Steven N.H. Wood, Esq. (SBN 161291)
Christopher J. Schweickert, Esq. (SBN 225942)
BERGQUIST, WOOD & ANDERSON, LLP
1470 Maria Lane, Suite 300
Walnut Creek, CA 94596
Telephone: (925) 938-6100
Facsimile: (925) 938-4354
wood@wcjuris.com
cjs@wcjuris.com

Kevin T. Snider (SBN 170988)
Matthew B. McReynolds (SBN 234797)
PACIFIC JUSTICE INSTITUTE
P.O. Box 276600
Sacramento, CA 95827
Telephone: (916) 857-6900
Facsimile: (916) 857-6902
kevinsnider@pacificjustice.org
mattmcreynolds@pacificjustice.org

Attorneys for Petitioners
GIDEON CODDING and RACHEL BIRD

SUPERIOR COURT OF CALIFORNIA

COUNTY OF PLACER

GIDEON CODDING and RACHEL BIRD,

Petitioners,

v.

JIM MCCAULEY, in his official capacity as Placer County Clerk-Recorder-Registrar, MARK HORTON, in his official capacity as Director of the California Department of Public Health, Does 1-100, inclusive,

Respondents.

Case No. SCV23697

VERIFIED PETITION FOR WRIT OF MANDATE TO REGISTER AND ISSUE MARRIAGE CERTIFICATE AND FOR INJUNCTIVE AND DECLARATORY RELIEF [Right to Marry as Bride and Groom]

BY FAX

Petitioners Gideon Codding ("Gideon" or "Groom") and Rachel Bird ("Rachel" or "Bride"), by and through counsel, for their Petition against Respondents, allege as follows:

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

INTRODUCTION

1. Respondent state actors refuse to recognize Petitioners' marriage as bride and groom. Petitioners were married in a church wedding on August 16, 2008 in Roseville, California. They had obtained their Marriage License five days prior at Respondent Placer County Clerk's Office. When filling out the license form, Petitioners added the words "Groom" and "Bride" next to the identifying labels, "Party A" and "Party B," respectively. They signed their names and the Clerk's Office signed and issued the Marriage License, which expires after November 9, 2008. After the wedding the pastor (upon information and belief) submitted the Marriage License to the Clerk's Office for registration and issuance of the marriage certificate. But on September 3, 2008, Respondent Clerk rejected Petitioners' handwritten words of "Bride" and "Groom" as invalid "alterations" and refused to register the Marriage License and issue the marriage certificate.[1]

2. Respondent Clerk has failed to perform a statutory duty by refusing to register the Marriage License and issue the marriage certificate. Further, because of their age and sexual orientation, Petitioners are unable to register as domestic partners in violation of the fundamental rights to equal protection under the state and federal constitutions. Finally, rejection of the Marriage License and the time-honored labels of "Bride" and "Groom" constitute unlawful hostility and discrimination in violation of Petitioners' unalienable and fundamental state and federal constitutional rights including the right to marry. To preserve Petitioners' rights to marry as "Bride" and "Groom," and those of other similarly situated couples throughout Placer County and California, this Court should direct Respondent Clerk to register the Marriage License and issue the marriage certificate, and grant the below requested injunctive and declaratory relief.

[1] A true and correct copy of the rejected marriage license (the "Marriage License") and the September 3, 2008 rejection letter from the Respondent Placer County Clerk's Office (the "Clerk" or "Clerk's Office") are attached as **Exhibits A** and **B**, respectively, and are incorporated herein by reference. A true and correct copy of a duplicate license proposed by the Clerk is attached and incorporated herein as **Exhibit C**. These three documents constitute the administrative record.

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

JURISDICTION AND VENUE

3. This action arises under California Code of Civil Procedure (CCP) section 1084 *et seq*. (writ of mandate) and CCP section 526a (waste of public funds).

4. Venue is proper in this Court under CCP section 393 because all events occurred within Placer County.

PARTIES

5. Petitioner Gideon Codding is an adult man residing in Roseville, California, and has paid a tax, which is for the benefit and support of Placer County.

6. Petitioner Rachel Bird, whose legal name would be Rachel Codding but for the matters complained of herein, is an adult woman residing in Roseville, California, and has paid a tax, which is for the benefit and support of Placer County.

7. Upon information and belief, Respondent Jim McCauley is the Clerk-Recorder-Registrar of Placer County ("Respondent Clerk"). Respondent Clerk is the local registrar and is charged with the enforcement of the marriage statutes relevant herein, under the supervision and direction of the State Registrar of Vital Statistics. Respondent Clerk is sued in his official capacity.

8. Upon information and belief, Respondent Mark Horton is the Director of the California Department of Public Health ("Respondent Director"). Respondent Director serves as the State Registrar of Vital Statistics. Respondent Director is sued in his official capacity.

