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IN THE SUPERIOR COURT OF WASHINGTON FOR BENTON COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

ARLENE'S FLOWERS, INC., d/b/a
ARLENE'S FLOWERS AND GIFTS; and
BARRONELLE STUTZMAN,

Defendants.

ROBERT INGERSOLL AND CURT FREED,

Plaintiffs,

V.

ARLENE'S FLOWERS, INC., D/B/A
ARLENE'S FLOWERS AND GIFTS; AND
BARRONELLE STUTZMAN,

Defendants.

No. 13-2-00871-5

(Consolidated with No. 13-2-00953-3)

**DECLARATION OF
ROBERT INGERSOLL IN SUPPORT OF
OPPOSITION TO DEFENDANTS'
MOTION FOR PARTIAL SUMMARY
JUDGMENT ON CPA CLAIM BY
INGERSOLL AND FREED**

Pursuant to RCW 9A.72.085, the undersigned hereby declares that:

1. I am one of the plaintiffs in this action. I have personal knowledge of the facts set forth in this declaration and am fully competent to testify in this matter.

1 2. I am presently employed as Operations Manager at Goodwill Industries of the
2 Columbia, Inc. in Kennewick, Washington. I work at a Goodwill warehouse in Pasco.

3 3. I am a gay man, and I have been in a romantic relationship with plaintiff Curt
4 Freed since 2004.

5 4. Curt proposed marriage to me in December 2012 and we made plans to marry
6 on our anniversary in September 2013.

7 5. We were excited about organizing our wedding and planned to buy flowers for
8 the wedding from Arlene's Flowers. We had purchased flowers from Arlene's Flowers many
9 times over the years, and we considered Arlene's Flowers to be our florist. In the last five
10 years, I can recall making only one or two floral purchases from other sources.

11 6. After work on February 28, 2013, I drove in my car to Arlene's Flowers from
12 my workplace in downtown Pasco to speak to someone about floral arrangements for our
13 wedding. I told Janell Becker that Curt and I were getting married and that we wanted
14 Arlene's to do the flowers. Ms. Becker informed me that I would have to speak to the owner,
15 Barronelle Stutzman. I asked for Ms. Stutzman's schedule, which Ms. Becker wrote on a
16 scrap of paper.

17 7. During my lunch hour on March 1, 2013, I drove in my car to Arlene's
18 Flowers to speak with Barronelle Stutzman about ordering flowers for my wedding to Curt. I
19 had ordered flowers from Ms. Stutzman many times, including flowers for Curt's birthday
20 and our anniversary.

21 8. I told Ms. Stutzman that Curt and I were getting married and that we would
22 like Arlene's to do the flowers. Ms. Stutzman took my hand and said that she could not do
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1 the flowers because of her relationship with Jesus Christ. I was in complete and utter shock
2 by what she said, but to be polite, I asked whether she knew any florists who would do our
3 flowers. Ms. Stutzman gave me the names of three other florists in the area.
4

5 9. After my conversation with Ms. Stutzman, I left Arlene's Flowers, returned to
6 my car, and drove back to my work, and eventually my home in Kennewick, empty handed.

7 10. I own my car and buy the gas that is consumed by driving my car.

8 11. The refusal sent Curt and me reeling. We stopped planning for a wedding in
9
10 September 2013 because we feared being denied service by other wedding vendors. We were
11 shocked and saddened by the refusal and took some time to decide how to respond.

12 12. Curt and I felt that our friends and family should know about the refusal and
13 we shared our story on Facebook. Word of the refusal spread widely. Friends and strangers
14 contacted us with florist recommendations, referrals, and offers.
15

16 13. Curt and I gave much heartwrenching thought to whether we should do
17 something in response to the discrimination we encountered at Arlene's Flowers. We
18 ultimately decided to contact attorneys and inquire about commencing a legal action.
19

20 14. Also, we obviously needed to make alternative arrangements to buy flowers
21 for our wedding. After taking time to consider our options, we decided to buy flowers from
22 two other sources: Carol Travis and Lucky Flowers in Kennewick. Carol had offered her
23 floral services to us after learning of the refusal and was supportive of our relationship. I
24 made the arrangements with Carol by phone and text message and drove my car to Carol's
25 home in Kennewick to pick up the boutonnieres and corsages we purchased from her. Curt
26 bought an arrangement from Lucky Flowers.
27
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1 15. Curt and I were married in a small ceremony at our home on July 21, 2013.

2 I hereby declare, under penalty of perjury under the laws of the State of Washington,
3 that the foregoing is true and correct.
4

5 DATED this 23rd day of September, 2013 at Kennewick, Washington.

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7 
8 ROBERT INGERSOLL

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10 ND: 99994.022 4820-9277-4677v1
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