



Robert Hickok and Brian Fletcher with children Hank, Ellie and Jack

## **Affidavit of Brian Fletcher**

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, CHANCERY DIVISION

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JAMES DARBY and PATRICK BOVA, *et al.*,

Plaintiffs,

v.

DAVID ORR, in his official capacity as Cook County  
Clerk,

Defendant.

Case No. 12 CH 19718  
The Honorable Judge  
Sophia Hall

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TANYA LAZARO and ELIZABETH "LIZ" MATOS,  
*et al.*,

Plaintiffs,

v.

DAVID ORR, in his official capacity as Cook County  
Clerk,

Defendant.

Case No. 12 CH 19719  
The Honorable Judge  
Sophia Hall

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STATE OF ILLINOIS, *ex rel.* Lisa Madigan, Attorney  
General of the State of Illinois,

Intervenor,

**AFFIDAVIT OF  
BRIAN FLETCHER**

CHRISTIE WEBB, in her official capacity as Tazewell  
County Clerk, and KERRY HIRTZEL, in his official  
capacity as Effingham County Clerk, DANIEL S.  
KUHN, in his official capacity as Putnam County  
Clerk, PATRICIA LYCAN, in her official capacity as  
Crawford County Clerk, BRENDA BRITTON, in her  
official capacity as Clay County Clerk,

Intervenors.

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COUNTY OF COOK       )  
                                  )  
STATE OF ILLINOIS    )       ss.

**AFFIDAVIT OF BRIAN FLETCHER**

Brian Fletcher, having been duly sworn, states as follows:

1.       I am one of the Plaintiffs in this lawsuit.
2.       I was born on October 27, 1959, and I am 53 years old.
3.       I am in a permanent, loving, and committed relationship of 13 years with Robert Hickok, and we wish to marry. Robert also has provided an affidavit and we will try not to repeat each other.
4.       I reside with Robert Hickok, and our children, in Oak Park, Cook County, Illinois.
5.       I was born in Palos Heights, Illinois. I've lived in Illinois most of my life. I attended Bradley University in Peoria. I currently work at a small marketing firm where I conduct focus groups. I work from both home and an office in Wilmette but travel frequently.
6.       Robert and I met at a thing called Bulldog Bootcamp, which was a military style exercise program that met on the lakefront at 5 am every morning, rain or shine ... all four seasons. I was running toward a new life after a bad relationship and he was running from a bad situation he was in.
7.       What initially drew me to him were two things very distinctly; his eyes actually sparkled (at 5 am in the morning!) and his easy way of making conversation with everyone he talked to (when we were done gasping for breath at the end of the workout).

8. There is so much to love about Robert. I love that he is passionate about everything that he does; whether our relationship, kids, friendships ... he puts all of himself into it. I love his boundless spirit; he is eternally happy and lights up any gathering. I am always humbled to watch the attraction to him when we enter a room. I try hard to remember what it was about him before children, but my love for him has grown beyond that now. It expands every time I see him with the kids, every time he walks by and touches my hand or when we share a glance at a party across the room.

9. Shortly after Robert and I began our relationship we knew we wanted to have a family. Robert and I have jointly adopted three children, Jack (7), Hank (4), and Ellie (3).

10. Robert and I had a commitment ceremony on March 13, 2004 and entered into a civil union with a service at our church, in which our children participated, on March 17, 2012.

11. We wish to marry to secure our children's future and to demonstrate, both to each other and to our children, the depth of our commitment to each other.

12. Robert and I specifically choose to live in Oak Park because it has such a diverse population of straight families, gay families, and adopted families. Our kids' family doesn't look any different from the families at their daycare or on our street. Jack knows that he has two dads, which is different from the people next door who might have a dad and a mom or the people across the street who have two moms. In other words, it's different but it's not abnormal. However, we know that we can't shield our children forever, and we don't want them to begin to think that their family is worth less than

other families just because their government tells them that something is inferior about us because we cannot marry.

13. There is a sense about Midwest people that is different from anywhere else that I've been. I think we share down home, friendly, caring kind of set of values. These are the values that I grew up with, and that I saw and benefited from in all the people I knew as a child. I think that carries through for the rest of my life. Robert and I want to pass those values on to our children. But these values are undermined when Robert and I are treated differently from the other families in our community.

14. I worry that without the freedom to marry, we lack a legal foundation for our family -- a rock that we and the children can count on that can be there for their entire lives. Until we can marry, I think that that's going to be missing. I worry that that will make the children feel less secure and less valued, and as though there's something that could happen to our family. It makes me sad that the kids might think that.

