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5 **STATE OF WASHINGTON**  
6 **BENTON COUNTY SUPERIOR COURT**

7 STATE OF WASHINGTON,

8 Plaintiff,

9 v.

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

13 Defendants.

No. 13-2-00871-5  
(consolidated with 13-2-00953-3)

DECLARATION OF BARRONELLE  
STUTZMAN

14 ROBERT INGERSOLL and CURT FREED,

15 Plaintiffs,

16 v.

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

20 Defendants.

21 I, Barronelle Stutzman, declare the following under oath and penalty of perjury of  
22 the laws of the State of Washington.  
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1       **I.       BACKGROUND**

2               1.       My name is Barronelle Stutzman, and I am one of the named Plaintiffs in  
3       this case. I am also the sole owner and operator of Arlene's Flowers, Inc., the other  
4       named Plaintiff in this case.

5               2.       I am over the age of eighteen, competent to testify, and have personal  
6       knowledge of the information contained within this declaration.

7               3.       I am a Christian and I ascribe to the teaching on Biblical principles  
8       provided by the Southern Baptist tradition.

9               4.       My faith is a part of every aspect of my life. I believe that God requires  
10       me to apply my faith in all that I do whether that is in my personal life or my business.

11              5.       I have been involved in the floral industry for approximately 37 years and  
12       have been sharpening my floral design skills ever since I started in this industry.

13              6.       In the mid-1970s, I began learning the art of floral design and creation at  
14       my mother's floral shop in Connell. I also began practicing the art of floral design and  
15       developed my own individual floral design style. I have continued to hone my skills ever  
16       since.

17              7.       Early in my floral design career, my mom and several other floral design  
18       artists who worked for my mother trained me in the artistic and creative components of  
19       floral design and creation, for which I had a natural aptitude.

20              8.       In 1982, I became the manager of Arlene's Flowers, which was owned by  
21       my mother. In 1989, my mom was diagnosed with Alzheimer's. So I purchased the  
22

1 business from my mom in 1996 and became the owner of Arlene's Flowers, where I  
2 continue to design floral arrangements. Pictures of Arlene's Flowers' storefront and one  
3 of its vans are attached to this declaration as Exhibit 2.

## 4 **II. FLORAL DESIGN**

5 9. Floral design is an art of precision as well as creativity. Floral design  
6 requires the skills to take raw material — such as flowers, plants, containers, adornments  
7 ("baby's breath") and other elements — and then arrange them in an artistic fashion  
8 until the arrangement conveys the right message and mood for the customer or for the  
9 occasion. I try to use these artistic skills and my floral design business, which I view as  
10 gifts from God, to honor God.  
11

12 10. As floral artists, we often incorporate and harmonize the meaning and  
13 symbolism of flowers, a particular color, or specific element or adornment in a floral  
14 arrangement to assign with conveying the intended message.  
15

16 11. In addition to the experience and observation of my mother and of other  
17 floral design artists, I also took various classes to hone these skills.

18 12. I enjoy teaching the art of floral design and creation to others.  
19 Photographs of some floral arrangements that I have designed and arranged are attached  
20 at Exhibit 1. This exhibit contains pictures of just raw flowers (pages 1, 3-6, 10-11, 15-  
21 17) and also of arrangements I have created (the other pages).  
22

23 13. Over the last 40 years, I have further developed my own design style and  
24 sharpened my skills to execute my designs.  
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1           14. All floral design artists have their own unique style. However, all of the  
2 designers at Arlene's Flowers use a style and form consistent with mine so that there is a  
3 consistent quality in the arrangements that we produce. This consistency is intentional. I  
4 supervise the design and creation of most floral arrangements, and view most of them  
5 before they leave the store.  
6

7           15. Clients who want custom designed arrangements almost always give me  
8 discretion and allow me to exercise my artistic judgment to determine how to fit their  
9 needs and how to convey a mood and message through the requested arrangements.

