

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

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DAVID KING, <i>et al.</i> ,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	No. 3:13-CV-630 (JRS)
	)	
KATHLEEN SEBELIUS, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	
_____	)	

**DECLARATION OF ROSE LUCK**

I, Rose Luck, do hereby declare:

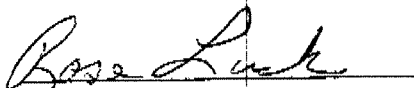
1. I will be 55 years old on January 1, 2014.
2. I am married. I have no dependents. I smoke tobacco products.
3. I am a citizen of the United States and a resident of the Commonwealth of Virginia. I live at 2209 County Drive, Petersburg, Virginia 23803.
4. I project that my modified adjusted gross income for 2014 will be \$45,000. This figure includes all income attributable to my household.
5. I am not eligible for health insurance from the government or any employer.
6. The annual premium for the lowest-cost bronze plan available to me in the individual market in the federally-established Exchange in Virginia in 2014 will exceed eight percent of my projected household income in 2014. Accordingly, absent any eligibility for federal subsidies, I would be exempt in 2014 from the individual mandate penalty and I would be entitled to obtain, before January 1, 2014, a "certificate of exemption" so certifying. That certificate of exemption would entitle me to purchase catastrophic insurance coverage, or forgo all coverage without any fear of incurring a penalty under the Affordable Care Act.

7. However, if I am eligible for a federal subsidy in 2014, that would reduce my "required contribution" under the Affordable Care Act to the point that I will be disqualified from the unaffordability exemption to the individual mandate penalty and unable to obtain a certificate of exemption. Thus, if I am eligible for a federal subsidy in 2014, I will be forced either to pay a tax penalty or to buy Affordable Care Act-compliant health coverage for 2014, and I will be prohibited from purchasing catastrophic coverage for 2014.

8. I do not want to purchase ACA-compliant health insurance in 2014.

9. Moreover, because eligibility for the subsidy obligates me to spend money in the near future (on either ACA-compliant coverage or a penalty), I am forced to immediately engage in financial planning to set aside funds sufficient for those purposes. My financial strength and fiscal planning are immediately and directly affected by this exposure to costs and/or liabilities.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on this day, September 14, 2013.

  
Rose Luck