

EXHIBIT 4

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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:
KRISTY DUMONT; DANA DUMONT;
ERIN BUSK-SUTTON; and REBECCA
BUSK-SUTTON,
:

Plaintiffs,
:

v.
:

NICK LYON, in his official capacity
as the Director of the Michigan
Department of Health and Human
Services; and HERMAN MCCALL,
in his official capacity as the
Executive Director of the Michigan
Children’s Services Agency,
:

Defendants,
:

and
:

ST. VINCENT CATHOLIC CHARITIES;
MELISSA BUCK; CHAD BUCK; and
SHAMBER FLORE,
:

Intervenor Defendants.
:
:
----- X

No. 17-cv-13080-PDB-EAS
HON. PAUL D. BORMAN
MAG. ELIZABETH A. STAFFORD

**PLAINTIFFS’ RESPONSES AND OBJECTIONS TO
INTERVENOR DEFENDANTS’ FIRST SET OF INTERROGATORIES**

Plaintiffs Kristy Dumont, Dana Dumont, Erin Busk-Sutton, and Rebecca Busk-Sutton (collectively, “Plaintiffs”), by and through their undersigned counsel, pursuant to Federal Rules of Civil Procedure 26 and 33 and the Local Rules of the United States District Court for the Eastern District of Michigan (together, the “Rules”), answer

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ambiguous because it does not provide a time period or date for the information it seeks. Plaintiffs further object to Interrogatory No. 2 to the extent that it seeks information that is not relevant to the claims or defenses of any party to the Action.

Subject to and without waiving the foregoing general and specific objections, Plaintiffs are willing to meet and confer regarding Interrogatory No. 2.

INTERROGATORY NO. 3:

Describe all communications between yourself and the child placing agencies you contacted when seeking to foster or adopt a child; include in your answer anything you were told by that agency regarding referrals or transfers to another agency, or regarding your ability to work with that agency.

RESPONSE TO INTERROGATORY NO. 3:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further object to Interrogatory No. 3 on the grounds that it is overbroad and unduly burdensome.

Subject to and without waiving the foregoing general and specific objections, Plaintiffs state as follows:

In the summer of 2016, the Dumont Plaintiffs called St. Vincent in Lansing and Bethan Christian Services in East Lansing to express that they were interested in adopting a child from foster care. St. Vincent in Lansing and Bethany Christian Services in East Lansing each separately told the Dumont Plaintiffs that they do not work with same-sex couples. In March 2017, Kristy Dumont again called both agencies. Representatives at St. Vincents in Lansing and Bethany Christian Services in East Lansing again told Kristy Dumont that they did not work with same-sex couples.

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and Bethany Christian Services seemed to be viable options. In addition, the Dumont Plaintiffs recognized the names of both St. Vincent and Bethany Christian Services from billboards and word of mouth.

The Busk-Sutton Plaintiffs first learned of Bethany Christian Services from a member of Erin Busk-Sutton's Bible study who was an employee at Bethany Christian Services at the time. When the Busk-Sutton Plaintiffs began to research child placing agency options and reviewed the MARE website, they recognized the name of Bethany Christian Services from Erin's friend from Bible study and found the agency's website on Google. They decided to contact Bethany Christian Services because it had two convenient locations, in Detroit and in Madison Heights, and because they were interested in working with someone who was as dedicated to their job as a social worker as their personal friend who worked at Bethany Christian Services.

INTERROGATORY NO. 5:

Explain why you have not begun the adoption process with a foster agency other than St. Vincent or Bethany.

RESPONSE TO INTERROGATORY NO. 5:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further object to Interrogatory No. 5 to the extent that it seeks information that is protected from disclosure under the attorney-client privilege, the work-product doctrine, or any other applicable privilege, immunity, discovery protection, law or rule. Plaintiffs further object to Interrogatory No. 5 on the grounds that it seeks information that is not relevant to the claims or defenses of any party to the Action.

INTERROGATORY NO. 6:

Describe how the State Defendants' actions have prevented you from becoming an adoptive parent.

RESPONSE TO INTERROGATORY NO. 6:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further object to Interrogatory No. 6 on the grounds that it seeks information that is not relevant to the claims or defenses of any party to the Action.

Subject to and without waiving the foregoing general and specific objections, Plaintiffs state that the State Defendant's practice of permitting state-contracted and taxpayer-funded child placing agencies to use religious criteria to screen prospective foster and adoptive parents for children in the foster care system denies Plaintiffs, and other families headed by same-sex couples, the same opportunities to work with a child placing agency that are available to every other family in Michigan seeking to adopt. Plaintiffs further state that the State Defendant's practice results in both stigma and practical barriers to same-sex couples who wish to adopt a child out of the state-run foster care system.

INTERROGATORY NO. 7:

Describe how you became involved in this lawsuit.

RESPONSE TO INTERROGATORY NO. 7:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further object to Interrogatory No. 7 to the extent that it seeks information or documents that are protected from disclosure under the attorney-client privilege, the work-product doctrine, or any other applicable privilege, immunity, discovery protection,

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law or rule. Plaintiffs further object to Interrogatory No. 7 to the extent that it seeks information that is not relevant to the claims or defenses of any party to the Action.

Subject to and without waiving the foregoing general and specific objections, Plaintiffs state as follows:

The Dumont Plaintiffs are both members of a Facebook page called [REDACTED] for lesbians in the Lansing area. In March 2016, the administrator of the page posted that the ACLU of Michigan was looking to speak with couples in their area who were considering adopting children from the foster care system, and that interested couples should contact [Confidential Information] at the ACLU of Michigan in Detroit. The Dumont Plaintiffs emailed Mr. [Confidential Information] and spoke with him and [Confidential Information] at the ACLU.

The Busk-Sutton Plaintiffs were put in touch with Jay Kaplan at the ACLU of Michigan in Detroit by Kristy Dumont.

INTERROGATORY NO. 8:

Describe your involvement with any political or social advocacy organizations during the Relevant Period.

RESPONSE TO INTERROGATORY NO. 8:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further object to Interrogatory No. 8 on the grounds that it is overbroad and unduly burdensome, including the phrases “[d]escribe your involvement” and “any political or social advocacy organizations.” Plaintiffs further object to Interrogatory No. 8 on the grounds that it is vague and ambiguous, including the phrases “involvement with” and “political or social advocacy organizations.” Plaintiffs further object to

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VERIFICATION

I, Kristy Dumont, hereby verify, under penalty of perjury and pursuant to 28 U.S.C. § 1746, that my foregoing responses to Intervenor Defendants' First Set of Interrogatories to Plaintiffs, dated October 18, 2018, are true and correct to the best of my knowledge.

This is the 19th day of November, 2018.

/s/ Kristy Dumont

Kristy Dumont

VERIFICATION

I, Dana Dumont, hereby verify, under penalty of perjury and pursuant to 28 U.S.C. § 1746, that my foregoing responses to Intervenor Defendants' First Set of Interrogatories to Plaintiffs, dated October 18, 2018, are true and correct to the best of my knowledge.

This is the 19th day of November, 2018.

/s/ Dana Dumont

Dana Dumont