I am entitled to federal disability benefits, which I
13 currently receive. I underwent surgery and radiation to eradicate the prostate cancer and I
14 was able to work again part-time when I was able.

15 12. In June 2014, I was diagnosed with Stage IV pancreatic cancer that has
16 metastasized to my liver. Doctors have told me that I only have months to live. This
17 diagnosis is devastating.

18 13. Now that I am very sick, I rely on Fred to take care of me every day. He
19 takes care of me despite the fact that he struggles with his own serious health issues. I
20 have blood clots in my lungs and legs and Fred gives me shots every day in my stomach.
21 Fred helps me shower, does all the grocery shopping for us, prepares small meals for me,
22 gives me my medications, takes me to my doctors and chemotherapy appointments and
23 runs all of our errands. I am thankful for the love and care that he shows me every day. I
24 know it is not easy for him to take care of me when he is also struggling with health
25 issues. I love and appreciate him very much.

26 14. When we found out that I am dying, Fred and I felt that it was urgent for us
27 to get married. We always wanted to get married but for most of our lives together, it was
28 not possible. We never dreamed that it would someday be possible for us to get married.

1 Even when same-sex couples began marrying in other states years ago, we knew that if we
2 got married in another state, we still would not have had legal recognition in Arizona. By
3 the time married same-sex couples started receiving some legal protections and benefits a
4 year ago, both Fred and I were too sick and traveling had become very difficult for both
5 of us. We considered traveling to California to get married, but we hoped marriage would
6 become legal in Arizona because it would have been so much easier and more practical to
7 marry in our home state. When I received my diagnosis of terminal cancer, we felt that
8 we could not afford to wait any longer.

9 15. Fred and I traveled to California and got married on July 19, 2014. We did
10 so with the love and support of our friends, family and my co-workers, who made the
11 journey and celebration possible for us. When my co-workers learned that Fred and I
12 wanted to get married in California, they planned a party for us. My co-worker Beth
13 hosted our wedding party in her beach house in Encinitas. She and some of my co-
14 workers took care of all the arrangements and ordered the food, drinks and a beautiful
15 cake for our party. About thirty of our friends, family, and my co-workers traveled from
16 Tucson to Encinitas to attend our wedding. My supervisor came to our wedding and gave
17 a toast and my friend and co-worker Therese officiated the ceremony. When I think about
18 the love and support my co-workers showed me and Fred, I get emotional. It is surreal and
19 beautiful to celebrate my marriage to Fred with the support of my supervisor and co-
20 workers, especially considering how terrified I used to be that people at work would find
21 out that I was gay and fire me. Times have really changed.

22 16. Our wedding day was the happiest day of my life. Fred said beautiful things
23 during the ceremony and he said that it was the happiest day of his life too. Fred and I
24 both sat down during the ceremony because we were too weak to stand. We still managed
25 to get up and dance a slow dance to our song, "You Are So Beautiful" by Joe Cocker. We
26 picked that song to dance to because Fred used to sing that to me when it came on the
27 radio when we were young.

28

1 17. It feels wonderful to finally marry Fred after so many years of being
2 together. Having to constantly lie about our relationship our whole lives because we
3 faced so much hostility and discrimination as gay men made us feel like second class
4 citizens. Being able to get married has made us feel validated and respected. Unlike our
5 commitment ceremony in 1980 where we did not feel comfortable inviting our family
6 members and co-workers, we celebrated our marriage surrounded by our families and my
7 co-workers. It means so much to us that our family members and my co-workers travelled
8 such a long distance to share our wedding day with us. I appreciate their love and support.
9 I could tell that they truly respect and support our marriage. For the first time in my life I
10 feel legitimate.