15. We have adoption papers, we have powers of attorney, we have wills and all sorts of documents to show we are a legitimate family, but I always worry that it's not enough. If something happens, do we have everything we need in place? There's a constant fear, do we have everything that we need? Lastly, I worry that should something happen to me, the value of my estate left to Robert and to my children will be greatly reduced due to federal taxes that would not be imposed on a married couple. I have worked just as hard as a non-gay spouse to provide for my family and want the same treatment for my survivors as other married people would get. If a court strikes down the federal so-called "Defense of Marriage Act," or if Congress repeals it, federal

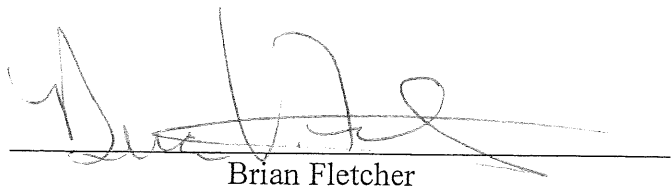
law would continue to discriminate against us because we are not married, but merely in a civil union.

16. In addition to my concerns about our children and protecting my family, I want to marry because I love Robert. In many ways, it's just that simple. I remember at our commitment ceremony in 2004 I wanted to say "I do" and have that mean we really were married. In fact, Robert and I were legal strangers to each other until our civil union in 2011.

17. Robert and I are both over the age of 18, have the capacity to contract, are not within the degrees of consanguinity or affinity prohibited by law for a legal marriage, are not wards under a guardianship, and are not legally married to any other person.

18. On or about the 16th day of May, 2012, Robert and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk to request an application for a marriage license so that we could marry each other in the State of Illinois. We asked an employee of the Cook County Clerk for an application for a marriage license but were denied an application on the ground that we are two men.

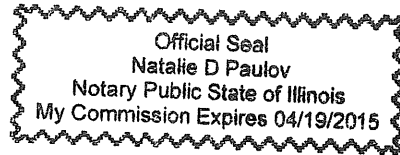
19. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.



Brian Fletcher

Sworn to before me this 20<sup>th</sup> day of March, 2013

Natalie D Paulov  
Notary Public





Robert Hickok and Brian Fletcher with their children Hank, Ellie and Jack

## **Affidavit of Robert Hickok**



# AFFIDAVIT OF ROBERT HICKOK

COUNTY OF COOK       )  
                                  )  
STATE OF ILLINOIS     )       ss.

**AFFIDAVIT OF ROBERT HICKOK**

Robert Hickok, having been duly sworn, states as follows:

1.       I am one of the Plaintiffs in this lawsuit.
2.       I was born on August 18, 1969, and I am 43 years old.
3.       I am in a permanent, loving, and committed relationship of 13 years with Brian Fletcher, and we wish to marry. Brian also has provided an affidavit, and we will try not to repeat each other.
4.       I was born and raised in Texas. I moved to Chicago when I was 23 years old because of a promotion with Marshall Fields Company. I currently reside with Brian Fletcher and our children in Oak Park, Cook County, Illinois.
5.       I met Brian in the spring of 2000 at "Bootcamp," which is an exercise program in which a group of people meet at the lake at 5 o'clock in the morning. We started dating in December.
6.       We had a commitment ceremony at our church, the First United Church of Christ in Oak Park, in front of family and friends in 2004. It was important to us to show to our friends and family that we are committed to each other, we want to raise a family together, and we want to be together for the long duration. We entered into a civil union on March 17, 2012.
7.       We have jointly adopted three children, Jack (7), Hank (4), and Ellie (3).

8. I have put my career on hold and am a stay at home dad. I've been doing this for the last 6 years. My day consists of getting the day started for the kids, getting Jack off to school, taking care of household chores, and getting dinner together.

9. I was raised Baptist and it is important to me that our family participate in church services. I want our children to have that family tradition, too.

10. Despite our civil union, Brian and I carry numerous legal documents with us wherever we go, including powers of attorney and confidential adoption decrees, for fear that we will not be recognized as a family. The meaning of a civil union remains unclear to many people. We still have to explain what it is and that feels like we are "defending" ourselves. I wish to marry in part so that we no longer have to feel so much defensiveness about demonstrating to other people that we are a legally recognized family worthy of as much respect as any other family.

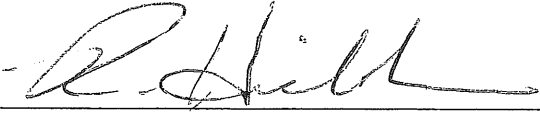
11. I want our kids to know that we are as equal as anybody else – because, really, what we do every day is just like any other family. We're just trying to raise our children and we really just want fairness for everybody and security for the kids.

12. Brian and I are both over the age of 18, have the capacity to contract, are not within the degrees of consanguinity or affinity prohibited by law for a legal marriage, are not wards under a guardianship, and are not legally married to any other person.

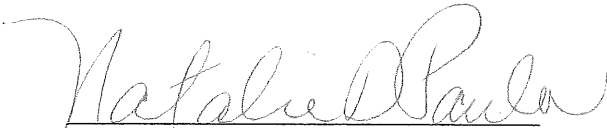
13. On or about the 16th day of May, 2012, Brian and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk to request an application for a marriage license so that we could marry each other in the State of Illinois. We asked an employee of the Cook County

Clerk for an application for a marriage license but were denied an application on the ground that we are two men.

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

  
Robert Hickok

Sworn to before me this 20<sup>th</sup> day of March, 2013

  
Notary Public

