



***Gill et al. v. Office of Personnel Management et al.***  
**Plaintiff Profile**

**Melba Abreu & Beatrice Hernandez**



Beatrice's parents left Cuba for the United States before she was born, leaving behind everything to ensure a future of freedom and opportunity for their children. Melba left Cuba in 1979, in search of freedom and prosperity for herself and her future family.

Fairness, equality, and family are at the heart of their American dream—a dream shaped by their experiences as Cuban-Americans. The opportunity to always be able to provide for one another is central to that dream; yet as

citizens they do not understand why the federal government discriminates against their marriage.

Melba and Beatrice met in Miami in 1987, while Melba was working as a cashier and Beatrice as a waitress. Soon after, they moved to New York where Beatrice was to attend college; and into their first apartment together in Brooklyn. Their first day in their new home, they sat on the hardwood floor of their small New York apartment and shared a bottle of wine while unpacking a box of new dishes. That simple act marked the beginning of their commitment to each other, and they view that day as the beginning of their marriage.

“Our commitment was our bond. We knew that together we would bear witness to each other’s lives,” says Beatrice. “We legally married seventeen years later, on May 20, 2004. But despite our legal marriage, the federal government continues to deny us the protections that federal law provides to other married couples towards their well-being, security, and prosperity.”

Now living in the Boston neighborhood of Chestnut Hill, Melba is CFO of a non-profit that creates economic and educational opportunities that help people in need reach their own dreams. Beatrice is a web professional and writer working on two books. New York Yankees fans in a Red Sox town, they share a love of baseball, a commitment to good food, and a passion for philanthropy. They dream of the day they can build a business together.

But because of the federal government’s discrimination and its refusal to allow them to file their income taxes jointly, they have paid from 2004 through 2008 an extra \$25,359 in taxes – money that would have brought them closer to their dreams.

“We are citizens of this country and we should be treated equally,” says Melba. “But the fact that we are legally married is not enough; that we contribute and pay taxes is not enough; that we are a family is not enough. We are part of the fabric of this nation and we just want to be treated equally.”

*Last updated: November, 2012*