11 18. Our wedding celebration was joyful, but traveling to California to get
12 married was excruciating and difficult for me and Fred. The travel was especially hard on
13 me. I am undergoing chemotherapy, which makes me feel dizzy, nauseous, exhausted and
14 weak. Flying was difficult for both of us. We flew from Tucson to Phoenix and from
15 Phoenix to Long Beach. Waiting in lines at airports, getting on and off planes, and going
16 to the bathroom in airports and on the airplane was exhausting. Fred and I had to be
17 escorted through each airport in wheelchairs because I was too weak to walk, and Fred
18 was also too weak to push me in a wheelchair. We drove to Norwalk, California to obtain
19 our marriage license and then south to Encinitas to the ceremony. All that driving was
20 exhausting too. At one point during the celebration, I felt fatigued and I had to lie down.
21 Fred and I felt as if it was almost a miracle that we survived traveling to California to get
22 married.

23 19. I feel sad and angry that because of the State's ban on marriage for same-sex
24 couples, Fred and I were forced to travel to California to marry. It would have been so
25 much more convenient for us and our friends and families, if we could have married at
26 home, in Arizona. It cost me and Fred at least \$800 to fly to California, which is a lot of
27 money. Our friends and family who came to our wedding also had to spend money on
28 plane tickets and gas to travel to California. Some of them also had to take time off work

1 on a Friday to have enough time to drive to California. Several of my friends and family
2 members, including my sister and several of my cousins, could not afford to take time off
3 or spend money to travel to California. I know that if we had gotten married in Arizona,
4 more of our friends, co-workers and family would have attended. It makes me feel sad
5 and angry that some of the people who are closest to us could not attend our wedding
6 because we were forced to hold it out of state. I do not want anyone to have to go through
7 what I did having to travel out of state to marry their partner when they are sick and
8 dying. Luckily Fred and I could afford our plane tickets, but people with more serious
9 financial hardship cannot afford to spend hundreds of dollars to fly to another state to get
10 married. It is unfair and wrong that Fred and I had to go through that when we should
11 have been able to marry in our home state like other couples.

12 20. We went through such an ordeal to get married in California and it is even
13 more painful, demeaning and unfair that our marriage is not recognized in our home state
14 of Arizona. Arizona's refusal to recognize our marriage makes us feel like second-class
15 citizens.

16 21. Because the State does not recognize my legal marriage to Fred, I am
17 prevented from receiving additional veterans' disability compensation that is available to
18 disabled veterans with spouses. I believe that I would be eligible to receive a higher
19 amount of veterans' disability compensation if my marriage was recognized by the State
20 because the U.S. Department of Veterans Affairs ("VA") awards higher benefit amounts
21 to veterans with spouses than it does to single veterans. Since Fred and I live in a state
22 that does not recognize our marriage, the VA will not recognize our marriage. As a result,
23 I am not eligible for an increase in my veterans' disability benefit that I would be entitled
24 to if I was married to a woman.

25 22. Because the State refuses to recognize my legal marriage to Fred, I feel
26 frightened and worried about what will happen to Fred after I die. Although Fred and I are
27 legally married under the laws of California, the fact that the U.S. government honors our
28 marriage while Arizona does not is confusing and stressful. I have always supported Fred

1 financially. I financially support Fred through the income that I receive from my state
2 court retirement, Social Security and veterans' disability benefits. Fred is retired and his
3 only source of income is Social Security. Fred is in extremely poor health and unable to
4 work, has no savings or assets, and has no family members that he can move in with if he
5 loses our home. After I pass away, Fred will no longer be able to rely on me for financial
6 support. If Fred cannot receive benefits as my surviving spouse, he will suffer immediate
7 financial hardship and he probably will not be able to afford to remain in our house. I am
8 worried about what will happen to him. Arizona's refusal to recognize our marriage is a
9 legal barrier to Fred being eligible for important spousal benefits he should be able to
10 receive as my husband.

11 23. Fred and I also fear that he will be prevented from seeing and being with me
12 if I am hospitalized. My health is precarious and I could face a medical emergency on any
13 given day. I am terrified that the lack of recognition for our relationship and marriage
14 under Arizona law could cause someone to prevent Fred from being by my side or from
15 making decisions on my behalf. I also fear that I will be prevented from seeing Fred if he
16 is hospitalized with a medical emergency.

