UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,

Plaintiff,

v.

SCOTT LIVELY, individually and as President of Abiding Truth Ministries,

Defendant.

CIVIL ACTION

NO. 3:12-CV-30051-MAP

Leave to file granted Oct. 27, 2016

DECLARATION OF PAMELA C. SPEES

I, PAMELA C. SPEES, declare and state as follows:

1. I am an attorney with the Center for Constitutional Rights and represent Plaintiff Sexual Minorities Uganda in the above-captioned matter.

2. Attached hereto as Exhibit A is a true and correct copy of a declaration by Alfred Wasike which was referenced at ¶ 48 in Plaintiff's R. 56.1 Statement, dkt. 270.

3. Attached hereto as Exhibit B is a true and correct copy of a declaration by Cecilia Okoth which was referenced at ¶ 204 of Plaintiff's R. 56.1 Statement, dkt. 270.

4. Attached hereto as Exhibit C is a true and correct copy of a declaration by Albert Tumwine which was referenced at ¶ 204 of Plaintiff's R. 56.1 Statement, dkt. 270.

5. Attached hereto as Exhibit D is a true and correct copy of a declaration by Angelo Izama which was referenced at ¶ 155 of Plaintiff's R. 56.1 Statement, dkt. 270.

6. Attached hereto as Exhibit E are pp. 29-37 from the transcript of the deposition of Scott Lively, which was referenced at ¶ 5, and p. 90, which was referenced at ¶ 24 of Plaintiff's R. 56.1 Statement, dkt. 270.

7. Attached hereto as Exhibit F is an errata correcting certain citations in Plaintiff's R. 56.1 Statement.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 24, 2016, at New York, New York.

Pamela C. Spees

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the Court on October 27, 2016. Service will be effectuated by the Court's electronic notification system upon all counsel or parties of record.

/s/ Pamela C. Spees
Pamela C. Spees

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,

Plaintiff,

v.

SCOTT LIVELY, individually and as President of Abiding Truth Ministries,

Defendant.

CIVIL ACTION

NO. 3:12-CV-30051-MAP

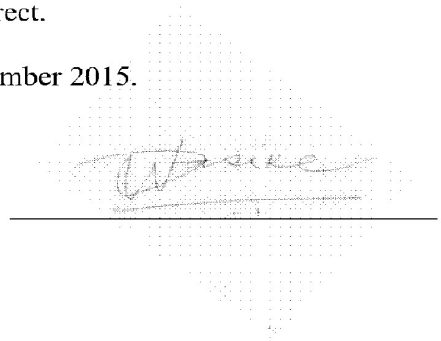
DECLARATION OF ALFRED WASIKE

I, ALFRED WASIKE, hereby declare as follows:

1. I am a journalist who is now a freelancer.
2. I wrote, or co-wrote, the article entitled, "Tough anti-gay law due," that was published on 25August 2007 in *Sunday Vision*.
3. A true and correct copy of the article is attached hereto.
4. The statements attributed to James Nsaba Buturo in this article accurately reflect what he said.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Uganda this 16th day of December 2015.



Sunday Vision, August 26, 2007

Certified copy of original
The New Vision
14-12-15
16 DEC 2015

Q&A Interview of the week...

LINKING YOU TO THE TOP...SEND US YOUR QUESTIONS ON THE HOT TOPIC OF THE WEEK

Tough anti-gay law due

THE recent press conference by masked homosexuals calling for recognition has provoked a strong response from religious groups. **Alfred Wasike** talked to the Minister for Ethics and Integrity, James Nsaba Buturo.

Q What is the government's position on homosexuality?

A Under the laws of Uganda homosexuality is unnatural and therefore illegal. Any one caught in the act is liable to life imprisonment. It is also important to add that homosexuality is totally unhealthy.

Q Why are people calling press conferences and demanding acceptance? Why now?

A The truth is that apologists of this vice have been working hard, penetrating our society, going to schools and other institutions of learning. We suspect that they feel that it is about time they became more open than they have been.

Q Are they targetting CHOGM and the related publicity?

A We think it is partly to do with the forthcoming Commonwealth summit and their feeling is that the Government and the country are now vulnerable to external pressure. What a miscalculation! There is no way our laws can be changed on account of the expectations of the international community.

Q How serious is homosexuality in Uganda?

A It is serious to the extent that we know they are pumping money into our society. But on the issue of numbers, it is very small. But if we were to leave it, many of our people would become victims of these temptations. For the first time we have seen a consistent pattern of publication of articles, especially in the print media and our interpretation of that is this is their effort to soften the public and make homosexuality acceptable in Uganda. That is an indication that they are intensifying their effort to have this vice spread in our society.

Q Do you think the media has been infiltrated as well?

