

EXHIBIT PX-09

**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 FREDIA HURDLE

I, Fredia Hurdle, declare as follows:

1. I am 50 years young. 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 us to get married hurts us.

2. I was born and grew up in Virginia Beach. I have a commercial driver's license. When I met Lynn I was driving a bus for Greyhound. Since 2003, as a member of the Teamsters' Union, I have been a newspaper delivery driver for the Pittsburgh Post-Gazette.

3. I have lived in a committed relationship with Lynn Hurdle for twenty-three years. I have reviewed Lynn's declaration in this case and attest that it is accurate. I agree with her description of our relationship, our lives together, and how the inability to marry has harmed us.

4. I want to describe the hospital scene Lynn discusses, but from my perspective. I was admitted to the hospital for abdominal pain, and the doctors told me they had to remove my gall bladder. They kept me for observation overnight, with my surgery scheduled for 10:00 the next morning. Unexpectedly they took me at 6:00 a.m., so when Lynn came at 8:30 I was gone. Because she was not considered family, they wouldn't tell her what happened or where I was. When I woke up from anesthesia in post op, I was alone. I had only been in Pittsburgh for a few years and my entire family lived in Virginia so they weren't there. Waking up in the hospital, feeling lousy from surgery, I was terrified and all alone. I needed someone with me and the person I most wanted there, Lynn, wasn't there because they didn't recognize our relationship.

5. I would like to add that as a black woman who grew up in Virginia, this has been especially hard for me. As a child, I lived in a segregated state where black people were discriminated against. I went to a segregated elementary school. Then the Supreme Court ruled that a Virginia law that made it illegal for a black person to marry a white person was unconstitutional, which is as it should be. So now being black doesn't keep me from marrying Lynn, being a woman who loves another woman does. That's wrong. I love Lynn. We have raised a family together, and we pray and laugh together. Our family, our relationship,

needs to be respected by the state in the same way that states must respect interracial relationships.

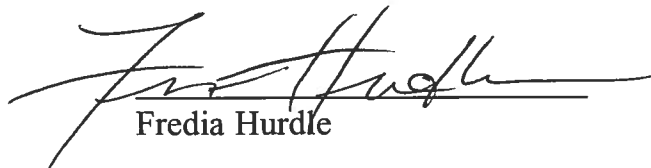
6. We cannot file either our federal or Pennsylvania taxes jointly. I want to be able to declare myself as "Married" on both my federal and Pennsylvania income tax returns.

7. Should I or Lynn 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 allow us to marry, I would not be listed as Lynn's surviving spouse (or vice versa), and that official non-recognition of our loving relationship is wrong.

8. 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


Fredia Hurdle