17 24. Our fears about being denied the ability to care for each other are worsened
18 by our actual past experiences. On prior occasions, I was prevented by staff in Arizona
19 hospitals from being with Fred because the staff did not consider me to be a legally
20 recognized family member to Fred. For example, four or five years ago, Fred was in the
21 Intensive Care Unit at the hospital. I went to see him and told a nurse that I was his
22 partner. The nurse told me, "Do you realize that I won't be able to tell you anything
23 because you're not his relative?" I'll never forget how humiliating, stressful and scary it
24 was to be told by a nurse that I could not see Fred when he was seriously ill.

25 25. Three years ago, I had another negative experience visiting Fred in the
26 hospital. Fred was in the emergency room and when I went to see him, the ER nurse came
27 out and said "Who are you?" I said, "I'm his partner." The nurse said rudely, "Oh, you'll
28 have to wait." I felt humiliated and degraded. I knew that if I had been Fred's wife he

1 would have let me in the room to see Fred. I still remember how angry, humiliated and
2 frightened I felt being prevented from seeing Fred just because I am gay. I do not want to
3 ever experience that rejection and homophobia ever again.

4 26. These negative experiences of being rejected by hospital staff make me
5 especially anxious and fearful about how Fred and I will be treated when one of us is next
6 hospitalized. I am very sick and need to feel sure that Fred will be able to be by my side
7 when I need him, and that we will not face hostility, disrespect or humiliation during a
8 medical emergency. I want the State to recognize our marriage to put an end to the
9 official policy of exclusion and disrespect that seems to encourage the stressful,
10 confusing, and humiliating treatment that I have received in medical settings.

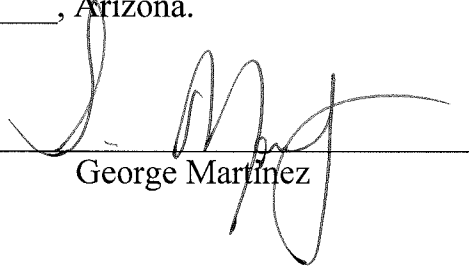
11 27. I fear that when I die, Fred will be prevented from obtaining a death
12 certificate for me. I also fear that Fred will receive a death certificate from the State that
13 records my marital status as having been unmarried, which is untrue and would interfere
14 with Fred's ability to access benefits as my surviving spouse. It is painful thinking that
15 after I die, the State will continue to insist that I was unmarried and deny my marriage to
16 the man I love. As I grapple with the knowledge that I will die soon, I want Fred to be
17 recognized as my husband, and I want both of us to be afforded the same protections,
18 recognition and respect as any other married couple in Arizona. It is overwhelming,
19 stressful and terrifying to wonder if my husband will be able to be by my side while I am
20 dying, whether he will suffer unfair financial hardship after my death, and whether he will
21 even be able to get a death certificate for me after I die. I would like to die feeling peace,
22 knowing that the man I love will be taken care of as any other cherished spouse would be.

23 28. It is painful and sad that Arizona refuses to recognize our marriage. After a
24 lifetime of proudly serving my country, state and community, I am tired of being treated
25 as a second-class citizen and do not want anyone to have to go through what Fred and I
26 are going through right now. Fred and I feel like strangers in our home state of Arizona
27 because the State denies our marriage respect and invites and encourages bias and
28 discrimination against us. The need for our marriage to be recognized so that we can we

1 can have dignity and respect as a couple and also so Fred can apply for survivor benefits
2 is incredibly urgent.

3 29. Attached to this declaration as "Attachment A" are two photographs of Fred
4 and me, taken in July, 2014.

5
6 I, George Martinez, declare under penalty of perjury that the
7 foregoing is true and correct and that this declaration was completed and signed on the
8 13th day of August, 2014, at Tucson, Arizona.