A That is why we are interested in having catalogues of people we think are involved in perpetuating the vice of homosexuality. We are also considering revising the laws. Even now as we speak a prominent radio presenter and someone called Victor are busy. So the homosexuals are working through the electronic and print media. The recent press conference in Kampala shows that they took advantage of the weakness of the law. We are now considering changing the law so that promotion itself becomes a crime. I have a meeting with the Attorney General and the Minister of Internal Affairs this week. We want to look at it critically and also find other ways of making a statement that in so far as our society is concerned, this matter is reprehensible. The argument that others are doing it so we should also be open, quite frankly, is nonsense.

Q What about the argument that it is one of their fundamental human rights?

A Of course that is their other argument that someone should feel free to do what they choose. Well, clearly, then people will start sleeping with animals, dogs and of course commit bestiality, which is another crime, and then they will quote human rights issues. Human rights must have a limit and it is part of a society to decide what its values are and sticking to those values strictly.

Q What do you say about accountability in Pentecostal churches? What is the Government's position since some people feel certain pastors are fleecing their flock?

A This issue of rights, as you pointed out must be put in context. There is no right that is limitless. The Government's responsibility is to care for more to find out the magnitude of that infiltration. If we get firm evidence, we will not hesitate to deal with those we think are part of the conspiracy. But at the moment our laws do not address the critical issue of the promotion of homosexuality. They don't point out that promotion is a crime nor do they say that if someone came to you and said he is gay or she is lesbian, that in itself does not constitute a crime. You have to be caught in the act.

Q How do you intend to get those involved in the acts?

A That is why we are interested in finding out where there is no accountability. But I must point out that there is accountability in some churches and none in others. That is why the policy proposal, which we are almost finalising emphasises accountability. Accountability is not a matter of faith, so the Government cannot be accused of interfering in the work of the churches. We want structures of governance that are well established so that people can enjoy their freedom to worship, but also be protected in case there are abuses like the ones you are talking about.

Q Who should the church and other religious leaders be accountable to? The NGO Board or the people who faithfully give tithes and offerings?

A The issue of accountability should be left to the congregation. We have seen this work very well in the older churches like the Church of Uganda and the Catholic Church. They do so regularly and we think it is the right way. We also think that it is not right for churches or religious organisations which are concentrating on matters of faith to be treated like ordinary NGOs. There was a time when that was necessary. That explains the law that we have today. But it is about time we rethink.

Q What kind of rethink are you talking about?

A The ethics and integrity ministry is responsible for matters to do with religion. So it is among our proposals that churches and other religious organisations directly deal with my ministry. But these are proposals we will discuss in due course. Otherwise, it is important that the Government respect religious institutions because they are doing commendable work in the country. We serve the same constituency therefore, each side should make it easier for the other to operate without friction.

Q What about members of congregations who feel that they are giving more than they are getting out of their churches or other religious organisation? Any redress for that type of people?

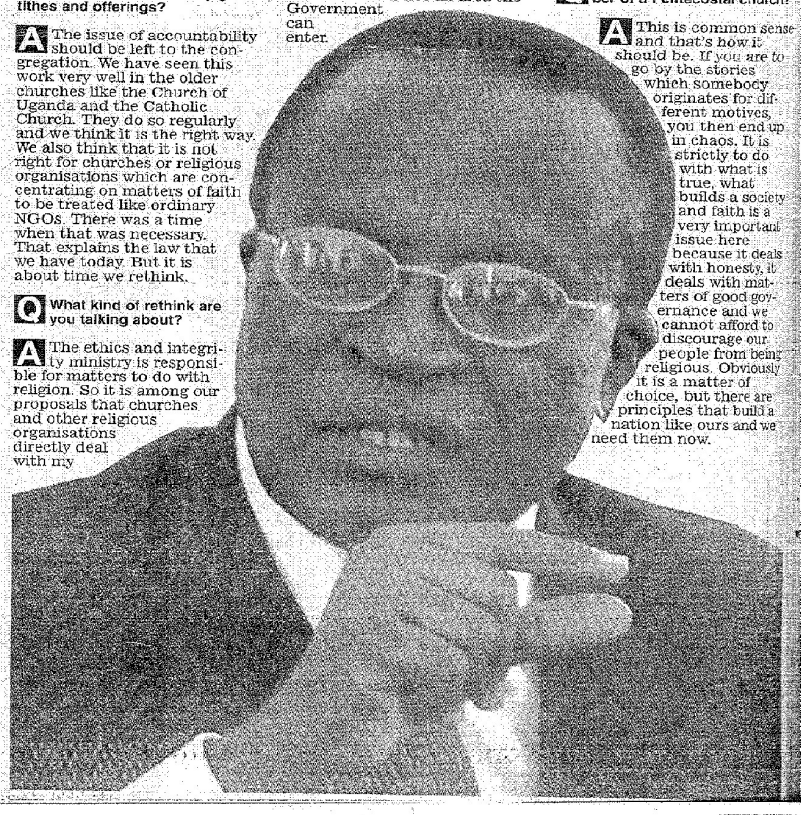
A (Laughs) These are matters of faith. If you belong to a religious group, it is really a choice. That is not an area the Government can enter.

