

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**


<b>BRITTANI HENRY, et al.,</b>	:	<b>Case No. 1:14-cv-129</b>
	:	
<b>Plaintiffs,</b>	:	<b>Judge Timothy S. Black</b>
	:	
<b>vs.</b>	:	
	:	
<b>THEODORE E. WYMYSLO,</b>	:	
<b>M.D., et al.,</b>	:	<b><u>DECLARATION OF GEORGIA</u></b>
	:	<b><u>NICOLE YORKSMITH</u></b>
<b>Defendants.</b>	:	

I, Georgia Nicole Yorksmith, under 28 U.S.C. §1746, declare under the penalty of perjury under the laws of the United States of America that the following is true and correct:

1. My name is Georgia Nicole Yorksmith and I am a plaintiff in the above action. I have read the complaint filed in this action and I can verify that all of the facts are true. I submit this declaration in support of our request for a preliminary injunction.
2. I am 34-years-old. I live in Florence, Kentucky, with my wife, Pamela Yorksmith.
3. Pam and I have been in a committed relationship since October, 2006.
4. We both wanted children. From the beginning of our relationship, Pam and I discussed adding children to our family.
5. Pam and I married on October 14, 2008, in California.
6. On November 19, 2009, the Hamilton County, Ohio, Probate Court granted our petition to legally change our last names to Yorksmith, a combination of my last name (Smith) and Pam's last name (York). We felt it was important for us to share a last name so that when we had children, our family would have the same last name.
7. On October 18, 2010, we welcomed our first son, G. Yorksmith. He was born in Cincinnati, Ohio. I am the birth mother. He was conceived through artificial insemination with sperm from an anonymous donor.
8. Although Pam was equally involved in the fertility process, pregnancy and birth, only my name appears on the birth certificate.

9. When our son needed a passport, I was the only one allowed to apply because my name was the only name on the birth certificate.
10. Although Pam is an equal in parenting our son, I have had to draft medical powers of attorney in the event of an emergency and Pam was the parent available to deal with the emergency. I've drafted general powers of attorney so that Pam can deal with teachers and daycare workers.
11. I am concerned that these documents could be rejected and our son's safety jeopardized if Pam is not acknowledged as an equal parent. I would not have these worries if her name could have been listed on his birth certificate.
12. I am pregnant with our second son. O. Yorksmith is scheduled to arrive on June 25, 2014. He was conceived through artificial insemination with sperm provided by an anonymous donor. He will be born at Christ Hospital in Cincinnati, Ohio.
13. Pam was equally involved in our second son's fertility process and is a loving spouse during this pregnancy. She will equally co-parent him, just as she equally co-parents his big brother.
14. It denigrates my family to refuse to put Pam's name on her son's birth certificate.
15. Pam and I live as a married couple. We provide a secure and happy home for our son and look forward to the arrival of our second son. Ohio's denial of the true nature of our family demeans and harms all of us.

Dated: 2/8/2014

  
Georgia Nicole Yorksmith



# Marriage Certificate



I hereby certify that on **October 14, 2008** in **San Francisco, California**,  
under authority of a license issued by the County Clerk of **San Francisco**,

I, the undersigned, as a *Deputy Marriage Commissioner*, joined in marriage

Georgia N Smith and Pamela York

in the presence of Joseph H. Zarnowski, residing in Oakland CA  
(Witness) (City/State)

and \_\_\_\_\_, residing in \_\_\_\_\_  
(Witness) (City/State)

County of San Francisco  
State of California

[Signature]  
(Signature of Person Solemnizing Marriage)