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12 George Martinez
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ATTACHMENT A



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1 Jennifer C. Pizer (Admitted *Pro hac vice*)
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3 **LAMBDA LEGAL DEFENSE AND**
4 **EDUCATION FUND, INC.**
5 4221 Wilshire Blvd., Suite 280
6 Los Angeles, California 90010
7 Telephone: 213.382.7600
8 Facsimile: 213.351.6050
9 Email: jpizer@lambdalegal.org
10 cocampo@lambdalegal.org

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19 Telephone: 602.351.8000
20 Facsimile: 602.648.7000
21 Email: PEckstein@perkinscoie.com
22 DBarr@perkinscoie.com
23 KEidenbach@perkinscoie.com
24 BStratford@perkinscoie.com
25 ADanneman@perkinscoie.com
26 DocketPHX@perkinscoie.com

27 *Attorneys for Plaintiffs Nelda Majors, Karen Bailey,*
28 *David Larance, Kevin Patterson, George Martinez,*
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Jennifer Hoefle Olson, Kent Burbank, Vicente
Talanquer, C.J. Castro-Byrd, Jesús Castro-Byrd,
Patrick Ralph, Josefina Ahumada and Equality
Arizona

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Nelda Majors; Karen Bailey; David
Larance; Kevin Patterson; George
Martinez; Fred McQuire; Michelle
Teichner; Barbara Morrissey; Kathy
Young; Jessica Young; Kelli Olson;
Jennifer Hoefle Olson; Kent Burbank;
Vicente Talanquer; C.J. Castro-Byrd; Jesús
Castro-Byrd; Patrick Ralph; and Josefina
Ahumada; and Equality Arizona

Plaintiffs,

v.

Michael K. Jeanes, in his official capacity as
Clerk of the Superior Court of Maricopa

No. 2:14-cv-00518-JWS

**DECLARATION OF
FREDERICK "FRED"
MCQUIRE**

1 County, Arizona; Will Humble, in his official
2 capacity as Director of the Department of
3 Health Services; and David Raber, in his
4 official capacity as Director of the Department
5 of Revenue,

6 Defendants.

7 Frederick "Fred" McQuire declares and states as follows:

8 1. I am a Plaintiff in this lawsuit along with my husband George Martinez. I
9 am 69 years old and George is 62. I will turn 70 on September 17, 2014. George and I
10 reside together in Green Valley, Arizona. I have personal knowledge of the matters stated
11 in this declaration and could and would so testify if called as a witness.

12 2. I grew up in Springfield, Illinois and went to high school in Kansas City,
13 Missouri as a teenager. When I was seventeen I joined the United States Army and served
14 as a private for three years. While I was in the Army I was stationed in Germany. After I
15 came back from Germany and finished my service in the Army, I went back to Illinois to
16 look for a job. I could not find a job so I joined the United States Air Force. I served in
17 the Air Force for four years and was stationed in Guam for eighteen months in 1969-1970.
18 I am considered a Vietnam-era veteran. When I joined the Air Force I started as an airman
19 and was later promoted to sergeant.

20 3. After I finished my tour in Guam, I moved to Tucson, Arizona in 1969,
21 where I was next stationed. Shortly after I moved to Tucson, I met George Martinez.
22 George and I met in December 1969 at a gay bar. I was very attracted to his intelligence.
23 We became a couple and moved in together in 1970.

24 4. George and I have been together for forty-five years. We had a commitment
25 ceremony in 1980 after being together for ten years. We celebrated with about a hundred
26 of our friends and we had a great time.

27 5. I have worked as a manager at Wal-Mart, as a lieutenant at the Arizona
28 Department of Corrections and as a car salesman. I am now retired. George also served in
the Air Force, although we never met each other when we were on duty. George is a

1 Vietnam War veteran. He also has worked as a clerk for the Arizona Court of Appeals for
2 over thirty years. In 1976, he became the first Deputy Clerk of the Arizona Court of
3 Appeals. I am proud of George for his hard work and accomplishments.