Q What about the electric gadgets that some pastors are alleged to be using to simulate miracles?

A It looks like this was not a properly researched position by whoever originated that story. I don't believe that is true. I think it was hyped up by people who don't value religious organisations. They took advantage of that story and also of the mistakes or crimes committed by individuals who may be pastors. The impression now is that pastors or religious leaders are not to be trusted. That is not correct and we should not encourage such stories.

Q Is it because you are a member of a Pentecostal church?

A This is common sense and that's how it should be. If you are to go by the stories which somebody originates for different motives, you then end up in chaos. It is strictly to do with what is true, what builds a society and faith is a very important issue here because it deals with honesty, it deals with matters of good governance and we cannot afford to discourage our people from being religious. Obviously it is a matter of choice, but there are principles that build a nation like ours and we need them now.



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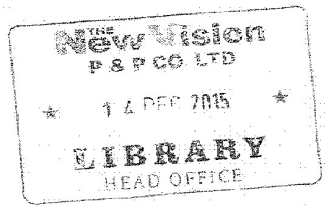

Sunday Vision, August 26, 2007

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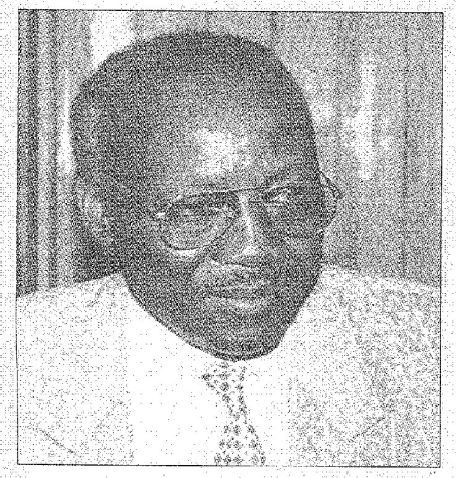
14.12.15
The New Vision
P & P CO LTD
2015
HEAD OFFICE

James Nsaba Buturo/Okello Okello

SEND YOUR E-MAILS TO: myquestion@newvision.co.ug or by SMS to 077 3 007 454



'M7's portrait has no place in the UPC office'

THE President's portrait has become a hot issue. Democratic Party MPs removed it from their office in Parliament, but it was returned it after the Speaker Edward Ssekandi intervened. The Uganda People's Congress did the same and is are determined not to hang it up again. **John Odyek** talked Livingstone Okello Okello, the party's Chief Whip.

Q Why did you remove the President's portrait from UPC's office in Parliament?

A This is UPC's office. It is not different from my office at the party headquarters in Uganda House. So I cannot have the portrait of another political party's leader adorning a UPC office. This is a political office.

Q This leader of the other political party happens to the President of Uganda.

A So what? He was elected the president because he was the leader of a political party. He is the president of a political party first which made him become the president of Uganda. And the president is not among the three symbols of our nationhood. These are the national flag, national anthem, and court of arms. Presidents come and go. There is no law that requires anybody to have a portrait of the President in their office. It is not even mentioned anywhere in the constitution. Why should we have it?

Q But the Democratic Party didn't remove former president Milton Obote portrait in the 1980s.

A So what? Maybe they consented. What I am saying is that if I feel I should have it side by side with my party president, it should be up to me.

Q How would you feel if UPC was in power and the NRM pulled down its president's portrait?

A I would not even ask the NRM office to put the portrait in the first place. Is there any portrait of the President (Museveni) in Uganda House?

Q The argument is that this is the Parliament, not a mere UPC office, so the President's portrait can hang here.

A You are making it even worse. Parliament is not headed by the President. I would prefer to have the Speaker's portrait here. Elsewhere in the world, it is the head of that institution whose portrait is put up. Parliament is an autonomous body. It is the first arm of government. So if they were talking about the Speaker's portrait I would understand that. He is the head of this institution. In the US Supreme Court it the portrait of its president and not George Bush's. In the US Congress and Senate they have national and party flags. During my recent visit I inquired why they didn't have the portrait of the party president. The answer was that they are for institutions and not individuals. So why should we promote personality cults?

Q Have you thought of putting up the Speaker's portrait then?

A It is not up to me to decide. That is the duty of the Parliamentary Commission.

