

MARK LEWIS, et al.,

Plaintiffs-Appellants,

v.

GWENDOLYN L. HARRIS, et al.,

Defendants-Appellees.

SUPREME COURT OF NEW JERSEY

DOCKET NO. 58,389  
CIVIL ACTION

**AFFIDAVIT OF  
SAUNDRA HEATH**

State of New Jersey    )  
  : ss.  
County of Essex         )

Saundra Heath, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit, and I provide this affidavit in support of the Plaintiffs' Motion in Aid of Litigants' Rights.
2. I was born in Newark on August 4, 1953, and am 56 years old. I have lived in New Jersey all of my life.
3. I am in a permanent committed relationship of over 20 years with Alicia Toby, who has also provided an affidavit. We live in Newark, New Jersey.
4. While we have not had legal name changes, we commonly hyphenate our surnames, as a sign of our commitment to each other, and are known in our community as Alicia Heath-Toby and Saundra Toby-Heath. I am signing this affidavit with my legal name.
5. Alicia and I got a civil union on March 31, 2007.
6. I am a dispatcher for FedEx, where I have worked for 24 years.

7. Our children are all grown, and we are happy to be grandparents to Terrell, Kahlil, Judah, Devyn, Amaura and Jordyn

8. We are very active in the Liberation In Truth Unity Fellowship, a church in Newark, where Alicia is an ordained reverend. I would say the church is still about 65% of our lives, as it was when I filed my first affidavit in this case. There is a two-hour service every Sunday afternoon, and we attend the church's cookouts, picnics, dances, and many other activities.

9. Alicia and I continue to live our life together as a marriage, as I said when we began this case. I remain proud that Alicia and I have the courage and the values to take on the responsibility to love and cherish and provide for each other. When I am asked about my relationship, I want my words to match my life, so I want to say "I am married" and know that my relationship with Alicia is immediately understood, and that nothing more needs to be explained.

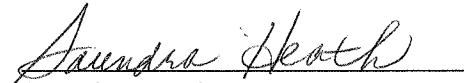
10. Marriage is motivated by love, but it's also a business, and we take seriously the commitment of working together to meet our responsibilities. Because we are not allowed to get married, we feel the pinch of being denied access to family health insurance.

11. We decided on a civil union to provide the best protection for each other. In addition to our insurance concerns, so many of our friends have experienced problems with recognition of their civil unions that it feels like we're playing Russian roulette. We testified before the Civil Union Review Commission in September 2007 and the New Jersey Senate in December 2009 about the feelings of inequality and insecurity that come from having a civil union. It's particularly hard for me, being of African descent—our

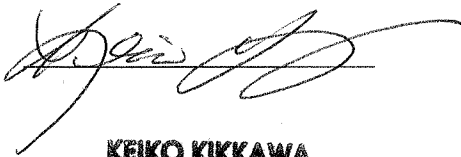
civil union is yet another second-class status.

12. Attached to this affidavit is a true and correct copy of a photograph of Alicia and me.

13. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.

  
Sandra Heath

Sworn to me this 16<sup>th</sup>  
day of March 2010.



**KEIKO KIKKAWA**  
**NOTARY PUBLIC OF NEW JERSEY**  
**Commission Expires 8/3/2010**