

U.S. DISTRICT JUDGE JAMES L. ROBART  
U.S. MAGISTRATE JUDGE J. RICHARD CREATURA

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HELEN JOSEPHINE THORNTON, on behalf  
of herself and all others similarly situated, and  
NATIONAL COMMITTEE TO PRESERVE  
SOCIAL SECURITY AND MEDICARE,

Plaintiffs,

vs.

NANCY BERRYHILL, in her official capacity  
as the Acting Commissioner of the Social  
Security Administration,

Defendant.

Case No. 2:18-cv-01409-JLR-JRC

**DECLARATION OF PUTATIVE CLASS  
MEMBER KEITH BRADKOWSKI**

1           **DECLARATION OF PUTATIVE CLASS MEMBER KEITH BRADKOWSKI**

2           I, Keith A. Bradkowski, declare as follows:

3           1.       I have actual knowledge of the matters stated in this declaration.

4           2.       I am 62 years old. I am the surviving same-sex partner of Jeffrey Collman (“Jeff”) who was working as a flight attendant on American Airlines Flight 11 when terrorists hijacked the aircraft and flew it into the north tower of the World Trade Center on September 11, 2001.

7           3.       Jeff and I met on August 25, 1990 at a birthday party for a mutual friend. We quickly fell in love and by mid-1991, we shared our first home.

9           4.       On August 25, 1993 (our three-year anniversary), Jeff and I exchanged wedding bands with matching serial numbers and vows to love and care for each other always. We had talked about our desire to marry, and even though our vows were not recognized as a legal marriage, we considered ourselves married from that day forward.

13          5.       Jeff and I also registered as domestic partners with the State of California on November 1, 2000, shortly after that option became available in the state.

15          6.       Attached as Exhibit A is a photograph of Jeff and me that was taken in the spring of 2001, with Jeff on the left and me on the right.

17          7.       Jeff and I were deeply bonded to each other. We shared an unwavering commitment to one another and had planned to live the rest of our lives together. We shared dreams of our future together: we had planned to adopt and raise two children together and frequently discussed retirement plans, which we hoped would afford us time with our children (and hopefully grandchildren), in addition to leisure time for travel.

22          8.       Jeff was such a friendly, upbeat person who hardly ever had a bad day. What made him remarkable was that he had faced tremendous obstacles growing up which included abandonment at age 8 and spending several years in foster homes. Jeff was the first person to tell you good things can come out of painful challenges.

26          9.       Jeff began working as a flight attendant for American Airlines in 1998. Jeff had a loving disposition and infectious sense of humor, and he took pride in providing the highest level of

1 service to each customer. He used his own money to buy crayons and coloring books to give to  
2 children on flights so they would not be bored. American Airlines repeatedly recognized Jeff's  
3 extraordinary work performance, including with its Professional Flight Attendant Award after only  
4 one year on the job.

5 10. One example illustrates Jeff's commitment to his work. Jeff was traveling in  
6 uniform as a non-revenue *passenger*, but when a tense flight was delayed for hours on the runway  
7 in 100-degree Texas heat, Jeff immediately volunteered to help the flight attendants conduct a  
8 hand-run beverage service to the full cabin of passengers and then to help collect service items.

9 11. Although Jeff's work required him to spend time away from home, we remained in  
10 touch daily through telephone calls and letters. We relished our free time together, watching  
11 movies, cooking homemade meals, hiking, bowling, and partaking in an occasional game of  
12 Yahtzee with the elderly couple next door.

13 12. We each took comfort in our "departure rituals." Jeff routinely left me a trail of  
14 post-it notes around the house before departing to his base station in Boston. He wrote to tell  
15 me how much he loved and missed me, and reminded me to eat the healthy meals he had  
16 prepared for me. Jeff's last post-it note on my bathroom mirror said, "Guess who loves you?"

17 13. Our emotional commitment was reflected in the cards and letters we exchanged.  
18 I would time the arrival of my letters to Jeff with Jeff's arrival at his base station. In a letter to  
19 me marking our tenth anniversary, Jeff wrote, "I love you truly Keith Alan Bradkowski; don't  
20 ever forget that. And when you're feeling lonely and I'm not here with you, just pull out this  
21 letter and read my words to you once again and know how much you mean to me now and  
22 always."

23 14. Our commitment was very simple and very obvious. Our friends understood its  
24 strength. As one of our close friends remarked, Jeff and I were married in our hearts, despite  
25 being legally barred from marriage. One of Jeff's coworkers, who was also a flight attendant  
26 for American Airlines, noted that we complemented each other beautifully.

27 15. My family also warmly embraced our union. We celebrated every Christmas  
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1 holiday with my parents who regarded Jeff as their son-in-law. Jeff was close to them, and he  
2 often visited them without me when his travels took him through Chicago where they lived.

3 16. We also visited Jeff’s family together, as our respective families lived  
4 approximately 45 minutes from each other in suburbs outside Chicago. Jeff had a special bond  
5 with my nephew, who always called him “Jeffy Boy.” Although Jeff had not enjoyed school  
6 when he was young, he began teaching my nephew at an early age to say he planned to attend  
7 “Haaahvahd,” emphasizing the Boston accent.