Q What signal are sending to the public by removing President Museveni's portrait?

A Which public?

Q There is a portrait of the president in many offices all over the country

A Yes. I don't mind any other office. But not a UPC office. Not in a political office.

Q Is there anything significant if the portrait of President Museveni stayed here?

A Why? This is a political office and the UPC is an independent political party.

Q The reason would be that you have accepted President Yoweri Museveni as head of the country.

A Tell me the law which requires me to put the portrait of the President here.

Q It may not be a law but out of courtesy?

A Courtesy is voluntary. It is not through the press like they are doing asking me to put it up. Courtesy, respect come from the heart.

Q Are you short of courtesy?

A Respect for the President does not mean putting his portrait of in the sitting room or in my office. How many Ugandans have the President's portrait in their homes? Does it mean they don't respect the President? If this was not a political office, I would maybe see your point.

Q What would be wrong if President Museveni's portrait were put up in the office?

A I am telling you this is a political party's office. It is a UPC office. You cannot have another political party's leader here. He is not leading the UPC.

Q Are you saying people should be free to remove the President's portrait?

A It is not compulsory. I am telling you that there is no law that you should have the portrait of the president in your office, in your sitting room or in your bedroom. There is no law in Uganda. Why do we bother and what are we trying to do?

Q To show the public that the President is the fountain of honour.

A Does it mean that if it is not in your office, sitting room or bedroom, you don't regard the President as the fountain of honour? By respecting the Constitution you accept that the President is the fountain of honour.

Q If you put politics aside, can't we have the portrait of President Museveni in UPC's office in Parliament?

A Not in the UPC office in Parliament. I repeat, not in the UPC office because UPC has got a leader.

Q Do you want the President's portrait to be removed from all government buildings?

A Let us have all party leaders' portraits in the Parliament hallway. We should also have those of past presidents. Besides, if you want to force the President's portrait on everybody make it a legal requirement.

Q What's in a portrait?

A I don't know. To me it shows that you are the leader of that organisation. Like this it shows that Mama Miria is the leader of UPC.

Q Where do you think the tradition of hanging up portraits came from?

A I don't know. I found it here. When I was in America I never saw President Bush's portrait in the Supreme Court. I want to re-emphasise that all the judicial offices here should have the portrait of the Chief Justice and all parliamentary offices should have the portrait of the Speaker. The entire executive should have the President's portrait. Even in the American Embassy here, Bush portrait is not alone. There are three portraits, that of Bush, the secretary of state and I think the secretary of defence. They do not emphasise individuals but institutions.

Q Are you saying that the portrait culture here is emphasising individuals?

A Yes it is almost creating a personality cult. An individual is nothing. We should build institutions.

Q Some people don't know what the President looks like. The portrait can help them know who he is.

A Take it to the people who don't know. For me I know him.

Q If people hear that Hon. Okello Okello has removed the portrait won't they follow suit?

A Ours is a political office. I asked Parliament to remove it and they did. Mine is not a personal office. I saw it as a contradiction to call this a UPC office and you come here and find the NRM leader's portrait. Don't you see that as a contradiction?

Q Are you saying the public should be free to remove the portrait?

A The public is not a political party. I am only talking about a political party's office. I am not going beyond that. Because all the political parties have their leaders. So all their offices should have the portrait of their leader.

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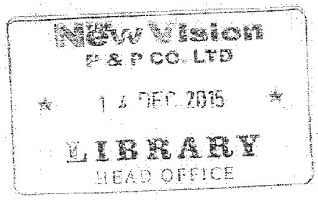

EXHIBIT B

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,

Plaintiff,

v.

SCOTT LIVELY, individually and as President of Abiding Truth Ministries,

Defendant.

CIVIL ACTION

NO. 3:12-CV-30051-MAP

DECLARATION OF CECILIA OKOTH

I, CECILIA OKOTH, hereby declare as follows:

1. I am a journalist who is based in Kampala, Uganda, working with the New Vision.
2. I wrote, or co-wrote, the article entitled, "Lokodo Apologises to Desire Luzinda," that was published on 28 April 2015 in *New Vision*.
3. A true and correct version of this article can be accessed at http://www.newvision.co.ug/news/667587-lokodo-apologises-to-desire-luzinda.html.
4. The statements attributed to Minister Simon Lokodo accurately reflect what he said.
5. The statements attributed to Stephen Langa accurately reflect what he said.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Kampala, Uganda this 15th day of July 2016 ~~2015~~.

New Vision
UGANDA'S LEADING DAILY

Print this page

Lokodo apologises to Desire Luzinda

By Vision Reporter

LOKODO who was officially launching a half day workshop organized by the Directorate for Ethics and Integrity said what the local artist went through was 'total malice'.

