

## Bridgewater couple are lead plaintiffs in new same-sex marriage suit

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BRIDGEWATER —



Nancy Gill of Bridgewater walked into her job's personnel office on her first day back to work after getting married.

The high cost of health insurance was on her mind even then, in 2004, and the newlywed U.S. Postal Service employee was eager to enroll her and her spouse on a family plan.

The request was rejected. The reason? Gill had married a woman.

Gill, now 51, and her wife, Marcelle Letourneau, 47, were among the nation's first same-sex couples that Massachusetts granted the right to marry in a landmark Supreme Judicial Court decision in 2003.

Now, the Bridgewater couple is the lead plaintiff in a lawsuit against the U.S. government to challenge a 1996 federal law blocking same-sex spouses from receiving federal marriage benefits they say every married couple should be awarded.

"It's like you're a second-class citizen and your family is being discriminated against," Letourneau said.

A portion of the Defense of Marriage Act, passed by Congress in 1996 and signed into law by then-President Bill Clinton, defines marriage as "only the legal union of a man and a woman as husband and wife" for the purposes of all federal laws and programs.

“Through the eyes of the federal government, I am less than my coworkers,” said Gill, who grew up in the same Brockton neighborhood as Letourneau in the late 1970s.

It’s not just hurtful to have their marriage discredited this way, the couple said. It’s expensive.

Their children, a 16-year-old daughter and 9-year-old son, are enrolled under Gill’s health insurance offered through her job as a window clerk in Brockton’s post offices. Letourneau pays about \$800 annually for her own plan through her employer.

They estimate they have spent an extra \$4,000 on Letourneau’s health insurance since they married.

“It’s like paying for the same thing twice,” Letourneau said. “And God forbid, should anything happen to Nancy, how would I be able to provide for our children?”

On March 3, the Gay & Lesbian Advocates & Defenders, or GLAD, filed the suit in U.S. District Court in Boston on their behalf and for 17 other plaintiffs. They argued that the law “violates” the rights of married same-sex couples by denying them 1,138 protections given to married couples, such as shared Social Security, disability and tax benefits.

During his presidential campaign, President Barack Obama supported a full repeal of the Defense of Marriage Act.

If GLAD wins the case, the changes would only affect same-sex couples who live in states that legally recognize their marriages.

Same-sex marriage is legal in Massachusetts and Connecticut, and last year the governor of New York ordered state agencies there to recognize same-sex marriages legally performed elsewhere.

GLAD — the anti-discrimination group that fought for and won legal same-sex marriage in Massachusetts — said it expects a court hearing no sooner than six months from now.

The case could find its way to the U.S. Supreme Court through appeals, but the agency suspects a decision from the country’s highest court would not come before 2013.

One local nonprofit, the Massachusetts Family Institute, has called for the courts to reject “this thinly-veiled attempt to impose same-sex marriage on American citizens.”

“Same-sex marriage activists simply cannot win a public vote, so they force their will upon the citizenry through select, activist judges,” Massachusetts Family Institute President Kris Mineau said in a statement.

That attitude frustrates Gill and Letourneau, who say they don’t see themselves as legal activists, but felt it was time to speak up — even if it means their private lives could be thrust into the national spotlight.

“I’m not on a soapbox. I’m not trying to change the world,” Gill said. “I’m trying to live my life so that I get the same benefits that everybody else has.”

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