

Erik Strindberg (Bar No. 4154)
Lauren I. Scholnick (Bar No. 7776)
Kathryn Harstad (Bar No. 11012)
Rachel E. Otto (Bar No. 12191)
STRINDBERG & SCHOLNICK, LLC
675 East 2100 South, Ste. 350
Salt Lake City, UT 84106
Telephone: (801) 359-4169
Facsimile: (801) 359-4313
erik@utahjobjustice.com
lauren@utahjobjustice.com
kass@utahjobjustice.com
rachel@utahjobjustice.com

John Mejia (Bar No. 13965)
Leah Farrell (Bar No. 13696)
AMERICAN CIVIL LIBERTIES UNION OF
UTAH FOUNDATION, INC.
355 N. 300 W.
Salt Lake City, Utah 84103
Telephone: 801.521.9862
Facsimile: 801.532.2850
aclu@acluutah.org

Joshua A. Block*
ACLU LGBT Project
125 Broad Street, Floor 18
New York, New York, 10004
Telephone: (212) 549-2593
Facsimile: (212) 549-2650
jblock@aclu.org
*Pro hac vice motion pending

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

<p>JONELL EVANS, et al. Plaintiffs v. STATE OF UTAH, et al., Defendants.</p>	<p>DECLARATION OF ELENOR HEYBORNE Case No. 2:14-cv-55 DAK</p>
--	--

ELENOR HEYBORNE declares, deposes and states:

I am an adult resident of Salt Lake County and the State of Utah. I make this declaration based upon personal knowledge except for those matters set forth herein based on information and belief. If called to testify in this matter, I would testify as follows:

1. I was born and raised in Salt Lake City, Utah.
2. I met Marina Gomberg nine years ago through mutual friends. We have been in a committed relationship since then.
3. I work in communications and am an employee of the State of Utah.
4. Marina and I had a commitment ceremony in May 2009. The State did not recognize our commitment.
5. For the last couple of years, Marina and I have been thinking about starting a family. We were concerned, however, that since the State will only allow one of us to be a legal parent to any children we have, it would be hard to protect our family. We anticipated that being legally married would solve this problem.
6. Less than an hour after we heard about the *Kitchen* decision, Marina and I rushed to the Salt Lake County building. We obtained a marriage license and solemnized our marriage that same day. We were excited to finally have official recognition and protection of our relationship by our home state.
7. While our family and friends are loving and supportive, it was only after we were legally married that our we realized the anxiety we had been living in from being denied benefits and protections of marriage. Being married lifted that weight.
8. The State's refusal to continue to recognize our marriage has brought back all of the unease, uncertainty and concern.

9. Despite the state government's refusal to recognize my marriage with Marina, we are staying in Utah. It is our home, and our family, friends, and community are all here.

DATED this 1 day of FEBRUARY 2014.


ELENOR HEYBORNE

DECLARATION

Pursuant to 28 U.S.C. § 1746, I, ELENOR HEYBORNE, hereby declare that the contents of the foregoing Declaration are correct and true under the pains and penalties of perjury.


ELENOR HEYBORNE