



Bert Morton and Lee Korty

Affidavit of Lee Korty

AFFIDAVIT OF
LEE KORTY

COUNTY OF SANGAMON)
)
STATE OF ILLINOIS) ss.

AFFIDAVIT OF LEE KORTY

Lee Korty, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on November 7, 1958, and I am 54 years old.
3. I am in a permanent, loving and committed relationship of 30 years with Bert Morton, and we wish to marry. Bert also has provided an affidavit and we will try not to repeat each other.
4. I have lived in Illinois my entire life. I was born in Springfield and grew up on a farm near Springfield. I now live with Bert in Springfield, and we have lived here for almost thirty years in a house we designed together.
5. I attended the University of Illinois- Springfield and have a Bachelor's degree in Mathematics / Computer Science. I am a retired employee of the Illinois Workers Compensation Commission, where I worked as an IMS Database Administrator for over 35 years.
6. Bert and I met in 1982. I asked him to dance and we've been together ever since. He is my soul mate. We entered into a civil union June 7, 2011. The experience of getting a civil union seemed anticlimactic because we still cannot refer to ourselves as married.
7. Bert and I thought about marrying in Iowa, but Illinois is where we live, and we want to marry in our home state. I don't feel I should need to leave home in order to have the freedom to marry. I love Illinois and I want to be married here and have my marriage respected here.

8. Our inability to marry makes me anxious that our relationship won't be respected in times of crisis. For example, Bert had a heart attack six years ago. I had to struggle to explain my relationship to Bert so that I could gain access to his bedside. Hospital staff asked me if Bert was married, and I found myself weeping as I was left to answer that Bert was single even though we had been in a committed relationship for 24 years at that point.

9. In October of 2012, I accompanied Bert for his colonoscopy procedure. We explained to administrative staff at the facility why we were there, that I was Bert's domestic partner, and that we were in a civil union. As we always do, we explained that a civil union is similar to a marriage and that we have to be treated under the law like a married couple. A staff person suggested that Bert select "Life Partner" as the appropriate relationship on the forms we had to fill out. It was nice that they had this option. However, we had to meet with two medical staff members before Bert could get his procedure, and each time we had to explain again that I was Bert's civil union partner, that a civil union is like a marriage, and that Illinois law requires that we be treated like a married couple.

10. Every time we mention that we are in a civil union, we get perplexed looks from people. Clearly, people don't understand what it means. We have grown accustomed to explaining automatically what a civil union is. This is scary, because if for some reason either of us have to go to the hospital for an emergency, it would not be practical to have to explain a civil union during a crisis.

11. Bert 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.

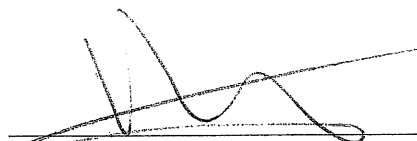
12. On or about the 24th day of May, 2012, Bert and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk to request an application for a marriage license so that we could marry each other in the state of Illinois. An employee of the Cook County Clerk denied us an application and handed us a copy of the State's marriage ban.

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.



Lee Kerty

Sworn to before me this 18 day of March, 2013



Notary Public





Bert Morton and Lee Korty

Affidavit of Bert Morton

[illegible]

COUNTY OF SANGAMON)
)
STATE OF ILLINOIS) ss.

AFFIDAVIT OF BERT MORTON

Bert Morton, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on March 22, 1948, and I am 64 years old.
3. I am in a permanent, loving and committed relationship of 30 years with Lee Korty, and we wish to marry. Lee also has provided an affidavit, and we will try not to repeat each other.
4. I attended Iowa State and obtained a degree in landscape architecture.
5. I moved to Springfield, Illinois in 1971, after college and have been here ever since. I live with Lee in the home I designed and built when I was age 28. I worked as an architectural project manager in the construction industry until I retired in 2009.
6. Lee and I entered into a civil union on June, 7, 2011. I am the youngest of five children in my family. My four sisters, their husbands and children have come to understand that the only difference between their relationships and Lee's and mine is the legality of marriage.
7. My relationship with Lee is based on love. For over 30 years, we have worked together to enhance each other and the family dynamic we have created by our association. We have many people around us who validate us and our relationship. We want to be able to marry. We need our relationship to have that level of respect from the state.

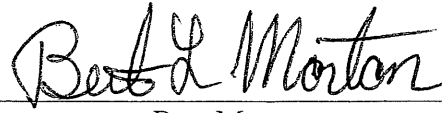
8. When I think about why I wish to marry Lee, I often think back to the day I had a heart attack. As I lay in the emergency room filled with anxiety and wanting Lee to be there with me, I could hear Lee's frustrated voice outside, as he struggled to explain our relationship so that he could gain access to my bedside. Later I learned that the nurse checked the box "single" to describe me – even though I had been with Lee for 24 years at that time.

9. For me, getting a civil union to Lee was particularly bittersweet, because I was married briefly to a woman many years ago when I was young, and I remember the civil and social status accorded to married couples. Lee and I have been denied that.

10. Lee 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.

11. On or about the 24th day of May, 2012, Lee 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. An employee of the Cook County Clerk denied us an application and handed us a copy of the State's marriage ban.

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



Bert Morton

Sworn to before me this 18 day of March, 2013



Notary Public