10           **A. Customer Relationships and Floral Design**

11           16. My religious beliefs require that I love and respect my neighbor, which  
12 includes my customers and my employees regardless of race, religion, sex, or sexual  
13 orientation. According to my religious beliefs, I am no better than anyone else. I believe  
14 that I cannot judge anyone but everyone, including me, has sinned and needs the  
15 forgiveness God offers in his son, Jesus.  
16

17           17. While working under my mother and other florists, I learned that it is  
18 important to develop close relationships with clients. It is part of our business goal to be  
19 our customers' "personal florist for life", not just a florist for one occasion. This goal is  
20 reflected in the written policies of Arlene's Flowers. A true and correct copy of one of  
21 Arlene's business policies is attached as Exhibit 12 to the declaration of Kristen  
22 Waggoner, Bates page 43.  
23

24           18. I have developed close relationships with many of my customers,  
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1 especially my regular customers, which I very much enjoy. We have some customers  
2 that we have served as long as 30 years. These regular customers have allowed us to  
3 serve them by creating flowers for and participating in their significant life events like  
4 Valentine's Day, Easter, Mother's Day, engagements, anniversaries, birthdays,  
5 weddings, baptisms, births, proms, work promotions, and relative's funerals. These  
6 customers also allow Arlene's to create arrangements to share in expressing simple,  
7 everyday thoughts like I love you. I enjoy serving these costumers as well as the  
8 children and grandchildren of these customers.  
9

10 19. Many of these customers are very different from each other and very  
11 different from me. I am proud to serve customers and develop relationships with  
12 customers of all different backgrounds and beliefs.  
13

14 20. Indeed, I have loved and respected these customers and my employees  
15 regardless of their race, religion sex, or sexual orientation.

16 21. For example, I knew one of my former employees named David Mulkey  
17 was gay. And we always got along, frequently chitchatting at work about various topics.  
18 Just as I enjoy interacting with others to convey God's love, I enjoyed interacting with  
19 David in a loving and respectful way.  
20

21 22. I design my arrangements so that they convey an expressive message,  
22 especially if it is for an event like a wedding ceremony. The close relationships I have  
23 with clients allow me to better design an arrangement and convey a message through  
24 flowers that meets their needs for the occasion.  
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1           **B.     Wedding Floral Design**

2           23.     Designing arrangements for weddings is one of the most rewarding  
3 aspects of my job because I enjoy celebrating the marriage with the couple. There is no  
4 greater delight than to see a bride cry with joy the first time she encounters the beauty of  
5 her wedding flowers. I also enjoy the great challenge of designing arrangements for  
6 weddings, a process which requires a level of training, artistic skill, and experience not  
7 required by other arrangements and events. In addition, I view wedding ceremonies as  
8 religious events where worship takes place. So weddings carry religious significance for  
9 me.  
10

11           24.     In addition to the personal reward, I also receive referrals to my business  
12 from guests who see Arlene's work at weddings they attend. These wedding guests  
13 admire the style and design of floral arrangements Arlene's creates, ask who designed  
14 the arrangements, and are told Arlene's did. Many of these referred customers want the  
15 same type of beautiful and creative arrangements they saw at the wedding they attended.  
16

17           25.     It is also very satisfying to work on weddings because it gives me an  
18 opportunity to participate in marriage, which I believe God designed. My religious  
19 beliefs about marriage are an important component of my faith.  
20

21           26.     Few other projects require me to pour myself so completely into a project  
22 as wedding flower design and creation. I love using my artistic skill in floral design and  
23 creation to celebrate and commemorate important events in the lives of my customers.

24           27.     It is also very rewarding to get to know an engaged couple, celebrate their  
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1 marriage with them, and share my creations with them, their friends, and their family.  
2 Because designing and creating wedding arrangements requires such an intense personal  
3 investment, I feel very connected to the wedding ceremony itself, especially since my  
4 creations adorn the ceremony and often define the style and colors of the wedding.

5 28. As long as the client is available and willing, I typically like to meet with  
6 my wedding clients several times. In those meetings, I spend a great deal of time  
7 (sometimes hours) getting to know the couple, their background, their aspirations, and  
8 their personal tastes. One of the great joys of my job is learning about the engaged  
9 couple and celebrating with them. My goal is to bring elements of their relationship and  
10 personalities into the floral designs for their wedding.  
11

12 29. I have books with pictures of wedding designs in my consultation room,  
13 which I share with wedding customers as a conversation starter. It is very rare that a  
14 customer picks arrangements as they appear in the wedding books. And even if they  
15 select an arrangement from a picture, the arrangements never look exactly the same as I  
16 add my personal style and creativity as a floral artist.  
17