9. Petitioner is ignorant of the true names and capacities of Respondents sued herein as Does 1 through 100, inclusive, and, therefore, sue these Respondents by such fictitious names. Petitioner will amend this complaint to allege the true names and capacities when ascertained. Petitioner is informed and believes and thereon alleges that each of said fictitiously named Respondents is responsible in some manner for the occurrences herein alleged.

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

GENERAL ALLEGATIONS

A. Petitioners Sign Marriage License as "Bride" and "Groom" and Respondent Clerk Signs and Issues Marriage License

10. On August 11, 2008, Petitioners appeared at the Respondent Clerk's Office and applied for a marriage license. The deputy clerk for the Clerk's Office prepared the Marriage License and handed it to Petitioners to sign. At that time and in front of the deputy clerk, Petitioners added the words "Groom" and "Bride" on the Marriage License form next to the identifying labels, "Party A" and "Party B," respectively, and signed their names. The deputy clerk told Petitioners, "You can't do that," but then said he would check with his supervisor to see if the words "Bride" and "Groom" would be accepted. Shortly thereafter, the deputy clerk returned and said Respondent Clerk's Office would accept the terms "Bride" and "Groom" that Petitioners wrote on the Marriage License. The deputy clerk thanked Petitioners for getting the issue clarified so he could let applicants in the future do the same if they so wished. Respondent Clerk then signed and issued the Marriage License (see **Exhibit A**).[2]

B. Petitioners Get Married

11. On August 16, 2008, Petitioners were married in a church wedding in Roseville, Placer County, California. Because marriage is a religious undertaking for Bride and Groom, who are Christians, Petitioners were married by their pastor, Rev. Douglas Bird,[3] who solemnized the marriage pursuant to Family Code section 400(a). Upon information and belief, and pursuant to Family Code sections 422 and 423, the pastor obtained the required witness signatures at the wedding and signed himself, and then submitted the Marriage License to Respondent Clerk for registration and issuance of a marriage certificate for Petitioners.

C. Respondent Clerk Refuses to Register Marriage License as Bride and Groom and Issue Marriage Certificate

12. By letter (**Exhibit B**) on or about September 3, 2008, Respondent Clerk, acting through his Deputy Clerk A. Walker, and on information and belief other Respondents including

[2] The Marriage License is valid for 90 days per Family Code section 356, and expires after November 9, 2008 (see **Exhibit B**).
[3] Rev. Bird is the father of the bride.

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

Respondent Director acting in concert with Respondent Clerk, refused to register the Marriage License and issue the marriage certificate because Petitioners had added the simple and time-cherished labels of "Bride" and "Groom" next to the State supplied labels of "Party A" and "Party B." By rejecting the Marriage License and refusing to issue a marriage certificate, Respondents refuse to acknowledge Petitioners' marriage. Respondents stated that Petitioners would have to submit a marriage license with just the new labels of "Party A" and "Party B" and without the traditional labels of "Bride" and "Groom." Respondent Clerk states in the rejection letter (**Exhibit B**) in relevant part:

> The marriage license for Gideon and Rachel (a copy of which is enclosed), does not comply with the California State registration laws. After communicating with the State Office of Vital Records regarding this, we were advised that the hand written words "bride and groom", on the side of the license and at the signature point of the license, are considered alterations, and the State will not accept a license that has been altered.
>
> In this situation we are required to prepare a Duplicate Marriage License, which we have enclosed.…
>
> Please be advised, we will be unable to proceed with the necessary steps to register the license with the State until we have received back from you, the signed Duplicate along with the signed and completed Affidavit….

13. Along with the rejection letter, Respondent Clerk sent a duplicate License and Certificate of Marriage (the "Duplicate License").[4] The *only* change was erasure of the titles of "bride" and "groom" from the document.

14. There is meaning, power, and essence in a name. "Bride" and "Groom" are meaningful and powerful names that describe different yet equal roles in the civic and religious institution of marriage. By banning those labels, Respondents arbitrarily and capriciously emasculate the significant roles in marriage and relegate them to an impersonal A and B. Respondents also force one of the spouses into the apparently inferior role of "Party B" as opposed to the apparently superior role of "Party A." In sum, Respondents' state actions constitute unconstitutional hostility and discrimination toward Petitioners and their traditional and time-honored marriage titles as "Bride" and "Groom."

[4] A true and correct copy is attached and incorporated as **Exhibit C**.

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

FIRST CAUSE OF ACTION

Writ of Mandate (CCP § 1086) – Right to Marry

(Against Respondent Clerk JIM MCCAULEY and DOES 1-10)

15. Petitioners reallege paragraphs 1 through 14, and 30 through 54.

16. Pursuant to California Family Code section 301, Codding is qualified to marry in that he is an "unmarried male of the age of 18 years or older."

