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Attorneys for Defendants

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
) LAW DIVISION - HUDSON COUNTY
) DOCKET NO. L-5473-12

) Civil Action

) **CERTIFICATION OF PAUL M. JONNA**
) **IN SUPPORT OF DEFENDANTS'**
) **OPPOSITION TO PLAINTIFFS'**
) **MOTION FOR PARTIAL SUMMARY**
) **JUDGMENT**

I, Paul M. Jonna, certify:

1. I am one of the attorneys for the Defendants in this action and have been admitted to practice in New Jersey *pro hac vice* by this Court for this case. I have personal knowledge of the facts set forth below and could and would competently testify thereto if called upon to do so as a witness.

2. A true and correct copy of the article, *The Concept of Mental Disorder: On the Boundary Between Biological Facts and Social Values*, by Jerome C. Wakefield, dated March 1992, published in *American Psychologist*, is attached hereto as Exhibit 1.
3. A true and correct copy of the article, *The Diagnostic Status of Homosexuality in DSM-III: A Reformulation of the Issues*, by Robert Spitzer, dated February 1981, published in *American Journal of Psychiatry*, is attached hereto as Exhibit 2.
4. A true and correct copy of the retired position statement, *Homosexuality and Sexual Orientation Disturbance: Proposed Change in DSM-II, 6th Printing, page 44*, by the American Psychiatric Association, is attached hereto as Exhibit 3.
5. A true and correct copy of the article, *When Homosexuality Came Out (of the DSM)*, by Vivek Datta, M.D., M.P.H., dated December 1, 2014, published on the Made in America website, <http://www.madinamerica.com/2014/12/homosexuality-came-dsm/>, is attached hereto as Exhibit 4.
6. A true and correct copy of the relevant portions of the book, *Essential Psychopathology & Its Treatment*, by Jerrold S. Maxmen, Nicholas G. Ward, and Mark Kilgus, in its third edition, published in 2009 by W.W. Norton & Company, Inc., is attached hereto as Exhibit 5.
7. A true and correct copy of the article, *Supporting Early Career Psychologists: Advocating for Licensure Upon Completion of Doctoral Degree*, by Christopher W. Loftis, and Kristi Sands Van Sickle Spring, dated 2007, published by the Florida Psychological Association, is attached hereto as Exhibit 6.

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8. A true and correct copy of the document, *Documentation of Psychotherapy by Psychiatrists: Resource Document*, by the American Psychiatric Association, dated March 2002, is attached hereto as Exhibit 7.
9. A true and correct copy of the report, *APA Member Characteristics & Division Report*, by the American Psychological Association, dated November 9, 2014, is attached hereto as Exhibit 8.
10. A true and correct copy of the article, *The Non-Factsheet*, by Dale O'Leary, Dean Byrd, and Richard Fitzgibbons is attached hereto as Exhibit 9.
11. A true and correct copy of the article, *The Innate-Immutable Argument Finds No Basis in Science, In Their Own Words: Gay Activists Speak About Science, Morality, Philosophy*, by A. Dean Byrd, Shirley E. Cox, and Jeffrey W. Robinson, and published on the NARTH website, is attached hereto as Exhibit 10.
12. A true and correct copy of the relevant portions of the transcript of the deposition of Dr. Joseph Nicolosi, taken on November 17, 2014, is attached hereto as Exhibit 11.
13. A true and correct copy of the relevant portions of the article, *What You Should Know About Sexual Orientation of Youth*, by Facts about Youth, and available at <http://factsaboutyouth.com/getthefacts/quickfacts/>, is attached hereto as Exhibit 12.
14. A true and correct copy of relevant portions of the transcript of the deposition of Arthur Goldberg, taken on February 19, 2014, is attached hereto as Exhibit 13.
15. A true and correct copy of relevant portions of the transcript of the deposition of Elaine Berk, taken on February 20, 2014, is attached hereto as Exhibit 14.

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16. A true and correct copy of a printout of the page, *What We Mean By "Change"*, by People Can Change, available at <http://peoplecanchange.com/change/whatwemean.php>, is attached hereto as Exhibit 15.
17. A true and correct copy of a printout of the page, *It's Not About Shame*, by People Can Change, available at <http://peoplecanchange.com/change/notshame.php>, is attached hereto as Exhibit 16.
18. A true and correct copy of the article, *Sexual orientation and homosexuality* by the American Psychological Association, is attached hereto as Exhibit 17.
19. A true and correct copy of the relevant portions of the transcript of the deposition of David de Giacomo, taken on February 27, 2014 is attached hereto as Exhibit 18.
20. A true and correct copy of the article, *A Conversation With – Anne Fausto-Sterling; Exploring What Makes Us Male or Female*, by Claudia Dreifus, dated January 2, 2011, and published in the New York Times, Science Section is attached hereto as Exhibit 19.
21. A true and correct copy of the article, *Activist wins \$3.5M molestation lawsuit against cousin for childhood abuse claims*, by Reuven Blau, dated June 12, 2013, published in the New York Daily News, is attached hereto as Exhibit 20.
22. A true and correct copy of the article, *Sexual orientation link to past: study*, by Allison Rudd, dated July 23, 2010, published in the Otago Daily Times, is attached hereto as Exhibit 21.