18 30. In designing the plan for the wedding, I must consider what flowers are in  
19 season, the location of the wedding, the colors or other elements chosen by the couple,  
20 and the overall mood and feeling that will be expressed. I must do this with the  
21 personalities of the couple in mind, and within their budget.  
22

23 31. After I learn about the couple and their ceremony, I begin designing the  
24 arrangements for the wedding ceremony and reception. This typically includes a wide  
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1 variety of arrangements, including boutonnieres and corsages, pew markers, altar  
2 arrangements, window and other adornments, table center pieces, and of course the  
3 bridal bouquet. Part of the challenge of weddings is designing the different  
4 arrangements, each requiring different elements, in a way that compliments to the  
5 overall floral design, the engaged couple's personality, the wedding location, and the  
6 mood desired for the wedding. Wedding arrangements typically contain multiple  
7 elements, like different flowers or accompanying adornments.  
8

9 32. Almost every customer who requests wedding flowers from Arlene's  
10 wants me or one of the other Arlene's floral designers to custom arrange these flowers  
11 into an arrangement designed specifically for them and their wedding.  
12

13 33. In addition to designing the arrangements, Arlene's will also deliver  
14 flowers to the wedding venue in Arlene's vans and offer to provide full wedding  
15 support. When offering to provide full wedding support, Arlene's floral designers offer  
16 to help before, during, and after the wedding ceremony to ensure that all flowers are  
17 beautiful throughout the ceremony and reception. Often this might require touching up  
18 an arrangements, changing out flowers if needed, attending the ceremony, and assisting  
19 with the clean-up and removal of floral arrangements afterwards.  
20

21 34. When I attend wedding ceremonies for Arlene's, I also participate in  
22 rituals that occur at the wedding. For example, I have frequently stood for the bride,  
23 clapped in appreciation of the married couple, and prayed along with the officiant as the  
24 officiant leads the wedding attendees.  
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1           35.     Arlene's often provides its full wedding support for large weddings or for  
2 long-time customers that we have developed relationships with at the shop.

3           36.     When providing full wedding support, my employees and I are at the  
4 disposal of the Bride and we want to help any way that we can. I have greeted guests as  
5 they arrived to the ceremony, helped with entertaining children as the wedding party  
6 prepared for the ceremony, styled hair for the wedding party, and even assisted with  
7 cleaning the wedding party's attire. Because my floral business depends on personal  
8 relationships and participation in customers' significant life events, I want my  
9 customers' weddings to run as smoothly as possible and for customers to enjoy their  
10 weddings as much as possible. When my customers enjoy their weddings, they enjoy  
11 what Arlene's provided for their weddings. So Arlene's floral designers do whatever it  
12 takes to make the entire ceremony an enjoyable and successful event.

13           37.     When providing full wedding support, I also help the wedding party and  
14 encourage them as they prepare and meet their needs in any way that I can. For example,  
15 one bride confided in me that she was experiencing some doubts about getting married  
16 and I was able to counsel her and offer my advice, which included some of my personal  
17 beliefs about marriage. I was honored that she trusted me with her feelings, and it made  
18 watching her take her vows even more special.

19           38.     Because of the emotional investment required by most weddings, I enjoy  
20 forming a unique personal bond with my clients, and feel very connected to their  
21 wedding ceremony. That connection to the ceremony is heightened because of my  
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1 religious beliefs about the importance of marriage, and the significance it has in  
2 Scripture. It is so significant, that the Bible compares marriage to the relationship  
3 between Jesus and His Church.

### 4 **III. ROBERT INGERSOLL**

5 39. Rob was my customer for over nine years. I had a particular fondness for  
6 him, and we developed a very warm friendship. We would often chat as he browsed the  
7 shop and placed orders. And as a natural outgrowth of my religious beliefs to love and  
8 respect my neighbors and customers, I loved and respected Rob. I genuinely like Rob  
9 and that has not changed.  
10