4 6. George and I truly enjoy each other's company. I am really close to his
5 family. Before she passed away, we spent a lot of time with George's mother and took
6 her shopping. George and I have survived a lot together, including the terrifying first years
7 of the AIDS epidemic in the 1980's and 1990's.

8 7. George and I lived in Tucson for most of our relationship. In March 2014
9 we bought our dream house in Green Valley and moved from Tucson. We live in the
10 house with our dog Bugsy.

11 8. George and I have taken care of each other during the past few years when
12 we have both struggled with life-threatening illnesses. Taking care of each other during
13 medical crises has brought us closer together. I have a lot of medical problems including
14 chronic obstructive pulmonary disease, vascular problems and Parkinson's disease. My
15 Parkinson's disease makes my hands and body shake and I cannot type or even look at a
16 computer. It seems to be getting worse. I have chronic neck and back aches and walking is
17 very difficult and painful for me. I can hardly lift anything. In the past five years, I have
18 been hospitalized several times, including for pneumonia five or six years ago. When I
19 had pneumonia, I spent twenty-one days in the Intensive Care Unit of the hospital. I did
20 not think that I was going to survive. I have also had several operations including vascular
21 surgery and surgery on my elbow for a pinched nerve. I am scheduled to have bladder
22 surgery this month and a back operation in September.

23 9. As my health has declined, George has always taken care of me. Every time
24 I was hospitalized, he was there in the hospital by my side all the time. After I was
25 hospitalized for pneumonia, I was so weak that I could not walk. My body parts would not
26 function. George went with me to the Veterans Administration hospital when I was
27 recovering and undergoing physical therapy.

28

1 10. George has also battled life-threatening illnesses and I have acted as his
2 caregiver. Three years ago George was diagnosed with prostate cancer. I was afraid that
3 he was going to die. I took care of him and visited him at the hospital when he was
4 receiving radiation for the cancer. In June 2014, George was diagnosed with Stage IV
5 pancreatic cancer which has spread to his liver. Doctors say that George only has months
6 to live.

7 11. George is my best friend and my life. I cannot imagine my life without him,
8 and the news that he has only months to live is devastating and hard for me to take.

9 12. George is undergoing chemotherapy and he feels sick and weak every day. I
10 do my best to take care of him even though I also struggle with health issues. I cook for
11 him, give him his shots every day and run our errands. I enjoy taking care of him because
12 I love him.

13 13. When we found out that George is dying, we thought it was finally time for
14 us to get married. George and I had wanted to get married for years. We had been
15 together for so long that our friends and family members already thought that we were
16 married. We put off getting married because we could not marry in Arizona, and we were
17 too sick to travel to another state to get married. Plus, for most of our lives, it was not
18 legal for gay people like us to get married anywhere. When that started to change about
19 ten years ago, we started to hope that we would be able to get married in Arizona. But, it
20 took too long and since George is so sick, last month we realized that we could not afford
21 to wait until gay people can get married in Arizona.

22 14. George and I traveled to California and got married on July 19, 2014.
23 George's co-workers planned a party for us. Many of our friends and George's family
24 members and co-workers came to the wedding. Marrying George was the best thing that
25 ever happened to me. I had been waiting for that moment for a long time. I loved the
26 party. George's co-workers planned such a wonderful celebration. It was so nice. During
27 the wedding ceremony I said that I love George and that marrying him is the pinnacle of
28 my life.

1 15. George and I both sat down during the ceremony because we were too weak
2 to stand. We got up and danced a slow dance to our song, "You Are So Beautiful" by Joe
3 Cocker. I used to sing that song to George when we were young. It feels wonderful to
4 finally marry George after being together for so many years.

5 16. Traveling to California to get married was very difficult for me and George.
6 George was very nauseous, tired and weak. Flying was hard for both of us and attendants
7 had to push us through each airport in wheelchairs. It would have been so much easier if
8 we could have married in Arizona.

9 17. We went through so much to get married in California and it is demeaning
10 that our marriage is not recognized in our home state of Arizona.