17. Pursuant to Family Code section 301, Bird is qualified to marry in that she is an "unmarried female of the age of 18 years or older."

18. Because Petitioners are otherwise qualified, Family Code section 301 gives them the right to marry in that they are "male" and "female." The term "bride" is defined as "a newly married woman or a woman about to be married." In like manner, the term "groom," or sometimes referred to as "bridegroom," is defined as "a newly married man or a man about to be married." The terms "bride" and "groom" were used on previous marriage licenses.

19. Petitioners have a right to official recognition of their status as "bride" and "groom" under the statutes alleged herein and federal and state constitutions.

20. Under Family Code section 300(b), Petitioners' Marriage License will not become a marriage certificate, i.e., recognized by the State as a marriage, until Respondent Clerk performs his duty to register the Marriage License and issue the marriage certificate.

21. Respondent Clerk has refused and continues to refuse to perform his statutory duty under Family Code section 300 and Health and Safety Code sections 102195, 120200 and 103125 to register the Marriage License and issue the marriage certificate.

22. Absent the issuance of a writ of mandate, Petitioners have no plain, speedy, and adequate remedy in the ordinary course of law.

23. Petitioners are experiencing a continual harm as a result of the Respondent Clerk's failure to perform his duty under the law. As spouses, Petitioners are entitled to numerous rights relative to community property, tax benefits, intestate benefits, joint insurance under California's Insurance Equality Act (e.g., health, auto, life, homeowners), medical decisions, and joint custody

of children. The rights listed above are not exhaustive; for example, there are more than 1,100 that a married couple has under federal law.

24. Because of their sexual orientation as heterosexual, Petitioners are ineligible to file a Declaration of Domestic Partnership with the California Secretary of State under Family Code section 297 *et seq.* As a result, they lack the legal capacity to register as Domestic Partners under Family Code section 297(b)(5)(B). Under Family Code section 297.5(a) as domestic partners, Petitioners would have "the same rights, protections, and benefits" available under the law as spouses. However, but for their sexual orientation and age, both being under 62, Petitioners are not allowed the same rights as domestic partners. Petitioners thus have no plain and speedy remedy under the law absent an issuance of a writ of mandate.

25. Petitioners are beneficially interested parties as applicants for a marriage certificate.

26. Petitioners are also beneficially interested as taxpayers and residents of Placer County in seeing that Respondents fully comply with the law. The object of seeking mandamus is to procure the enforcement of Respondents' public duty. As such, Petitioners are interested in having the laws executed and the duties in question enforced.

27. Absent relief from this Court, Respondents will continue to impair or defeat the purpose of the right of Petitioners to obtain official recognition of their marriage as "bride" and "groom" or other such designation that is consistent with the statutory terms "female" and "male." Family Code section 301.

28. By instructing Petitioners that their marriage as bride and groom would be recognized, Respondents created a justifiable expectation that Petitioners could rely on the issued Marriage License and get married. Petitioners did so rely to their detriment, and Respondents should be estopped from further damaging Petitioners by refusing to honor the previously-issued Marriage License.

29. Petitioners request that a writ be issued directing Respondents, including Respondent Clerk, to register the Marriage License and issue a marriage certificate for Petitioners, under CCP section 1086 (mandatory writ) or any other applicable provision of law.

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

SECOND CAUSE OF ACTION

Violation of Bride's and Groom's Unalienable and Fundamental Right to Marry

(42 U.S.C. § 1983; Cal. Const. Art. I, § 1)

(Against all Respondents)

30. Petitioners reallege paragraphs 1 through 29.

31. By refusing to sanction a traditional Christian marriage between a man and woman as a "Bride" and "Groom" and demanding that Petitioners adopt non-traditional marriage titles instead, Respondents have adopted a hostile policy toward traditional heterosexual marriage and deprived Petitioners of their clearly established unalienable fundamental right to marry as secured by the Fifth and Fourteenth Amendments to the United States Constitution and Article I, section 1 of the California Constitution.

32. Because of Respondents' actions, Petitioners have suffered, and continue to suffer, irreparable injury which cannot be fully compensated by an award of money damages. Under 42 U.S.C. sections 1983 and 1988, Petitioners are entitled to (a) a writ of mandate and a preliminary and permanent injunction ordering Respondents to immediately recognize Petitioners' right to marry as bride and groom and accept and register their Marriage License and issue them a marriage certificate, and (b) a declaration that Respondents' actions are unconstitutional.