By Cecilia Okoth

"IS there any relative of Desire Luzinda here? I apologize to her. I was so rough on her and I wanted her apprehended," Rev. Fr. Simon Lokodo said at a sensitisation workshop on pornography on Tuesday afternoon.

Lokodo who was officially launching a half day workshop organized by the Directorate for Ethics and Integrity (DEI), Uganda AIDS Commission and Family Life Network, a Non-Government Organisation (FLN) at Fairway Hotel in Kampala said what the local artist went through was 'total malice'.

"I asked her, why did you do this? But she pleaded her innocence, saying she was not the one who leaked her own nudes but rather her estranged lover.

Luzinda's lover Franklin Emuobor, a Nigerian national in December last year released a series of pictures showing her nude. The pictures went viral on social media, drawing thousands of comments about the artist and her estranged boyfriend.

"Sex is a divine instituted right but people are now using it to get money and malice others," the minister said, adding that there was need to come out and preach against this kind of malice.

However when asked about his progress regarding arresting Emuobor, Lokodo said Emuobor dodged him by fleeing back to his country.

information on social media indicated that Emuobor also went by the names Franklin Baguma with a Ugandan passport No. B1012076. This case however is still under investigation.

91% students access pornography

Meanwhile at the same event, it was revealed that 91% of students in secondary schools have access to pornography mainly through adult movies, the internet, music, mobile phones and magazines.

The survey conducted by DEI, FLN and the Rising Sun Family (RSF) in June 2013 in 13 secondary schools in Kampala through an Emergency School Sensitisation Program (ESSP) revealed that the vice of pornography and drug abuse is widespread and students are struggling with the consequences without any adult help.

Both FLN and RSF are working to bring restoration to families and morality in order to nurture a new generation with values.

"While most of the pornography consumed by students is from the community, some students bring pornographic materials into schools to share with others," the report quoted.

Pornography according to the Anti-Pornography Act 2014 is defined as any representation through publication, exhibition, cinematography, indecent show, information technology or by whatever means, of a person engaged in real or stimulated explicit sexual activities, or any representation of the sexual parts of a person for primary sexual excitement.

The report also revealed that 73% of the students were sexually active as there were traces of sexual activity among the students themselves and with non-students, rampant sex between male teachers and school girls.

"In one particular school, 'ssengas' (marriage counselors) conduct class on sexual matters." Amos Lapenga the Director of Ethics told New Vision adding that for purposes of confidentiality, the names of the schools were not documented in the survey.

When it came to pregnancy, the report revealed that only 20% of the students at the time the survey was carried out confessed to being pregnant.

Regarding drug abuse, 82% of the schools interviewed had a presence of drug abuse. In one of the schools, some students were caught sniffing drugs during lessons.

It was reported that drugs in these schools were easily available to the students as the dealers gave them free doses, a move meant to lure them into the vice.

Some students are deceived that the drugs would make them read without getting tired and perform better academically according to the report.

In the evaluation, many students called for counseling services as some of them had initially lost hope in life, hence contributing to their rampant misconduct, destructive behavior and failure in academics.

Steven Langa the Executive Director FLN explained the four stages of pornography as; Addiction resulting into masturbation, Escalation which is the increased desire for Pornographic content, Desensitization which is the diminished emotional responsiveness to a negative stimulus after repeated exposure to it and Acting out which involves carrying out dangerous acts like defilement and rape.

Lokodo apologises to Desire Luzinda

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EXHIBIT C

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NO. 3:12-CV-30051-MAP

DECLARATION OF ALBERT TUMWINE

I, ALBERT TUMWINE, hereby declare as follows:

1. I am a journalist who is based in Kampala, Uganda.
2. I wrote, or co-wrote, the article entitled, "Lokodo accuses rights activists of abetting immorality," that was published on 29 April 2015 in the *Daily Monitor*.
3. A true and correct version of this article can be accessed at http://www.monitor.co.ug/News/National/Lokodo-accuses-rights-activists-of-abetting-immorality/-/688334/2700400/-/mixcd8z/-/index.html.
4. The article accurately reflects the events described.
5. The statements attributed to Minister Simon Lokodo accurately reflect what he said.
6. The statements attributed to Stephen Langa accurately reflect what he said.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Kampala, Uganda this 15th day of July 2016.

1 DEC 2015

Savagery. Police suspect the attack was the result of a land wrangle.

Family of five attacked with acid

BY ANDREW BAGALA
abagala@ug.nationmedia.com

KAMPALA. A family of five has been admitted to Mulago National Referral Hospital after an unidentified person poured on them acid as they were having supper.

The incident happened at Wabiyiijo village in Masulita Sub-county, Wakiso District, on Sunday.