8 17. Jeff and I also shared a thoroughly interdependent financial relationship. Both  
9 of us contributed our income to pay for household bills and family vacations, and each of us  
10 assumed responsibility for household tasks. For 11 years, Jeff assumed the primary role of  
11 caretaker—cooking, cleaning, washing our laundry, and preparing meals in advance for me  
12 before he went out of town for work. I am a registered nurse and I often worked long hours in  
13 hospital administration and managed our family finances

14 18. We also supported each other financially during periods of unemployment and  
15 career changes. For example, my job was eliminated in January 2001. From then until Jeff’s  
16 death on September 11th, Jeff was the sole wage earner for us when I was searching for a new  
17 position.

18 19. We recognized our mutual economic interdependence and took numerous steps  
19 to provide for one another in the event that something were to happen to the other person. That  
20 included registering our relationship with the State of California shortly after the statewide  
21 registry for domestic partners made it possible to do so. After Jeff’s death, I successfully  
22 advocated for California state law to provide registered domestic partners with the right to  
23 inherit intestate. Jeff also enrolled me in American Airlines’ domestic partner benefits  
24 program, named me as his next-of-kin to be notified in the event of his injury or death, and  
25 designated me as the sole beneficiary of his life insurance policy, bank accounts, and mutual  
26 fund accounts. I similarly named Jeff as the sole beneficiary on his mutual fund accounts, and  
27 executed a Durable Power of Attorney for healthcare granting Jeff full power and authority to  
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1 make healthcare decisions in the event of my incapacity.

2 20. Jeff was only 41 years old at the time of his death and, ironically, he was not  
3 even scheduled to work the September 11th shift. Rather, he had volunteered to work that day  
4 so that he could take time off and surprise me with a trip to Europe in celebration of his 42nd  
5 birthday. Instead of celebrating Jeff's birthday, however, I spent September 28, 2001 at Jeff's  
6 memorial service.

7 21. On September 10, 2001, Jeff was spending the night in Boston awaiting his  
8 morning flight from Boston to Los Angeles. Unable to sleep, Jeff called me late at night for  
9 comfort. During that call, Jeff told me how much he loved me and how excited he was about  
10 the upcoming vacation he had planned for us.

11 22. Several hours later, because I had been listed as Jeff's domestic partner and  
12 emergency contact in Jeff's employment records, I received a call from an American Airlines  
13 agent notifying me that Jeff had perished on Flight 11, the first plane to hit the World Trade  
14 Center towers. Like so many others, I suffered an indescribable loss—losing my life partner,  
15 soul mate, and best friend.

16 23. Although I was in shock, it was my duty to notify Jeff's parents. I immediately  
17 telephoned Jeff's father, who then took responsibility for informing Jeff's mother and Jeff's  
18 siblings. The horror of that day still haunts me.

19 24. Jeff's sudden death had profound physical and emotional impacts upon me. I  
20 was debilitated by trauma and grief. I constantly relived the last loving conversation we  
21 shared, only hours before Jeff's death. In addition to participating in a support group and  
22 reaching out to friends, I also began seeing a psychiatrist, who diagnosed me with post-  
23 traumatic stress disorder and prescribed anti-depressant/anti-anxiety medication.

24 25. No day goes by that I do not wish desperately for some way to turn back the  
25 clock to the time when Jeff and I were together, happy, and whole. But I count my blessings  
26 for the time that I had with him. I believe that the love we had for each other sustains me.

27 26. Jeff and I were as devoted to each other as two people could be. We supported

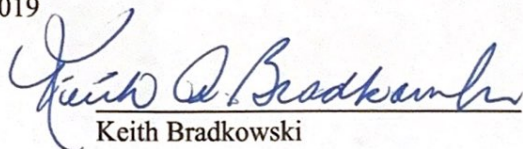
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each other emotionally and financially, and we made plans for their future together. We took several legal steps to ensure the legal recognition of our commitment to one another, and to protect each other's interests. Unfortunately, our enduring bond was shattered by terrorist acts.

27. I am now 62 years old. I am currently unemployed and looking for work. Although Jeff's death led to an award from the September 11th Victim Compensation Fund, and I was able to share in a portion of that award with Jeff's parents, my financial situation requires that I continue to work. I am single and have not been married. Without access to social security survivor's benefits, I currently plan to work until age 70. If I were able to access social security survivor's benefits based on Jeff's work history, however, I would be able to retire sooner, and I would have the security and certainty that other surviving spouses are afforded.

I declare under penalty of perjury and under the laws of the United States of America that the foregoing is true and correct.

Executed this 27<sup>th</sup> day of May, 2019

  
Keith Bradkowski

**CERTIFICATE OF SERVICE**

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that all participants in the case are registered CM/ECF users and that service of the foregoing document will be accomplished by the CM/ECF system on May 28, 2019.

/s/ Linda R. Larson  
Linda R. Larson (WSBA No. 9171)  
NOSSAMAN LLP  
601 Union Street, Suite 5305  
Seattle, WA 98101  
Email: llarson@nossaman.com  
Telephone: 206-395-7630

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# Exhibit A