33. Petitioners are entitled to recover from Respondents their reasonable attorney's fees and costs.

THIRD CAUSE OF ACTION

Waste of Public Funds (CCP § 526a)

(Against all Respondents)

34. Petitioners reallege paragraphs 1 through 33.

35. The above-described refusal of Respondent Clerk, and all Respondents acting in concert with him, to perform his statutory duty is in violation of Petitioners' unalienable fundamental right to marry, right to equal protection under the law, right to freedom of expression,

right to freedom of association, right to free exercise of religion, and right to be free from government-sponsored hostility about their choice of a traditional Christian marriage.

36. Tax dollars have been, and are being spent, by Placer County and the State on the above-described activities.

37. Respondents have utilized employees of Placer County and the State, offices, office supplies and other resources in order to continue to fail in the duties found in Family Code section 300, *et seq*. and Cal. Const. Art. I, section 7.

38. The expenditure of taxpayer funds for the acts described above is an illegal expenditure of, waste of, or injury to the estate, funds, or other property of Placer County and the State. Thus, Petitioners bring this action under CCP section 526a (waste of public funds) to obtain a judgment to restrain and prevent the illegal expenditure of, waste of, or injury to, the estate, funds, or other property of County and State.

39. Absent relief from this Court, Respondents will continue to engage in conduct in contravention to the Family Code as well as the U.S. and California Constitutions.

40. Petitioners make this request for injunctive relief based upon their standing as taxpayers pursuant to CCP § 526a.

41. In addition, there is a disagreement between the parties as to the interpretation of Family Code section 301. Petitioners believe that Respondents have a duty to register the Marriage License whose language is consistent with Family Code section 301. Respondents disagree.

42. Absent declaratory relief from this Court, Respondents will continue to fail to perform their duties under Family Code section 300, *et seq*., to the detriment of Petitioners and similarly situated couples throughout Placer County and the State of California.

43. As such, Petitioners request declaratory relief based upon their standing as taxpayers.

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

FOURTH CAUSE OF ACTION

Violation of Bride's and Groom's First Amendment Right to Freedom of Expression

(42 U.S.C. § 1983; Cal. Const. Art. I, § 2)

(Against all Respondents)

44. Petitioners reallege paragraphs 1 through 43.

45. By refusing to allow Bride and Groom to marry, Respondents have deprived Petitioners of their clearly established right to Freedom of Expression as secured by the First Amendment to the United States Constitution and 42 U.S.C. section 1983 and the California Constitution.

FIFTH CAUSE OF ACTION

Violation of Bride's and Groom's Right to Freedom of Association

(42 U.S.C. § 1983; Cal. Const. Art. I, § 2)

(Against all Respondents)

46. Petitioners reallege paragraphs 1 through 45.

47. By denying Bride and Groom the right to associate, Respondents, acting under color of state law, have deprived Bride and Groom of their clearly established rights to freedom of association secured by the First Amendment to the Constitution of the United States and the California Constitution.

SIXTH CAUSE OF ACTION

Violation of Bride's and Groom's Religious Liberty

(42 U.S.C. § 1983; Cal. Const. Art. I, § 4)

(Against all Respondents)

48. Petitioners reallege paragraphs 1 through 47.

49. By refusing to sanction a traditional Christian marriage between a man and woman as a "Bride" and "Groom," Respondents, acting under color of state law, have suppressed Petitioners' religious expression and deprived Petitioners of their clearly established right to free

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

exercise of religion without discrimination or preference secured by the First Amendment to the United States Constitution and Article I, section 4 of the California Constitution.

50. By refusing to sanction the marriage and demanding that Petitioners adopt non-traditional marriage titles, Respondents have discriminated against Petitioners' religion and adopted a hostile policy toward religion. Respondents' refusal to sanction Petitioners' marriage and the female and male terms of "Bride" and "Groom" conveys an impermissible government-sponsored message of disapproval of and hostility toward traditional Christian churches, religious beliefs, practices, and adherents.

SEVENTH CAUSE OF ACTION

Violation of Bride's and Groom's Rights of Equal Protection

(42 U.S.C. § 1983; Cal. Const. Art. I, § 7)

51. Petitioners reallege paragraphs 1 through 50.

52. Respondents singled out Petitioners and refused to sanction their marriage for the sole reason that they believe in traditional marriage between a "bride" and a "groom," in violation of their rights of equal protection under the law as guaranteed by United States and California constitutions. Respondents allowed similarly situated persons to marry, and did not treat Petitioners equally.

EIGHTH CAUSE OF ACTION

Estoppel

(Against all Respondents)

53. Petitioners reallege paragraphs 1 through 52.

54. By instructing Petitioners that their marriage as bride and groom would be recognized, Respondents created a justifiable expectation that Petitioners could rely on the issued Marriage License and get married. Petitioners did so rely to their detriment, and Respondents should be estopped from further damaging Petitioners by refusing to honor the previously-issued Marriage License.