11 18. Knowing that George might die makes me feel depressed, worried and
12 afraid. George's recent diagnosis of terminal illness was shocking. I never expected
13 George to pass away before me. I am older than George and he was always healthier than
14 me. We always thought that he would outlive me. I have struggled for years with mental
15 health issues including anxiety and depression, and my struggles to cope with the reality
16 that George might die, and my worries and stress about how I will be able to support
17 myself after he dies, have made the depression and anxiety that I feel even worse.

18 19. Because Arizona refuses to recognize my legal marriage to George, I feel
19 frightened and worry about how I will support myself after George dies. George has
20 always supported me financially. He has always been the higher wage earner, and he
21 supports us through the income he receives from his state court retirement, Social Security
22 and veterans' disability benefits. I am retired and my only source of income is Social
23 Security. I am unable to work and have no savings or assets. I filed for bankruptcy several
24 years ago and have poor credit. With the limited income that I receive from Social
25 Security, I can only afford to buy groceries and make payments for my truck. After
26 George passes away, I will most likely suffer immediate financial hardship because I will
27 no longer be able to rely on George for financial support.

28

1 20. If I cannot receive benefits as George's surviving spouse, I probably will not
2 be able to afford to remain in our house. George currently pays all the mortgage bills for
3 our house. If George passes away and I cannot receive any surviving spouse benefits, I
4 will be close to homeless. I do not have any friends or family members that I can live with
5 if I have to leave our house because most of my friends have passed away. George
6 financed the truck that I drive. He was able to do that for me because he has good credit. I
7 make payments on the truck but George pays for my car insurance. The truck is in
8 George's name. If George dies, I will probably not be able to afford to keep the truck, and
9 I so I will be without a vehicle. It makes me feel stressed and anxious to know that
10 Arizona's refusal to recognize our marriage is a legal barrier to me being eligible for
11 spousal benefits that I need and should be able to receive as George's husband.

12 21. George and I also fear that I will be prevented from seeing and being with
13 him if he is hospitalized. He could face a medical emergency on any day. I am terrified
14 that the lack of recognition for our relationship and marriage under Arizona law could
15 cause someone to prevent me from being by George's side or making decisions on his
16 behalf. I also fear that George will be prevented from seeing me if I am hospitalized again
17 with a medical emergency. George has been prevented from being by my side by hospital
18 staff in the past, and I do not want us to have to worry about whether we will be able to
19 take care of each other during medical emergencies.

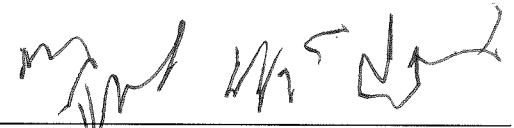
20 22. George is my husband. It is more hurtful than I can describe that our
21 government refuses to acknowledge that. I fear that when George dies, I will be prevented
22 from obtaining a death certificate for him. And there are no words for how I would feel if
23 George passes away and I receive an official record of his death that has the box 'single'
24 checked off, and the space for a surviving spouse left blank. It would be a denial of our
25 love, partnership and my grief.

26 23. I feel grief and sadness knowing that I could very soon lose my husband and
27 life partner. And it is overwhelming, stressful and terrifying to wonder how I will support
28 myself financially after my husband's death, and whether I will even be able to get the

1 death certificate for him properly identifying me as his surviving husband which I will
2 need to pursue spousal survivor benefits and to take care of George's affairs as he wants
3 me to do after he passes.

4 24. It is especially painful, and even infuriating, that Arizona treats us with so
5 little respect and concern when George and I both served our country honorably in the
6 military, now suffer serious health problems, and only want the same courtesies and
7 support that are offered to other married disabled veterans after a lifetime of work in
8 appreciation for their service.

9
10 I, Frederick McQuire, declare under penalty of perjury that the
11 foregoing is true and correct and that this declaration was completed and signed on the
12 13th day of August, 2014, at Tucson, Arizona.

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15 _____
16 Fred McQuire
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