

Bob Proctor and Hector Martinez

Affidavit of Hector Martinez

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

JAMES DARBY and PATRICK BOVA, et al.,)
Plaintiffs,)))
v.	The Honorable Judge Sophia Hall
DAVID ORR, in his official capacity as Cook County Clerk,)))
Defendant.)))
TANYA LAZARO and ELIZABETH "LIZ" MATOS, et al.,)))
Plaintiffs,))
v.	Case No. 12 CH 19719 The Honorable Judge
DAVID ORR, in his official capacity as Cook County Clerk,) Sophia Hall))
Defendant.)))
STATE OF ILLINOIS, ex rel. Lisa Madigan, Attorney General of the State of Illinois,)))
Intervenor,	AFFIDAVIT OF
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,	HECTOR MARTINEZ HECTOR MARTINEZ HECTOR MARTINEZ
Intervenors.	,))

COUNTY OF PEORIA)	
)	SS
STATE OF ILLINOIS)	

AFFIDAVIT OF HECTOR MARTINEZ

Hector Martinez, having been duly sworn, states as follows:

- 1. I am one of the Plaintiffs in this lawsuit.
- 2. I was born on December 31, 1962, and I am 50 years old.
- 3. I am in a permanent, loving and committed relationship of 20 years with Robert ("Bob") Proctor, and we wish to marry. Bob also has provided an affidavit and we will try not to repeat each other.
- 4. I was born and raised in Chicago Heights and I've lived in Illinois all my life. I live with Bob in Peoria.
- 5. I was the first child in my family to attend college, graduating from Bradley University. I formerly worked in the financial services industry and I am currently studying to become a physical therapist.
- 6. I have been, and continue to be, involved in volunteer activities in Peoria. I was a Big Brother for over 10 years and have been a Make-A-Wish Granter for over 6 years. Together, Bob and I volunteer for various organizations trying to raise money and awareness for good causes. Bob supports me in everything I do including the creation of my own charity over 15 years ago, that gives out scholarships and grants to LGBT and ally students in downstate Illinois. We have distributed over \$100,000 to date.
- 7. My mother had a difficult time with my announcement about my homosexuality, but that changed in 2001, when I had appendicitis and Bob took good

care of me. Unfortunately, my mom passed away in September of 2001, but she said she was glad that I am happy and that is all that matters.

- 8. We have not entered into a civil union. We could not bring ourselves to enter into a civil union because only marriage has meaning to us, and can reflect the depth of our feelings for each other and the significance of our relationship.
- 9. Civil unions are not the same as marriage. Even the term "civil union" brands families in civil unions as inferior to others and less deserving of respect.
- 10. I am holding out for the real thing. I want to marry. When we marry, I look forward to a traditional big wedding party with family and friends celebrating and supporting us.
- 11. Bob and I have been in a committed relationship for more than 20 years, and wish to marry.
- 12. Bob 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 11th day of May, 2012, Bob 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 for a marriage license because 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.

MM artinez

Sworn to before me this 21 day of March, 201

Notary Public

OFFICIAL SEAL
ERIN E LARD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 23.744



Robert Proctor and Hector Martinez

Affidavit of Robert Proctor

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

JAMES DARBY and PATRICK BOVA, et al.,))
Plaintiffs,)) Case No. 12 CH 19718
v.) Case No. 12 CH 19718) The Honorable Judge) Sophia Hall
DAVID ORR, in his official capacity as Cook County Clerk,)))
Defendant.))
TANYA LAZARO and ELIZABETH "LIZ" MATOS, et al.,)))
Plaintiffs,)) Case No. 12 CH 19719
v.	The Honorable Judge Sophia Hall
DAVID ORR, in his official capacity as Cook County Clerk,))
Defendant.))
STATE OF ILLINOIS, ex rel. Lisa Madigan, Attorney General of the State of Illinois,)))
Intervenor,	AFFIDAVIT OF ROBERT PROCTOR
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,	ROBERT PROCTOR))))))))
Intervenors.)))

COUNTY OF PEORIA)	
)	SS.
STATE OF ILLINOIS)	

AFFIDAVIT OF ROBERT PROCTOR

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

- 1. I am one of the Plaintiffs in this lawsuit.
- 2. I was born on July 23, 1962, and I am 50 years old.
- 3. I am in a permanent, loving, and committed relationship of 20 years with Hector Martinez, and we wish to marry. Hector also has provided an affidavit, and we will try not to repeat each other.
 - 4. I was born and raised in British Columbia, Canada.
- 5. I attended the University of Victoria and got my undergraduate degree in biology. I received my Masters and a PhD degree from the University of Wisconsin, Madison in plant pathology.
- 6. I am a research scientist and work as a microbiologist for the United States
 Department of Agriculture.
- 7. I moved to Peoria in 1990 to take a job at a research laboratory and met Hector in 1992. We still live together in Peoria.
- 8. A year after we began dating, I knew that I wanted to make a lifelong commitment to Hector. That is, I wanted to marry him.
- 9. When the legislature passed the civil union bill, we were glad to see some advancement for the way lesbians and gay men are treated in our state. However, we could not bring ourselves to enter into a civil union because to do so would diminish our relationship to each other. Only marriage reflects the depth of our feelings for each other

and the significance of our relationship. The term "civil union" would brand us as inferior to others and less deserving of respect.

- 10. Although Hector and I have a variety of legal documents, such as wills and powers of attorney documents, I still worry about whether we will be respected as a family if a medical emergency were to happen to one of us. If we were married we would feel much more secure.
- 11. We know our vulnerability because we experience disrespect for our relationship in numerous ways, large and small, all the time. For example, most of my relatives live in Canada. But when we go through customs on the way to visit them, Hector and I are forced to separate because neither the Canadian government nor the United States government treats us as a family. Being in a civil union would make no difference to either government; you get treated as a family unit only if you are married.
- 12. Hector 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 11th day of May, 2012, Hector 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 for a marriage license because we are two men.

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

Part Front	
Robert Proctor	

Kathy A Jeanick
Notary Public

KATHY A RENNICK
OFFICIAL
MY COMMISSION EXPIRES
SEPTEMBER 30, 2014