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

PRAYER

WHEREFORE, Petitioners respectfully request that the Court enter judgment against Respondents and provide the following relief against Respondents:

A. Issue a peremptory writ of mandate directing Respondents to register Petitioners' Marriage License, effective as of August 16, 2008 (nunc pro tunc), including the interlineated titles of "Bride" and "Groom," in accordance with Family Code sections 300-301, Health and Safety Code sections 102195, 120200 and 103125, and Petitioners' federal and state constitutional rights, and issue a marriage certificate to Petitioners;

B. That, in the alternative, the Court order Respondents to show cause before this Court, at a time specified by Court order, why Respondents have not complied with the registration requirements described in Family Code sections 300-301 and why a peremptory writ should not issue;

C. That a permanent injunction to prevent Respondents from illegally wasting and/or expending tax dollars on conduct in contravention to Family Code sections 300-301 and the U.S. and California Constitutions, be issued pursuant to CCP section 526a;

D. For declaratory relief, pursuant to CCP section 526a, as to whether Respondents have complied with the registration of the marriage license requirements under Family Code sections 300-301;

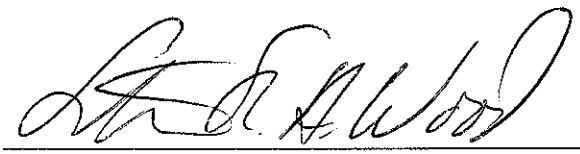
E. Declare that Petitioners, and other couples similarly situated throughout Placer County and California, have the right to use the terms "bride," "wife," "woman," and "groom," "husband," "man," respectively, in their traditional sense on legal documents (specifically including, without limitation, marriage licenses, deeds, and government forms);

F. Awarding Petitioners their reasonable attorneys' fees, costs, and other costs and disbursements in this action, pursuant to CCP sections 1021.5 (public interest) and 42 USC section 1988 (civil rights); and

G. Grant such other and further relief to which Petitioners may be entitled.

Respectfully submitted,

Dated: October 2, 2008



Steven N.H. Wood, Esq. (SBN 161291)
Christopher J. Schweickert, Esq. (SBN 225942)
BERGQUIST, WOOD & ANDERSON, LLP
1470 Maria Lane, Suite 300
Walnut Creek, CA 94596
Telephone: (925) 938-6100
Facsimile: (925) 938-4354
wood@wcjuris.com
cjs@wcjuris.com

Kevin T. Snider (SBN 170988)
Matthew B. McReynolds (SBN 234797)
PACIFIC JUSTICE INSTITUTE
P.O. Box 276600
Sacramento, CA 95827
Telephone: (916) 857-6900
Facsimile: (916) 857-6902
kevinsnider@pacificjustice.org
mattmcreynolds@pacificjustice.org

Attorneys for Petitioners
GIDEON CODDING and RACHEL BIRD

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

BERGQUIST, WOOD & ANDERSON, LLP
ATTORNEYS AT LAW
1470 MARIA LANE, SUITE 300
WALNUT CREEK, CALIFORNIA 94596
(925) 938-6100 FACSIMILE (925) 938-4354

VERIFICATION

I, Gideon Codding, hereby declare under penalty of perjury under the laws of the State of California that I have read the foregoing Verified Petition and the factual allegations therein, and the facts as alleged are true and correct except as to those matters stated on information and belief, and as to those matters I believe them to be true.

Executed this 1st day of October, 2008.

Gideon Codding

I, Rachel Bird, hereby declare under penalty of perjury under the laws of the State of California that I have read the foregoing Verified Petition and the factual allegations therein, and the facts as alleged are true and correct except as to those matters stated on information and belief, and as to those matters I believe them to be true.

Executed this 1st day of October, 2008.

Rachel Bird

LICENSE AND CERTIFICATE OF MARRIAGE

MUST BE LEGIBLE – MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS
USE DARK INK ONLY

COPY

STATE FILE NUMBER

LOCAL REGISTRATION NUMBER

PARTY A'S PERSONAL DATA (Groom)

1A. NAME OF PARTY A – FIRST	1B. MIDDLE	1C. CURRENT LAST	1D. LAST NAME AT BIRTH (IF DIFFERENT THAN 1C)
GIDEON	DAVID	CODDING	-

2. DATE OF BIRTH (MM/DD/CCYY)	3. STATE/COUNTRY OF BIRTH	4. # PREV. MARRIAGES/ SRDP	5A. LAST MARRIAGE/SRDP ENDED BY:	5B. DATE ENDED (MM/DD/CCYY)
11/30/1978	NEVADA	1	☐ DEATH ☒ DISSO ☐ ANNULMENT ☐ TERM SRDP ☐ N/A	09/30/2006

