

AFFIDAVIT OF CHUCK SWAGGERTY

Chuck Swaggerty, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on July 25, 1972, and I am 34 years old.
3. I am in a permanent committed relationship with Jason Morgan, who also has provided an affidavit. I will avoid repeating what Jason said.

4. I was born in Manitowoc, Wisconsin and grew up there and in Waterloo, Iowa, moving back and forth frequently. I got my G.E.D. from Hawkeye Community College in 1992.

5. I've lived in Sioux City since 1997, when I moved here to live with Jason.

6. I worked at Gateway for 4 years in production and worked in Outbound Sales at MCI for over four years. I lost my job when MCI closed the call center. My last day was June 31, 2006. I've also bartended and worked in restaurants as a server in the past.

7. Jason and I are completely committed to each other and to our relationship.

8. About three years ago, MCI instituted domestic partner insurance benefits, which Jason received until I lost my job. Now Jason is able to get health insurance through his own employer but his employer does not offer insurance for domestic partners so I no longer have health insurance. Married couples we know usually can get spousal insurance and it feels very unfair that we are so vulnerable to a medical disaster because we are not permitted to marry. We hope and pray I don't get sick or have an accident because we cannot afford to buy separate insurance for me.

9. I am a stay-at-home foster dad (with the intent to adopt), and I am dedicated to Jason and the children. However, being together for 9 years and raising two children in our home together means nothing to some companies because we don't have a legal marriage. This experience has brought home to me how important marriage is and how unfairly we as a couple are treated compared to a married couple.

10. Jason and I are both over the age of 18, have the capacity to contract, are not within the degrees of consanguinity or affinity prohibited by law for a legal marriage, are not wards under a guardianship, and are not legally married to any other person. On Tuesday, November 29, 2005, Jason and I went to the Office of the Polk County Registrar, along with our witness, Linda Wideman, who is over the age of 18, competent, and disinterested regarding the result of our marriage, and capable of attesting to our ages and qualifications. We brought with us our identification documents and were prepared to tender the \$35 fee required to submit an application to marry. We asked to submit an application for a marriage license. A clerk named Tori refused to accept our application, telling us that marriage is exclusively between a man and a woman in the Iowa Code. She said that she could not accept our application because we are a same-sex couple.

11. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.

Charles Swaggerty
Chuck Swaggerty

Sworn to before me this
4 day of January, 2007

Abby J. Schrunk
Notary Public