11 40. Not only do I enjoy Rob personally, I also enjoy the way he challenges  
12 me to design and create arrangements that are unique and expressive. Rob would always  
13 ask for me when he came into the shop for various occasions. Rob and I would typically  
14 pick out a vase together, and then he would hand me the vase and tell me to “do my  
15 thing.” He was particularly fond of unusual and creative arrangements. His requests for  
16 arrangements always challenged me to do my best work, utilizing the artistic skill that  
17 I’ve spent honing. I loved working with Rob. I learned Rob identified as gay because we  
18 would frequently talk about his relationship to his partner, Curt Freed, when Rob came  
19 into the store. I tried to show interest in Rob’s relationship to Curt, just as I try to show  
20 interest in the lives of my other customers. But my knowledge that Rob was gay made  
21 no difference in how I viewed him as a friend and a customer.  
22  
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24 41. I have had several gay, lesbian, and bisexual employees and customers  
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1 over the years, and that fact made no difference in how I viewed them as employees,  
2 customers, and friends.

3 42. Sometime in the last week of February 2012, I learned from one of my  
4 employees that Rob had come to the store and asked to see me to talk about wedding  
5 flowers for his upcoming wedding to Curt. I wasn't at the store at the time Rob came in.  
6

7 43. Upon learning this information from my employee, I believed Rob  
8 wanted me to provide full wedding support for his wedding because he always requested  
9 complex and intricate work from me, we were friends, and he was a long time customer,  
10 the type of customer who typically asks Arlene's for full wedding support. As a result, I  
11 believed Rob was asking me to provide each of the following: to custom design his  
12 floral arrangements, to deliver these arrangements in Arlene's delivery vans to his  
13 wedding, to attend his wedding ceremony and participate in the rituals at this ceremony,  
14 to perform touch-ups to the flowers at the ceremony, to clean up after the ceremony, and  
15 to potentially provide other assistance at the ceremony like I often do, such as greeting  
16 guests, encouraging the bride and groom, helping organize other elements of the  
17 ceremony, and working with the wedding party. Rob never told me anything to  
18 contradict my belief. For example, Rob never told me he wanted to purchase raw sticks  
19 and twigs for his wedding.  
20  
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22 44. In all my years of working in the floral industry, I had never received a  
23 request to participate in a same-sex wedding ceremony. And to my knowledge, Rob's  
24 request was the first of its kind for Arlene's Flowers or for me.  
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1           45. I believe that God created two distinct genders, male and female, in His  
2 image and the Bible defines marriage as a union of one man and one woman as ordained  
3 by God. This is also the doctrine of my Southern Baptist faith.

4           46. My faith requires that I not participate in events that are dishonoring to  
5 God, including using my artistic talents and my business to participate in such events.

6           47. Participating in a same-sex wedding ceremony in the way Rob requested  
7 would violate my conscience, and I would be held accountable to the Lord for this.

8           48. I also believe that if I participated in a same-sex wedding ceremony in the  
9 way Rob requested, others would see my actions as an endorsement of the ceremony.

10           49. After consulting with my husband, I decided that I could not in good  
11 conscience participate in Rob's wedding due to my religious beliefs about marriage.

12           50. This decision was not made because of Rob's sexual orientation, but  
13 based solely on my beliefs about marriage as a union between a man and a woman. For  
14 this reason, Arlene's and I will decline to participate in any wedding ceremony not  
15 between one man and one woman, regardless of the sexual orientation to those marrying.  
16 Likewise, Arlene's and I will participate in a wedding ceremony between one man and  
17 one woman, regardless of the sexual orientation of those marrying.

18           51. I struggled with what to say to Rob and how to explain that I would not  
19 be able to participate in Rob's wedding as I did not want to hurt my friend's feelings.

20           52. When Rob returned to the store to speak with me, we initially chitchatted  
21 a bit about various subjects. Rob then said he was getting married and he wanted me to  
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1 create arrangements for his wedding. I tried to respond in the most sensitive way I knew  
2 how. I gently took his hand, looked him in the eye, and told him that I could not do his  
3 wedding because of my relationship with Jesus Christ. I also happily gave him the  
4 names of three other florists in town who might be able to participate in his ceremony. I  
5 hoped Rob would be able to find a florist who could do what I could not in good  
6 conscience do.  
7

8 53. When I referred Rob to the other florists, I thought I was declining to  
9 have Arlene's provide its full wedding support for Rob's wedding.