6. ADDRESS	7. CITY	8. STATE/COUNTRY	9. ZIP CODE
414 COMMUNITY DRIVE	ROSEVILLE	CALIFORNIA	95678

10A. FULL BIRTH NAME OF FATHER/PARENT	10B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
DAVID ANTHONY CODDING	NEVADA

11A. FULL BIRTH NAME OF MOTHER/PARENT	11B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
NANCY LYNNE DEL GRANDE	NEVADA

PARTY B'S PERSONAL DATA (Bride)

12A. NAME OF PARTY B – FIRST	12B. MIDDLE	12C. CURRENT LAST	12D. LAST NAME AT BIRTH (IF DIFFERENT THAN 12C)
RACHEL	RENEE	BIRD	-

13. DATE OF BIRTH (MM/DD/CCYY)	14. STATE/COUNTRY OF BIRTH	15. # PREV. MARRIAGES/ SRDP	16A. LAST MARRIAGE/SRDP ENDED BY:	16B. DATE ENDED (MM/DD/CCYY)
11/12/1982	CALIFORNIA	1	☐ DEATH ☒ DISSO ☐ ANNULMENT ☐ TERM SRDP ☐ N/A	04/17/2006

17. ADDRESS	18. CITY	19. STATE/COUNTRY	20. ZIP CODE
532 ALOLA STREET	ROSEVILLE	CALIFORNIA	95678

21A. FULL BIRTH NAME OF FATHER/PARENT	21B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
DOUGLAS WAYNE BIRD	CALIFORNIA

22A. FULL BIRTH NAME OF MOTHER/PARENT	22B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
JANICE ANN ROBERTSON	CALIFORNIA

AFFIDAVIT

WE, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR TO THE ISSUANCE OF A LICENSE IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED BY FAMILY CODE SECTION 358 AND HEREBY APPLY FOR A LICENSE AND CERTIFICATE OF MARRIAGE.

23. SIGNATURE OF PARTY A (Groom)	24. SIGNATURE OF PARTY B (Bride)
▸	▸

LICENSE TO MARRY

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ABOVE-NAMED PARTIES TO BE MARRIED HAVE PERSONALLY APPEARED BEFORE ME, OR THE PERSON PERFORMING THE CEREMONY HAS PERSONALLY APPEARED BEFORE ME AND PRESENTED AN AFFIDAVIT SIGNED BY THE PARTIES TO BE MARRIED DECLARING THAT ONE OR BOTH OF THE PARTIES ARE PHYSICALLY UNABLE TO APPEAR AND EXPLAINING THE REASONS THEREFOR IN ACCORDANCE WITH FAMILY CODE SECTION 426. THE PARTIES PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS CLAIMED, HAVE DECLARED THAT THEY MEET ALL OF THE REQUIREMENTS OF THE LAW, AND HAVE PAID THE FEES PRESCRIBED BY LAW. AUTHORIZATION AND LICENSE IS HEREBY GIVEN TO ANY PERSON DULY AUTHORIZED TO PERFORM A MARRIAGE CEREMONY WITHIN THE STATE OF CALIFORNIA TO SOLEMNIZE THE MARRIAGE OF THE ABOVE-NAMED PERSONS. REQUIRED CONSENTS AND AFFIDAVITS FOR THE ISSUANCE OF THIS LICENSE ARE ON FILE.

25A. ISSUE DATE (MM/DD/CCYY)	25B. EXPIRES AFTER (MM/DD/CCYY)	25C. NAME OF COUNTY CLERK	25D. SIGNATURE OF CLERK OR DEPUTY CLERK
08/11/2008	11/09/2008	JIM MCCAULEY	BY ▸ Kerry Callum

25E. MARRIAGE LICENSE NUMBER	25F. COUNTY OF ISSUE	25G. RETURN COMPLETED MARRIAGE LICENSE TO (INCLUDE ADDRESS):
08-0001191-00	PLACER	PLACER CNTY CLK 2954 RICHARDSON DR AUB CA 95603

WITNESS(ES) (ONE REQUIRED, NO MORE THAN TWO ALLOWED)

26A. SIGNATURE OF WITNESS	26B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)
▸	GABRIEL A. CODDING

26C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE: 114 RACQUET CLUB DR RANCHO MIRAGE, CA 92270

27A. SIGNATURE OF WITNESS	27B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)
▸ Tiffany Bird	Tiffany A Bird

27C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE: 706 Atlantic st Roseville CA 95678

CERTIFICATION OF PERSON SOLEMNIZING MARRIAGE

I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE ABOVE-NAMED PARTIES WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA. NOTE: THE MARRIAGE CEREMONY MUST TAKE PLACE IN THE STATE OF CALIFORNIA.