The family members are Mr Henry Ssozi Kikomeko (father), 67; his wife Agnes Kyoyo, 48, and their three children: Rosette Nakare, Patricia Nampijja and one Nabaale.

Kampala Metropolitan Police spokesperson Patrick Onyango said Mr Kikomeko was admitted in critical condition while the others sustained serious injuries.

Mr Onyango said police are hunting for the suspect after their scene of crime officers collected exhibits and fingerprints at the scene.

"We suspect that the attack was as a result of a land wrangle but our officers are piecing up evidence found at the scene and interrogating some people. We are hopeful that we shall get the suspect," Mr Onyango said yesterday.

The suspect waited when the family was having dinner and he rushed in, pouring acid at them.

Acid attacks had reduced last year but police are worried that the new incident could trigger a copycat attack as it has been the case in previous years.

Wakiso District has had several cases of acid attacks.

"We suspect that the attack was as a result of a land wrangle but our officers are piecing up evidence found at the scene and interrogating some people. We are hopeful that we shall get the suspect."

PATRICK ONYANGO, KAMPALA METROPOLITAN POLICE SPOKESPERSON

Recently, a jilted man was arrested in Kireka, Wakiso District, in connection with an acid attack on his ex-lover, Ms Florence Naziwa, 27.

The suspect was arrested after he reportedly delivered acid and money to a man he had hired to pour acid on Ms Naziwa.

The incident happened two days after another man was arrested after pouring acid on his wife, Ms Mary Nansubuga.

He was charged with attempted murder. Ms Nansubuga is in critical condition at Mulago hospital.

Parents fundraise for tournament swimmers

BY MAKHTUM MUZIRANSA
editorial@ug.nationmedia.com

KAMPALA. The children did their part and qualified to represent Uganda at the Cana Zone IV Championships in Angola. However, the swimming federation does not have the funds to facilitate their trip.

Parents of the swimmers at Dolphins Swim Club therefore started a fundraising campaign to facilitate travels of the two swimmers who made the nine-man team to represent Uganda from May 6 to 9.

The swimmers, Adnan Kabuye and Tendo Mukalazi and their coach, Mr Muzafaru Muwanguzi, require $6,900 (about Shs20m) for the trip to Angola. The team is scheduled to leave on May 4.

"Swimming is a very expensive sport. You may have a child who is a very good swimmer but the parents may fail to afford the money to send them for continental championships," Mr Stephen Katumba, the general secretary of Dolphins Club, said, adding that the club decided to come up with the initiative because the team has been doing fairly well in the region.

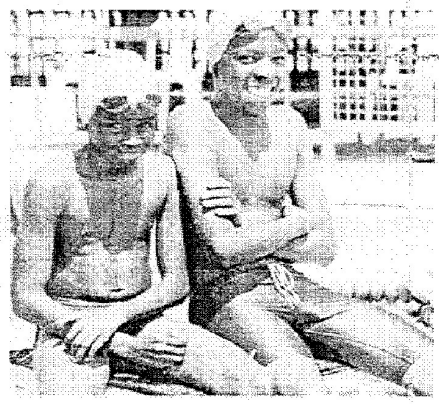
"We are also going to participate in the Kenya National Championships (May 15 to 17), where our young swimmers have won the championship three times in a row," Mr Katumba said.

At the first campaign held at the club's swimming pool at the Aga Khan Nursery School in Kololo, $2,903 (about Shs8,709,000) was collected from event fees, gate collections and contributions from parents.

The club has also designed booklets, each containing 15 tickets, to raise the remaining amount of $3,997 from well-wishers. Each ticket costs Shs20,000, and whoever buys the ticket becomes a sponsor.

Kabuye and Mukalazi will also benefit from the club's week-long training programme with Fina's (International Swimming Federation)'s American coach Rick Powers that started on Sunday at Olympia Hostel in Makerere.

More than 100 swimmers competed, to make this team, at the Cana 2015 national team trials held at Gems Cambridge School in February. But Uganda Swimming Federation (USF) had to zero down on just nine swimmers whose parents could meet the expenses.



Adnan Kabuye (R) and Tendo Mukalazi at the Aga Khan Swiming Pool in Kololoon Saturday. PHOTO BY STEPHEN OTAI

USF hosted the Cana Zone III & IV Championships last year, graced by Zambia, Angola, Kenya, Mauritius, Seychelles, South Africa and Rwanda, among others. Uganda fielded 38 swimmers and won 31 medals.

Other swimmers are John Lule (assistant captain), Nabil Saleh, Fadhil Thabit Saleh, Ambala Atuhaire Ogola, Josiah Ssempa, Kirabo Namutebi, and Avice Meya (captain).

