

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
KANSAS CITY DIVISION**

KAIL MARIE and MICHELLE L. BROWN,)
and, KERRY WILKS, Ph.D., and DONNA)
DITRANI,)

Plaintiffs,)

v.)

Case No. 14-cv-2518

ROBERT MOSER, M.D., in his official)
capacity as Secretary of the Kansas Department)
of Health and Environment, and)

DOUGLAS A. HAMILTON, in his official)
capacity as Clerk of the District Court for the 7th)
Judicial District (Douglas County),and)

BERNIE LUMBRERAS, in her official)
capacity as Clerk of the District Court for the)
18th Judicial District (Sedgwick County),)

Defendants.)

DECLARATION OF KERRY WILKS

1. I, Kerry Wilks, Ph.D., am one of the Plaintiffs in this action. I have personal knowledge of the matters stated in this Declaration and could and would competently testify to these facts.

2. I currently live in Wichita, Kansas, which is in Sedgwick County. I live there with my life partner, Donna DiTrani, with whom I have been in a committed relationship for almost five years.

3. I want to marry Donna, but my desire to marry has been denied because the laws of the State of Kansas prohibit us and other same-sex couples from marrying.

4. Except for the fact that Donna and I are both women, we meet all of the qualifications for marriage in Kansas. Specifically, we are both over the age of 18, we are not related by blood, and neither of us is currently married to another person.

5. On October 9, 2014, Donna and I appeared in person at the office of the Clerk of the Sedgwick County District Court with the express purpose of applying for a marriage license so that we could get married. A deputy clerk asked us for our names and other pertinent information and filled out an application for a marriage license for us, which signed under oath before a deputy clerk. We then gave the deputy clerk the fully executed application for a marriage license. The clerk indicated that we should sit down and after approximately two minutes, a new deputy clerk called us forward and – reading from a prepared statement – informed us that our application for a marriage license was denied because same-sex marriages violate provisions of the Kansas Constitution and that the office of the District Court Clerk for the 18th Judicial District will not issue marriage licenses to same-sex couples “until the Supreme Court otherwise rules differently.”

I declare under penalty of perjury that the foregoing statements, including all statements in this Declaration, are true and correct.

Executed on October 13, 2014.

/s/ Kerry Wilks
Kerry Wilks, Ph.D.