

DECLARATION OF DAVID SCOTT CHANDLER

I, DAVID SCOTT CHANDLER, declare as follows:

1. I have personal and first-hand knowledge of the facts set forth in this Declaration and, if called as a witness, I could and would testify competently to these facts under oath. My spouse Jeffery Wayne Chandler ("Jeff") and I seek to participate in this lawsuit as intervenors in opposition to those attempting to invalidate the marriage licenses issued to and the marriages of same-sex couples because of this lawsuit's enormous potential impact on our lives and our family. I make this Declaration in support of Proposed Intervenors' Ex Parte Application for Leave to Intervene.

2. Jeff and I are a gay couple who have been in a committed relationship for 11 years. We met in 1993 in San Francisco. We both love country music and dancing. Jeff asked me to waltz one night and we have been dancing together ever since in a long-term loving committed relationship. We regularly attend and are active in San Francisco's Dolores Street Baptist Church. The church's pastor performed a commitment ceremony for us on May 5, 1995. On February 14, 2004 we were issued a marriage license in San Francisco and on February 15, 2004 we were married in a ceremony at our church.

3. Our family and friends were thrilled to hear of our marriage. For the first time in our many years together our relationship is valid in the eyes of the law. Because we understand the profound impact that legal recognition conveys, we are relieved and grateful that we have this opportunity. There is nothing scary or threatening about our marriage or our desire to care for each other and our son. Government support and respect of our marriage will in itself go a long way toward social acceptance and

understanding. If our marriage were to be rendered invalid it would only foment greater intolerance and ignorance.

4. I am 40 years old and was born and raised in Oklahoma and attended college at Oklahoma State University in Stillwater, Oklahoma. Jeff is 43 and was born and raised in Kansas and left the state after high school. He served our country in the Navy for 6 years. We are a committed couple who got married because we understand the social and legal significance of marriage and we know that it is only through marriage that our relationship will have the full security and protection we desire. There are many rights, privileges, benefits, responsibilities, and obligations that we have never been able to access because we were not able to get married. Now we are married and we wish to assure that our marriage is treated equally under the law. Most important to us is our son, Jacob Chandler, who was born July 5, 2003.


5. From 1999 to 2001 Jeff and I raised my nephew while my non-gay sister was undergoing some difficult times in her life. Because of the very enriching and nurturing experience of us raising my nephew for those two years, Jeff and I began our journey to start our own family in 2001. Through many false starts and setbacks from miscarriages and bankrupt IVF clinics, we found out that we were expecting twins in February of 2003. One of our twins, Joshua, did not survive, and heartbreakingly died on July 5 due to an extreme premature delivery. Thankfully, Jacob survived and is now a thriving and beautiful 7 month-old. While at the hospital, Jeff and I encountered certain problems that non-gay parents would not have to face. Jeff and I were deemed "strangers," and the doctors and nurses were forced to ask our surrogate parent to make medical decisions that were our decisions to make. We had to delay funeral arrangements for Joshua until

certain legal paper work was signed establishing our parentage. If we were married, this would not have been a problem. The time surrounding Joshua's death was devastating. Sadly, our pain was compounded by the lack of validity accorded our relationship to each other and to our sons.

6. I understand that the organization that brought this lawsuit is seeking to have my marriage to Jeff declared invalid and wants to block the issuance of any more marriage licenses to same-sex couples in San Francisco. If they are successful, Jeff and I and Jacob will lose invaluable protections for our family. We believe we must defend our interests. We wish to be a part of this lawsuit to protect our family.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in San Francisco, California on February 15, 2004.


David Scott Chandler