28A. DATE OF MARRIAGE (MM/DD/CCYY)	28B. CITY/TOWN OF MARRIAGE	28C. COUNTY OF MARRIAGE
8/16/2008	Roseville	Placer

29A. SIGNATURE OF PERSON SOLEMNIZING MARRIAGE	29B. RELIGIOUS DENOMINATION (IF CLERGY)
▸	Christian

29C. NAME OF PERSON SOLEMNIZING MARRIAGE (TYPE OR PRINT CLEARLY)	29D. OFFICIAL TITLE
Rev. Doug Bird	Pastor

29E. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE: 706 Atlantic Ave. Roseville, Ca. 95678

LOCAL REGISTRAR

30A. NAME OF LOCAL REGISTRAR	30B. SIGNATURE OF CLERK OR DEPUTY CLERK	30C. DATE ACCEPTED FOR REGISTRATION
▸	BY	

EXHIBIT A

OFFICE OF

JIM McCAULEY
County Clerk–Recorder–
Registrar
GLORIA COUTTS
Assistant County Clerk

PLACER COUNTY CLERK – RECORDER –
REGISTRAR OF VOTERS

Clerk-Recorder Division • 2954 Richardson Drive • Auburn, CA 95603
(530) 886-5600 • FAX (530) 886-5687
www.placer.ca.gov

September 3, 2008

Rev Doug Bird
706 Atlantic Ave
Roseville, Ca 95678

RE: Duplicate Marriage License: {Gideon Codding & Rachel Bird}

Dear OFFICIANT NAME:

The marriage license for Gideon and Rachel (a copy of which is enclosed), does not comply with the California State registration laws. After communicating with the State Office of Vital Records regarding this, we were advised that the hand written words "bride and groom", on the side of the license and at the signature point of the license, are considered alterations, and the State will not accept a license that has been altered.

In this situation we are required to prepare a Duplicate Marriage License, which we have enclosed. The Duplicate License is to be signed by you as the person who solemnized the marriage, on line #29A, and you are also to complete and sign the enclosed Affidavit for a Duplicate License. Both of these documents are then to be returned to our office within 10 days.

Please be advised, we will be unable to proceed with the necessary steps to register the license with the State until we have received back from you, the signed Duplicate along with the signed and completed Affidavit. Due to the fact that Gideon and Rachel were not advised that writing on the license would be considered an alteration, we will waive our usual $28.00 fee for a Duplicate Marriage License.

Thank you in advance for your cooperation and please accept our apology for sending out a Duplicate for the wrong couple. If you have any questions regarding this matter you may contact our office at (530) 886-5610 and ask to speak to Anita.

Sincerely,

Jim McCauley,
Placer County Clerk-Recorder-Registrar

By: A Walker
A Walker Deputy Clerk

EXHIBIT B

DUPLICATE
LICENSE AND CERTIFICATE OF MARRIAGE

MUST BE LEGIBLE – MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS
USE DARK INK ONLY

STATE FILE NUMBER

LOCAL REGISTRATION NUMBER

PARTY A'S PERSONAL DATA

1A. NAME OF PARTY A – FIRST	1B. MIDDLE
GIDEON	DAVID

1C. CURRENT LAST	1D. LAST NAME AT BIRTH (IF DIFFERENT THAN 1C)
CODDING	-

2. DATE OF BIRTH (MM/DD/CCYY)	3. STATE/COUNTRY OF BIRTH	4. # PREV. MARRIAGES/ SRDP	5A. LAST MARRIAGE/SRDP ENDED BY:	5B. DATE ENDED (MM/DD/CCYY)
11/30/1978	NEVADA	1	☐ DEATH ☒ DISSO ☐ ANNULMENT ☐ TERM SRDP ☐ N/A	09/30/2006

6. ADDRESS	7. CITY	8. STATE/COUNTRY	9. ZIP CODE
414 COMMUNITY DRIVE	ROSEVILLE	CA	95678

10A. FULL BIRTH NAME OF FATHER/PARENT	10B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
DAVID ANTHONY CODDING	NEVADA

11A. FULL BIRTH NAME OF MOTHER/PARENT	11B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
NANCY LYNNE DEL GRANDE	NEVADA

PARTY B'S PERSONAL DATA

12A. NAME OF PARTY B – FIRST	12B. MIDDLE
RACHEL	RENEE

12C. CURRENT LAST	12D. LAST NAME AT BIRTH (IF DIFFERENT THAN 12C)
BIRD	-

13. DATE OF BIRTH (MM/DD/CCYY)	14. STATE/COUNTRY OF BIRTH	15. # PREV. MARRIAGES/ SRDP	16A. LAST MARRIAGE/SRDP ENDED BY:	16B. DATE ENDED (MM/DD/CCYY)
11/12/1982	CALIFORNIA	1	☐ DEATH ☒ DISSO ☐ ANNULMENT ☐ TERM SRDP ☐ N/A	04/17/2006

