

EXHIBIT 4

DECLARATION OF HOLLY MITCHELL

I, Holly Mitchell, hereby declare that the following facts are true and correct under the penalty of perjury.

1. My name is Holly Mitchell. I am an adult female and am competent to testify to the following facts based on my personal knowledge:
2. I was born in Oklahoma in 1977 and was raised in Texas. I have two brothers and two sisters. I was raised in a very conservative Christian home.
3. I knew from a young age that I was different; but because of my upbringing, I did not know that there were other people like me. I actually prayed that my feelings would go away.
4. I did not act on my feelings until high school. In high school, I had a girlfriend, but our friends and family did not know about our relationship. During my senior year, I moved.
5. Our families eventually discovered our relationship, and I was banned from seeing my girlfriend.
6. Even after my family discovered my relationship with my high school girlfriend, my family did not acknowledge my sexual orientation. Nobody talked about it, but it was always present under the surface. Though no one openly acknowledged my sexual orientation, I was treated differently because of it.
7. I moved to Phoenix in February 2003 for a job opportunity.
8. When I moved to Phoenix, I began to meet other people who, like me, were sexually attracted to people of the same sex. I continued to hide my sexual orientation, however, because some of my co-workers were not comfortable with same-sex relationships.
9. Suzanne Cummins and I worked together at Jobing.com (now Recruiting.com). We began dating in April 2007 and moved in together shortly thereafter. We have been in an exclusive, committed relationship since April 2007.
10. We attempted to keep our relationship confidential because we were concerned about repercussions from our co-workers. About six months in, co-workers had suspicions about our relationship. We did not openly acknowledge our relationship, but everyone knew we were dating. Suzanne's car got "keyed" twice while we were working at Jobing.com after our co-workers discovered that we were in a relationship. We could not

prove that it was because of our relationship, but we did report it to our employer and the office building.

11. We acknowledged our relationship to co-workers at Jobing.com only after Suzanne had found another job. Eventually, because of the harsh criticisms that I received from co-workers I left Jobing.com as well.
12. In September 2009 we decided that we wanted to expand our family and raise children together. We attempted various methods to start our family, but after a failed attempt to become pregnant via private sperm donor, we proceeded solely with the process to adopt children.
13. We attended adoption orientation and parenting classes. The adoption agency told us to take the classes together and act as a married couple, despite the fact that the State of Arizona prohibited us from becoming married solely because we were both female.
14. First, we were licensed as foster parents; we were foster parents for Suzanne's niece, Madisyn, and Madisyn's half-sister, Jessica. Foster care licenses are issued to the household, so while we were fostering the children, Suzanne and I were both their legal guardians and had authority regarding their education, medical care and other decisions.
15. When it came time to adopt, however, we were told that the adoption license could only be in one of our names and that once the adoption became final only one of us would be the adoptive parent and have legal parental authority.
16. Because of her kinship with Madisyn, their common surname, and our families' different attitudes toward our relationship, we decided that Suzanne would be the legal adoptive parent.
17. Suzanne's adoption of Jessica was finalized in November 2010. Her adoption of Madisyn was complete in July 2011. Because I am not the legal adoptive parent, I was not eligible for leave under the Family Medical Leave Act.
18. Because I am not Jessica's or Madisyn's legal parent, I do not have the legal right to make medical decisions or obtain medical treatment for them. Madisyn was diagnosed with a rare auto-immune disease called Linear Morphea in October 2013.
19. Although I am one of Madisyn's parents, I am not legally able to take Madisyn out of school for doctor's appointments, nor am I legally able to make decisions regarding her medical treatment without recreating these "automatic" parental rights with various


cumbersome and costly legal documents. This has been extremely difficult for me and for my family.

20. We do not feel that our family is yet complete, and greatly desire to have a son. We have again considered sperm donation and surrogacy options, but the legalities and the expense of the process can be cumbersome. We fostered a little boy who was subsequently reunited with his father. We are on the adoption registry and plan to continue our journey until we find the right match.

21. I am concerned about what will happen to our daughters if something happens to Suzanne. We have talked to Suzanne's family and know that if something happens to Suzanne, the family will support my continued custody of and care for the children. Though I am their parent, I do not have the any legal rights as their parent.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 3/24/14



Holly Mitchell



From left to right, Madisyn, Suzanne, Holly, and Jessica.