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23. A true and correct copy of the article, *Report of the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation*, by the American Psychological Association, dated August 2009, and available at <http://www.apa.org/pi/lgbt/resources/therapeutic-response.pdf>, is attached hereto as Exhibit 22.
24. A true and correct copy of the article, *Position Statement on Therapies focused on Attempts to Change Sexual Orientation (Reparative or Conversion Therapies)*, dated March-May 2000, by the American Psychiatric Association, is attached hereto as Exhibit 23.
25. A true and correct copy of the relevant portions of the book, *Homosexual Behavior: A Modern Reappraisal*, by Judd Marmor, published in 1980 by Basic Books, Inc., is attached hereto as Exhibit 24.
26. A true and correct copy of the article, *Position Statement on Issues Related to Homosexuality*, dated November-December 2013, by the American Psychiatric Association, is attached hereto as Exhibit 25.
27. A true and correct copy of the statement, *Royal College of Psychiatrists' statement on sexual orientation*, by the Royal College of Psychiatrists, dated April 2014, is attached hereto as Exhibit 26.
28. A true and correct copy of the chart, *JONAH Groups 2007-2008*, by Alan Downing, which was produced in discovery in this action, is attached hereto as Exhibit 27.

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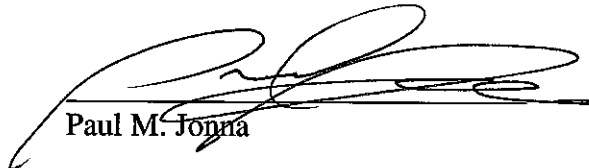
29. A true and correct copy of a printout of the page, *Is Change Really Possible?*, by People Can Change, available at <http://peoplecanchange.com/change/possible.php>, is attached hereto as Exhibit 28.
30. Attached hereto as Exhibit 30 is a true and correct copy of a timeline which was prepared for purposes of this litigation and which summarizes the Plaintiffs' progress with SOCE, is attached hereto as Exhibit 29.
31. A true and correct copy of the article, *Meta-Analysis of Psychotherapy Outcome Studies*, by Mary Lee Smith and Gene V. Glass, dated September 1977, published in *American Psychologist* is attached hereto as Exhibit 30.
32. A true and correct copy of the article, *The Effectiveness of Psychotherapy, The Consumer Reports Study*, by Martin E.P. Seligman, dated December 1995, published in *American Psychologist*, is attached hereto as Exhibit 31.
33. A true and correct copy of the letter *RE: BPA's Expulsion of Dr. Davidson*, by Christopher Rosik, dated October 21, 2013, published on the NARTH website, is attached hereto as Exhibit 32.
34. A true and correct copy of the article, "*When I'm good, I'm very good, but when I'm bad I'm better*": *A New Mantra for Psychotherapists*, by Barry Duncan and Scott Miller, dated 2008, published on the psychotherapy.net website, is attached hereto as Exhibit 33.
35. A true and correct copy of the relevant portions of the book, *Homosexuality & Hope: A Psychologist Talks About Treatment and Change*, by Gerard van den Aardweg, published in 1985 by Servant Books, is attached hereto as Exhibit 34.

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36. A true and correct copy of the relevant portions of the book, *Homosexuality: A Psychoanalytic Study*, by Irving Bieber, published in 1962 by Basic Books, Inc., is attached hereto as Exhibit 35.
37. A true and correct copy of the relevant portions of the transcript of the deposition of Arthur Goldberg as the Corporate Representative of JONAH, taken on February 18, 2014, is attached hereto as Exhibit 36.
38. A true and correct copy of a printout of the page, *Directory of Charities and Nonprofit Organizations*, by Guide Star, available at <http://www.guidestar.org/nonprofit-directory/religion.aspx>, is attached hereto as Exhibit 37.
39. A true and correct copy of the relevant portions of *Random House Webster's College Dictionary*, published in April 1999 by Random House, Inc., is attached hereto as Exhibit 38.
40. A true and correct copy of relevant portions of the transcript of the deposition of Elaine Berk, taken on February 21, 2014, is attached hereto as Exhibit 39.
41. A true and correct copy of the relevant portions of *Model Charge 4.43: Consumer Fraud Act* is attached hereto as Exhibit 40.

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

Dated: December 18, 2014


Paul M. Jonna