17. ADDRESS	18. CITY	19. STATE/COUNTRY	20. ZIP CODE
532 ALOLA STREET	ROSEVILLE	CA	95678

21A. FULL BIRTH NAME OF FATHER/PARENT	21B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
DOUGLAS WAYNE BIRD	CALIFORNIA

22A. FULL BIRTH NAME OF MOTHER/PARENT	22B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)
JANICE ANN ROBERTSON	CALIFORNIA

AFFIDAVIT

WE, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR TO THE ISSUANCE OF A LICENSE IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED BY FAMILY CODE SECTION 358 AND HEREBY APPLY FOR A LICENSE AND CERTIFICATE OF MARRIAGE.

23. SIGNATURE OF PARTY A	24. SIGNATURE OF PARTY B
/s/GIDEON DAVID CODDING	/s/RACHEL RENEE BIRD

LICENSE TO MARRY

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ABOVE-NAMED PARTIES TO BE MARRIED HAVE PERSONALLY APPEARED BEFORE ME, OR THE PERSON PERFORMING THE CEREMONY HAS PERSONALLY APPEARED BEFORE ME AND PRESENTED AN AFFIDAVIT SIGNED BY THE PARTIES TO BE MARRIED DECLARING THAT ONE OR BOTH OF THE PARTIES ARE PHYSICALLY UNABLE TO APPEAR AND EXPLAINING THE REASONS THEREFOR IN ACCORDANCE WITH FAMILY CODE SECTION 426. THE PARTIES PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS CLAIMED, HAVE DECLARED THAT THEY MEET ALL OF THE REQUIREMENTS OF THE LAW, AND HAVE PAID THE FEES PRESCRIBED BY LAW. AUTHORIZATION AND LICENSE IS HEREBY GIVEN TO ANY PERSON DULY AUTHORIZED TO PERFORM A MARRIAGE CEREMONY WITHIN THE STATE OF CALIFORNIA TO SOLEMNIZE THE MARRIAGE OF THE ABOVE-NAMED PERSONS. REQUIRED CONSENTS AND AFFIDAVITS FOR THE ISSUANCE OF THIS LICENSE ARE ON FILE.

25A. ISSUE DATE (MM/DD/CCYY)	25B. EXPIRES AFTER (MM/DD/CCYY)	25C. NAME OF COUNTY CLERK	25D. SIGNATURE OF CLERK OR DEPUTY CLERK
08/11/2008	11/09/2008	JIM MCCAULEY	BY ▸ A Walker

25E. MARRIAGE LICENSE NUMBER	25F. COUNTY OF ISSUE	25G. RETURN COMPLETED MARRIAGE LICENSE TO (INCLUDE ADDRESS):
08-0001191-00	PLACER	PLACER CNTY CLK 2954 RICHARDSON DR AUB CA 95603

WITNESS(ES) (ONE REQUIRED, NO MORE THAN TWO ALLOWED)

26A. SIGNATURE OF WITNESS	26B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)
/s/GABRIEL A CODDING	GABRIEL A CODDING

26C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE
114 RACQUET CLUB DR RANCHO MIRAGE CA 92270

27A. SIGNATURE OF WITNESS	27B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)
/s/TIFFANY A BIRD	TIFFANY A BIRD

27C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE
706 ATLANTIC ST ROSEVILLE, CA 95678

CERTIFICATION OF PERSON SOLEMNIZING MARRIAGE

I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE ABOVE-NAMED PARTIES WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA. NOTE: THE MARRIAGE CEREMONY MUST TAKE PLACE IN THE STATE OF CALIFORNIA.

28A. DATE OF MARRIAGE (MM/DD/CCYY)	28B. CITY/TOWN OF MARRIAGE	28C. COUNTY OF MARRIAGE
08/16/2008	ROSEVILLE	PLACER

29A. SIGNATURE OF PERSON SOLEMNIZING MARRIAGE	29B. RELIGIOUS DENOMINATION (IF CLERGY)
▸	CHRISTIAN

29C. NAME OF PERSON SOLEMNIZING MARRIAGE (TYPE OR PRINT CLEARLY)	29D. OFFICIAL TITLE
REV DOUG BIRD	PASTOR

29E. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE
706 ATLANTIC AVE ROSEVILLE, CA 95678

LOCAL REGISTRAR

30A. NAME OF LOCAL REGISTRAR	30B. SIGNATURE OF CLERK OR DEPUTY CLERK	30C. DATE ACCEPTED FOR REGISTRATION
▸	BY ▸	