Lokodo accuses rights activists of abetting immorality

BY ALBERT TUMWINE
atumwine@ugnationmedia.com

KAMPALA. The Minister of Ethics and Integrity, Fr Simon Lokodo, has accused human rights activists of interfering with his work.

Fr Lokodo yesterday said whenever his team arrests immoral people, human rights groups storm his office to ask for their release.

"It is a painful fact that Uganda has lost its esteem as a God-fearing country because people have embraced with enthusiasm Western cultures that have a negative impact on our morals yet when I arrest immoral people, you talk about rights," Fr Lokodo said.

The minister was speaking at a sensitisation workshop on pornography in Kampala. He claimed rights activists have increased moral decadence.

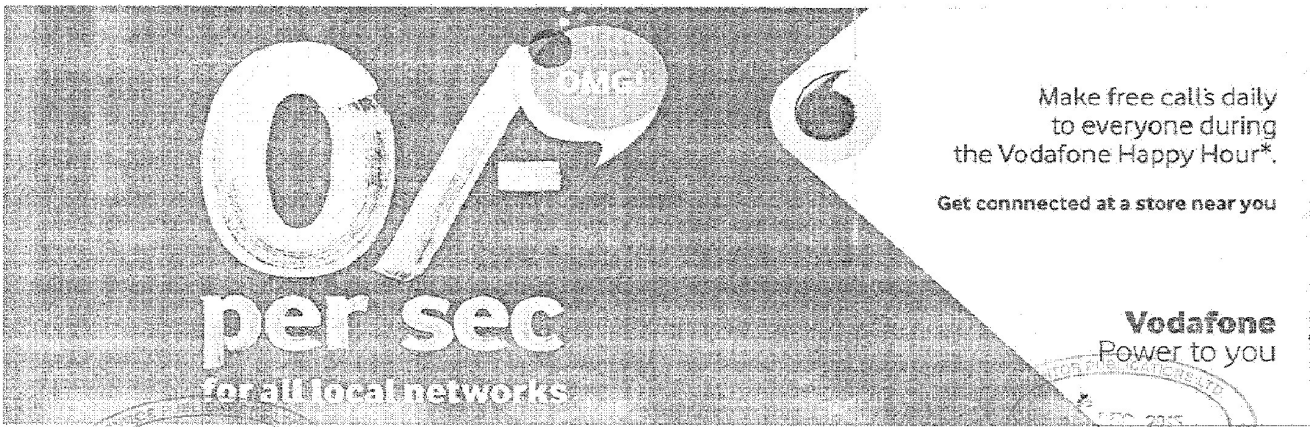
"The other day I arrested a group of people having sex in Bakuli; people came to me and said I was violating human rights," Fr Lokodo said.

He also announced that he had closed an NGO that was teaching underage children sex education.

"They were teaching children of four years how to use a condom, how to use pills when they grow up. Can you imagine, and you call those human rights?" the minister asked.

Mr Stephen Langa, the Family Life Network executive director, said pornography is responsible for increasing rape.

"Most of those who rape two months old babies are porn addicts. It (porn) makes people act in a manner themselves can't believe," Mr Langa said.



1 DEC 2015

EXHIBIT D

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,	)	
	)	
Plaintiff,	)	**Civil Action No.**
	)	
v.	)	**3:12-CV-30051**
	)	
SCOTT LIVELY, individually and as President of Abiding Truth Ministries,	)	
	)	
Defendant.	)	

DECLARATION OF ANGELO OPI-AIYA IZAMA

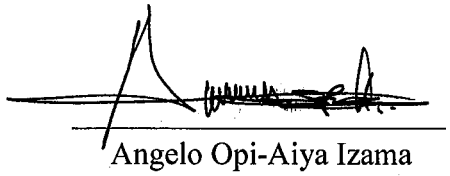
I, Angelo Opi-Aiya Izama, hereby declare as follows:

1. I am a Ugandan journalist.

2. On or about June 18, 2012, I interviewed Simon Lokodo. The statements that he made to me that day are accurately reflected on this webpage: http://www.angeloizama.com/angelo-opi-aiya-izama/2012/06/19/uganda-to-de-register-gay-supporting-organisations-and-others.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Kampala on this 5th day of November 2014.



Angelo Opi-Aiya Izama

Menu +

Uganda to de-register "gay" supporting organisations and others

Fr. Simon Lokodo, the boisterous catholic priest who serves as the Minister for Ethics and Integrity yesterday told me, Charles Mwanguhya and Bernard Tabaire that he had finalised arrangements to de-register some 38 NGO's in Uganda. " They will be de-registered for supporting homosexuality under the guise of fighting for human rights" he said. The Minister was a guest of the Hot Seat on 933 KFM in what was a rather disturbing show yesterday. He had come to explain why his ministry was focussing on breaking up "gay promotion" meetings. Amongst other things he when I asked him why he was not as outspoken about the perils of child trafficking, child sex abuse or even the plight of men in Uganda's prison system where non-consensual sex and congestion is pushing up HIV numbers he retorted that he embraced prostitution because it was a lesser evil. I also asked him what he thought of the idea of a military police mooted by the head of the Uganda Police Force since it would mean the force would be soldiers in uniform? His response off air was that the government was being provoked.