10 54. Rob said he understood, and we went on to talk about his plans for the  
11 wedding. We hugged, and he left the store. Based on our conversation, it was my belief  
12 and hope that he would remain my friend and customer.  
13

14 55. I understand from my attorneys and several court documents that Rob and  
15 Curt have indicated that they only wanted the raw materials such as twigs, branches, or  
16 vases to design their own arrangements. The request for raw materials was not  
17 something Rob and I discussed. If Rob had requested the raw materials, I would have  
18 gladly provided them.

19 56. After coming to the decision that I would not be able to participate in  
20 Rob's same-sex ceremony, I realized that other customers may ask Arlene's to  
21 participate in same-sex weddings like Rob did. So I determined that Arlene's policy  
22 going forward would be not to take same-sex weddings, meaning Arlene's would not  
23 provide full wedding support for same-sex wedding ceremonies and would refer such  
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1 requests to other florists.

2 57. Rob's request is the only same-sex wedding request Arlene's received  
3 before this lawsuit began. And Rob's request is the only same-sex wedding request  
4 Arlene's declined before this lawsuit began. As a result, between the time of Rob's  
5 request and the initiation of this lawsuit, I did not have to decline a request to participate  
6 in a same-sex wedding ceremony different from Rob's request. So during that time and  
7 before, I did not have to confront the issue whether Arlene's would provide any services  
8 for same-sex wedding ceremonies except a request for Arlene's full wedding support.  
9

10 58. But Arlene's will sell flowers and create custom arrangements for  
11 homosexual and bisexual customers just as it always has. Arlene's will also sell flowers  
12 for same-sex wedding ceremonies as well. But neither I nor my employees under my  
13 direction will use our imagination and artistic skill to intimately participate in a same-  
14 sex wedding ceremony because of my religious beliefs.  
15

16 59. After Rob's partner posted his thoughts concerning my decision on  
17 Facebook, our store began to receive many hate-filled phone calls, emails, and Facebook  
18 messages. Some of these messages contained explicit threats against our safety,  
19 including a threat to burn down the shop. I did not respond to any of these negative  
20 messages or engage in any way with those making threats. Because of these, we used the  
21 help of a private security firm to keep my employees and me safe. A few of those emails  
22 are attached as Exhibit 10 to the declaration of Kristen Waggoner.  
23

24 60. Shortly after the news media publicized my decision to refer Rob to  
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1 another florist because of my religious beliefs, the Attorney General's office sent me a  
2 letter, demanding that I agree to participate in same-sex ceremonies or face court action  
3 and penalties and sign an assurance stating the same. Because of my faith, I could not  
4 agree to the Attorney General's demands and did not sign the assurance.

5  
6 61. I cannot participate in same-sex wedding ceremonies without violating  
7 my religious beliefs, and I cannot allow my business and employees to participate in  
8 same-sex wedding ceremonies on Arlene's behalf without violating my religious beliefs.  
9 This is true even if I am fined or ordered to do so.

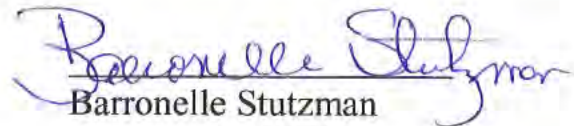
10 62. If necessary, I would close my business and stop participating in all  
11 weddings before violating my religious beliefs.

12 63. Indeed, after this lawsuit against me and my business began, Arlene's  
13 instituted a policy of turning down requests to provide service or support for any  
14 wedding, except weddings for my immediate family members. Arlene's will not provide  
15 any floral wedding services or support for any customers besides my immediate family  
16 until this case ends.

17  
18 64. After this lawsuit began, Arlene's has received requests to provide  
19 services and support for same-sex wedding ceremonies and opposite-sex wedding  
20 ceremonies. But Arlene's declined all these requests, including the requests about same-  
21 sex wedding ceremonies, because of Arlene's interim policy — initiated because of and  
22 after this lawsuit — to decline wedding requests from anyone besides my immediate  
23 family.  
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1 I declare under the penalty of perjury that the foregoing is true and  
2 correct to the best of my knowledge.

3 Executed on December 8, 2014.

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7 Barronelle Stutzman  
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# **EXHIBIT 1**



**Stutzman Decl. Exhibit 1 - 001**



































































































Stutzman Decl. Exhibit 2 - 001

# **EXHIBIT 2**



