

# **EXHIBIT 7**

## DECLARATION OF MASON HITE

I, R. Mason Hite IV, hereby declare that the following facts are true under the penalty of perjury:

1. My name is R. Mason Hite IV. I am an adult man and am competent to testify to the following facts based on my personal knowledge:

2. I have lived in Phoenix, Arizona since I was born on December 20, 1971.

3. I can't remember a time when I didn't know I was gay. I knew when I was in elementary school that I was somehow different from the other boys.

4. I grew up very shy and insecure about myself. It wasn't until I went to college in 2001 that I admitted to someone besides myself that I was gay. I received lots of love and support from the friends I had around me, though I was still very scared to speak to my parents about it.

5. When I finally did come out to my parents, it was a very stressful situation. My mother who, was raised Catholic, shared many of the Church's beliefs at that time.

6. My father is the "manly man" type and is very much into hunting, fishing and sports.

7. The conversation with my parents went easily enough but I could sense the regret and disappointment in them, not to mention the large wedge that developed between my younger brother and I which still hampers our relationship to this day.

8. Chris and I met in October 2001 and found we had an easy connection about books, music and life in general. We started spending more and more time together and within a few months we moved in together.

9. Chris had wanted to be a father from the day I met him. At that

time in my life it wasn't on the radar for me. Through the years the topic came up now and then and I gradually warmed to it.

10. In 2005 we bought a home together. It was one of the top three most wonderful things we have ever done. Adopting Ricky and getting married are the top two.

11. When same-sex marriage became possible in California in 2008, Chris and I decided to take the opportunity to "tie the knot." It was a funny situation as we realized neither of us had proposed, so via text message, I proposed. Chris and I still laugh about that.

12. So, Chris and I married in California in 2008. Though we consider ourselves married partners, our marriage remains invalid under Arizona law.

13. We have joint personal bank accounts and we jointly own other assets such as our home.

14. We share in all matters concerning the running of our household including the raising of children.

15. Like many other loving, committed couples, Chris and I decided to foster and adopt a child and raise a family together.

16. In 2011, Chris and I became foster parents licensed by the State of Arizona.

17. We have cared for several foster children since then and are still licensed foster parents.

18. Chris and I had talked many times over the years about becoming parents. We finally made the decision to adopt in the spring of 2011.

19. We felt that going through the foster care system would be the most beneficial for us and for our potential child, as the need for foster and adoptive parents is so great in Arizona.

20. As we started our foster parent classes through Arizona Adoption and Foster Care, the Arizona Legislature changed some of the rules for adopting children from foster care. The changes resulted in heterosexual couples being placed at the front of the line for adoption and same- sex couples and single people at the back of the line, unless they had a prior history with the child such as being a relative or foster parent.

21. We opted to become foster parents and hope that we would be able to adopt a child in our care.

22. In September 2011, we received our foster parent certificates, and within three hours a four- year old boy was placed with us. He stayed with us for just over two months before he was placed with a family member.



23. On November 14, 2011, we received a call about the placement of another child named Ricky, who we fell in love with from day one. He became the love of our lives. We were showered with support from his Child Protective Services case manager and everyone from our agency.

25. Ricky's case was moved towards adoption and we were asked to be his adoptive parents.

26. This is where things became difficult. As foster parents, Chris and I were one hundred percent equal, legally, considered as caregivers for our son; however, as adoptive parents only one of us could adopt Ricky as the State of Arizona doesn't recognize that Chris and I are married.

28. As a result, I became the adoptive parent for our son.

29. This has made things pretty tricky at times, such as when we are dealing with our school and the doctor.

30. If I am on a business trip, it makes it even more complicated if



some kind of emergency happens since Chris has no legal authority over Ricky.

31. Ricky has grown up in a loving home with two dads that can't imagine not having him in their lives. He is an A-B student who is very creative and smart. He loves doing math problems and word games.

32. Chris and I are concerned that should anything happen to me, Chris will have no automatic rights as a parent with any of our child's future schooling decisions and will have no automatic rights to be included in medical decisions unless I am present, and his rights to parent our son, should I not be around, are extremely uncertain.

33. On February 5, 2014, Chris and I went to the Office of the Clerk of the Superior Court of Maricopa County ("Maricopa County Clerk"), 601 W. Jefferson Street, Phoenix, Arizona, to apply for an Arizona marriage license.

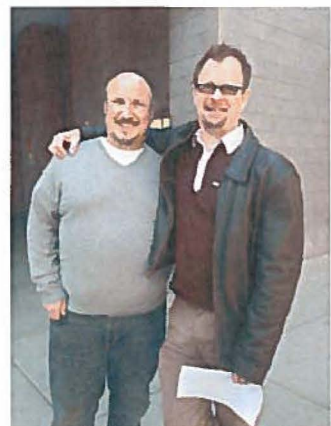
34. In the office of the Maricopa County Clerk, we truthfully completed an application provided by an assistant clerk.

35. When we were called to the counter, we both presented state-issued driver's licenses as requested by Ramona, the clerk on duty.

36. Ramona reviewed our application and our driver's licenses, handed the application back and told us that she could not accept it or issue us a marriage license.

37. Ramona told us that it would not be not be legal for her to issue us a marriage license in Arizona, so we left.

38. Because of Arizona's refusal to let us legally marry, we cannot benefit from the filing of joint state tax returns, obtain health insurance at beneficial family rates and are forced to manufacture contractual agreements to protect our rights that are unnecessary for any opposite sex married couples.



39. Same-sex couples are permitted to easily jointly adopt children, whereas we are treated as two single people and were not allowed to jointly adopt our son. This leaves all of the legal and emergency decisions up to just me.

40. I am saddened, hurt and angered that the State of Arizona will not allow me to marry my life's partner. I feel that our relationship is deemed as somehow less worthy and unequal to other relationships that have been formalized through marriage. Arizona's discrimination impacts Chris and I, and in particular our son, because we all suffer from the stigma that we feel. We want to be treated equally to other married couples.

41. Every day that Arizona refuses to respect our marriage is a day that our family must suffer the indignity, stress and stigma of not knowing whether or when our marriage will be recognized. Unlike opposite-sex couples who have the security of knowing that their marriage will be universally respected by state law and private actors, Arizona's constitutional and statutory denial of the recognition of my marriage to Chris means that whatever recognition our marriage receives is only by the forbearance and good graces of private actors.

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

Executed on 3/24/14

  
R. Mason Hite IV