

LITE DEPALMA GREENBERG, LLC

Bruce D. Greenberg, (NJ Id#: 014951982)
Jeffrey A. Shooman, (NJ Id#: 041512006)
Two Gateway Center – Suite 1201
Newark, NJ 07102
(973) 623-3000

SOUTHERN POVERTY LAW CENTER

Morris Dees (*pro hac vice*)
David C. Dinielli (*pro hac vice*)
Samuel Wolfe (*pro hac vice*)
Scott D. McCoy (*pro hac vice*)
400 Washington Ave.
Montgomery, AL 36104
(334) 956-8200

CLEARY GOTTlieb STEEN & HAMILTON LLP

James L. Bromley (*pro hac vice*)
Lina Bensman (*pro hac vice*)
One Liberty Plaza
New York, NY 10006
(212) 225-2000

Attorneys for Plaintiffs

Michael Ferguson, Benjamin Unger, Sheldon
Bruck, Chaim Levin, Jo Bruck, Bella Levin,

Plaintiffs,

v.

JONAH (Jews Offering New Alternatives for
Healing f/k/a Jews Offering New Alternatives
to Homosexuality), Arthur Goldberg, Alan
Downing, Alan Downing Life Coaching LLC,

Defendants.

SUPERIOR COURT OF NEW JERSEY
HUDSON COUNTY, LAW DIVISION

Docket No. L-5473-12

CIVIL ACTION

**CERTIFICATION OF LINA BENSMAN
IN SUPPORT OF MOTION FOR
PARTIAL SUMMARY JUDGMENT**

I, Lina Bensman, hereby certify as follows:

1. I am an associate at the law firm Cleary Gottlieb Steen & Hamilton LLP, co-counsel for Plaintiffs Michael Ferguson, Benjamin Unger, Chaim Levin, Jo Bruck, and Bella Levin in this action. By order of this Court, I have been admitted *pro hac vice* as one of the counsel of record for Plaintiffs in this case. I am familiar with the facts and circumstances of this matter.

2. A true and correct copy of *N.J.S.A.* 45:1-54-55 is attached as Exhibit 1.

3. A true and correct copy of *Policy Regarding Sexual Orientation, H-160.991 Health Care Needs of the Homosexual Population*, American Medical Association, <http://www.ama-assn.org/ama/pub/about-ama/our-people/member-groups-sections/glb-t-advisory-committee/ama-policy-regarding-sexual-orientation.page>? (last visited November 19, 2014) is attached as Exhibit 2.

4. A true and correct copy of the American Academy of Pediatrics' position statement, published as Barbara L. Frankowski et.al., *Sexual Orientation and Adolescents*, 113 Pediatrics 1827 (2004), is attached as Exhibit 3.

5. A true and correct copy of a Resolution of the Governing Counsel of the Am. Counseling Ass'n, recorded in *ACA Governing Council Meeting Minutes, March 26-27, 1998* (1998) is attached as Exhibit 4.

6. A true and correct copy of the National Association of Social Workers' position statement, published as Catherine Crisp & Yolanda Padilla, *Lesbian, Gay, and Bisexual Issues* (2005), is attached as Exhibit 5.

7. A true and correct copy of Am. Psychiatric Ass'n, *Homosexuality and Sexual Orientation Disturbance: Proposed Change in DSM-II, 6th Printing, page 44* (1973) is attached as Exhibit 6.
8. A true and correct copy of Royal Coll. of Psychiatrists, *Royal College of Psychiatrists' statement on sexual orientation* (2014) is attached as Exhibit 7.
9. A true and complete copy of Amicus Brief of the American Psychological Association, *U.S. v. Windsor*, 133 S.Ct. 2675 (2013) is attached as Exhibit 8.
10. A true and complete screenshot from the American Psychological Association website taken November 19, 2014 entitled "Education, Health and Religious Organizations Unite to Keep Students Safe" is attached as Exhibit 9.
11. A true and complete screenshot from the American Psychological Association taken November 19, 2014 entitled "Just the Facts about Sexual Orientation & Youth" is attached as Exhibit 10.
12. A true and correct copy of Am. Psychological Ass'n, *Appropriate Affirmative Response to Sexual Orientation Distress and Change Efforts* (2009) is attached as Exhibit 11.
13. A true and correct copy of cited excerpts from the deposition of Plaintiff Bella Levin is attached as Exhibit 12.
14. A true and correct copy of cited excerpts from the deposition of Plaintiff Chaim Levin is attached as Exhibit 13.
15. A true and correct copy of cited excerpts from the deposition of Plaintiff Michael Ferguson is attached as Exhibit 14.

16. A true and correct copy of cited excerpts from the deposition of Plaintiff Jo Bruck is attached as Exhibit 15.

17. A true and correct copy of cited excerpts from the deposition of Plaintiff Benjamin Unger is attached as Exhibit 16.

18. A true and complete copy of cited excerpts from the deposition of Sheldon Bruck is attached as Exhibit 17.

19. A true and correct copy of cited excerpts from the deposition of Elaine Berk is attached as Exhibit 18.

20. A true and correct copy of a listserv communication Bates-stamped JON002214 is attached as Exhibit 19.

21. A true and correct copy of a listserv communication Bates-stamped JON003894 is attached as Exhibit 20.

22. A true and correct copy of a listserv communication Bates-stamped JON003826 is attached as Exhibit 21.

23. A true and correct copy of a listserv communication Bates-stamped JON003658 is attached as Exhibit 22.

24. A true and correct copy of a screenshot of “Change” from the Merriam Webster Online Dictionary taken November 19, 2014 is attached as Exhibit 23.

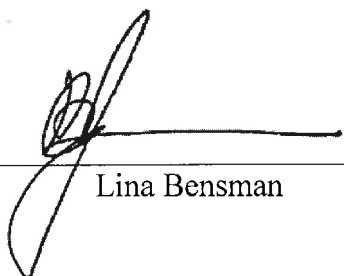
25. A true and correct copy of a listserv communication Bates-stamped JON018938 is attached as Exhibit 24.

26. A true and correct copy of cited excerpts from the deposition of Defendant Arthur Goldberg is attached as Exhibit 25.

27. A true and correct copy of a listserv communication Bates-stamped FGSN00000131 is attached as Exhibit 26.
28. A true and correct copy of a listserv communication Bates-stamped JON005667 is attached as Exhibit 27.
29. A true and correct copy of cited excerpts from the deposition of JONAH, Inc. is attached as Exhibit 28.
30. A true and correct copy of a listserv communication Bates-stamped JON001655 is attached as Exhibit 29.
31. A true and correct screenshot of a page on JONAH's website entitled "JONAH's Psycho-Educational Model for Healing" taken on November 19, 2014 is attached as Exhibit 30.
32. A true and correct copy of a listserv communication Bates-stamped JON019451 is attached as Exhibit 31.
33. A true and correct copy of a listserv communication Bates-stamped JON019035 is attached as Exhibit 32.
34. A true and correct copy of cited excerpts from the deposition of Defendant Alan Downing is attached as Exhibit 33.
35. A true and complete copy of Plaintiff Jo Bruck and Sheldon Bruck's JONAH Institute Consent to Treat and Financial Agreement is attached as Exhibit 34.
36. A true and complete copy of Plaintiff Benjamin Unger's Life Coaching Client Service Agreement with Alan Downing Life Coaching LLC is attached as Exhibit 35.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: November 21, 2014
New York, NY



Lina Bensman