



***Pedersen v. Office of Personnel Management***  
**Plaintiff Profile**

**Raquel Ardin and Lynda DeForge**



Lynda and Raquel met in 1977 when they were both in the Navy. Raquel was in the hospital recuperating from a broken neck, the result of an accident in the barracks. Lynda was a medic whose duties included caring for Raquel. “It was love at first sight,” says Raquel. “For me, at least.” They struck up a friendship over bedside card games and shared meals.

Their first date was to see “Star Wars.” Lynda hated the movie, but she fell in love with Raquel. Thirty-five years later, Lynda says, “We’re stuck like glue.” On Sept. 7, 2009, Jesus Ardin, Raquel’s father, officiated at Raquel and Lynda’s wedding, a private ceremony at their home in North Hartland, Vermont. “My dad is a sweetheart,” says Raquel. Prior to their legal marriage, they were joined in a civil union in 2000.

In September 2012, Lynda retired from the U.S. Postal Service after 27 years. Prior to her retirement, she worked the night shift at a White River Junction post office for many years. During those shifts, Lynda would call Raquel every night on her 10:30 p.m. break; Raquel waited up until Lynda came home after her shift ended at 2:30 a.m.

Raquel retired from the Postal Service after 25 years because of disability related to her neck injury. For the last 10 years of Raquel’s employment, she and Lynda worked the same shift, in the same office, doing the same job. Their co-workers marveled at how they could stand to spend so much time together. But Lynda says, “We’re like one person.”

Caring for family members has been a constant over the course of their life together. In addition to caring for Raquel’s father, who lived with them in Vermont for many years, they nursed Raquel’s mother back to health after she suffered a stroke. They moved from Florida to Vermont in the early 1980s to care for Lynda’s mother, who had Alzheimer’s disease, and nursed her father as he was dying of cancer. Now, they are assisting with the care of Lynda’s sister, who lives an hour north of Lynda and Raquel and has been diagnosed with early onset dementia. “To me, it’s just something you do,” Lynda says of caring for family members. “If they need help, you help them.”

Ironically, DOMA prevents them from caring for each other, as they have for their relatives and the way other married couples routinely take care of each other. Raquel needs quarterly neck injections to manage her degenerative arthritis – another consequence of her military injury. As a Postal Service employee, Lynda applied for time off under the Family Medical Leave Act (FMLA) – the federal law that allows workers time off to care for a spouse, child or parent who has a serious health condition – so she



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could transport Raquel the 2 ½ hours to and from the VA Hospital that administers this procedure. Her supervisors granted the leave, but then had to rescind it because of DOMA's non-recognition of their marriage. Lynda could not use FMLA leave to be by her spouse's side when Raquel needed knee surgery back in June of 2010 either.

Additionally, as federal retirees, Lynda and Raquel both obtain their health insurance through the U.S. Office of Personnel Management. But because of DOMA, they pay for two individual ("Self-Only") policies rather than being on one family policy, as other federally-employed married couples are allowed to do.

Before dealing with these issues, it hadn't occurred to Lynda and Raquel that they could be treated differently than other married couples. "It never even struck our minds until I got that FMLA rejection saying it's because of DOMA," says Lynda. "That's the point that we really realized that we aren't treated the same." She points out that she was permitted to take two weeks off under FMLA to care for her father when he was dying. Lynda was forced to use 24 hours of vacation time to care for Raquel.

"I don't think it's right," says Raquel.

*Updated November, 2012*

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