There is something of moral flux in Uganda these days. Political leaders have drawn the battle lines over the "involvement" of the Church in politics even as religious leaders seek to impose not just political solutions (they want a restoration of constitutional term limits etc) but recently suggested lawmakers revisit Uganda's controversial "anti-gay" legislation. This even as news reports are filled daily with what are likely systemic cases of violence, criminal behavior that those with an eye for these things including Fr. Lokodo may to review as a

national conversation about common values.

Still the Minister had a unique angle on that too. He said mushrooming evangelical churches would also be "de-registered". Unlike traditional churches he said they only entertained. False prophesy maybe.

Ugandan NGO's are facing a tough stretch. The Internal Affairs Minister who Lokodo said had worked with him on the list of NGO's whose operating license would be withdrawn has been battling with UK's Oxfam and the Uganda Land Alliance following the publication by the two of a report on alleged land grabbing. The full list of 38 NGO's likely includes two organisations I know well, the Advocates Coalition for Development and Environment and the Uganda Human Rights Network [HURINET]. Lokodo confirmed HURINET was on the list. "Oxfam will survive for now" he said but added that Uganda Land Alliance was on its way out.

News reports will likely carry these stories in the next couple of days but it appears that the ante is up on NGO's. I did several interviews over the last weeks about the situation. What appears clear is that the community of NGO's has no common response. Perhaps until the rhetoric turns into action and licenses are torn up like yesterday's newspapers.

Posted on June 20, 2012 by Angelo Izama and filed under The Ugandan Reader and tagged #hurinet #oxfam #simon lokodo #uganda "kill the gays" bill.

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EXHIBIT E

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

SPRINGFIELD DIVISION

----------x

SEXUAL MINORITIES UGANDA,

Plaintiff, :

Civil Action No

3-12-CV-30061-MAP

- against -

SCOTT LIVELY,

Defendant. :

----------x

51 West 52nd Street

New York, New York

June 23, 2015

9:30 a.m.

EXAMINATION BEFORE TRIAL of SCOTT LIVELY, the Defendant herein, taken by the Plaintiff, pursuant to Notice, held at the above-mentioned time and place, before Michelle Lemberger, a Notary Public of the State of New York.

Lively

A. I said that she was dressed masculinely. That she had very short hair, she was wearing a reporter's vest and she just had -- she had a manner that was sort of typical of Portland lesbians. I lived in Portland for a long time and I interacted with a number of Portland lesbians, and she came across to me as being of that particular culture.

Q. All right. Other than describing a field or reporter's vest, what else about her clothing did you believe was masculine in appearance?

MR. MIHET: Form.

A. I don't recall.

Q. And then you said she had a manner typical of Portland lesbians. Please state for me, sir, what you believed or understood from your observation of her was the manner that was typical of Portland lesbians.

A. It's, like I said, it's sort of nuance. It's a feeling more than an objective set of criteria.

Q. So as you sit here today, can you

Lively

tell me anything that you observed about her mannerisms that led you to believe that she was a lesbian?

A. I don't remember.

Q. Rather it was just something you felt?

MR. MIHET: Objection to form.

A. I'm describing what I perceived at the time.

Q. How long had you seen her before you made physical contact with her?

A. Oh, five minutes, ten minutes.

Q. And you basically threw her out of that meeting, didn't you?

MR. MIHET: Objection. Form.

A. I expelled her from the meeting, yes.

Q. Physically, correct?

MR. MIHET: Form.

A. I tried to escort her to the door with my one hand on her arm and one hand on her back. She wouldn't leave the room, so I moved to the door. As we got close to the door, she dug in her feet and arched her back

Lively

and wouldn't go. So I just picked her up, took her to the door, opened the door, set her outside the door and then she crumpled on the floor or crumpled on the ground.

Q. So the answer to my question of whether you physically expelled her, yes?

A. Yes.

Q. That's a battery, is it not, sir?

MR. MIHET: Objection. Legal conclusion.

A. I don't think so, when it's justifiable under the law.

Q. Okay. Do you believe that -- strike that.

You were adjudged in a lawsuit to have committed battery, were you not?

A. Yes. I don't agree with the judgment.

Q. Besides that deposition in that case, have you given a deposition in any other cases?

A. I don't remember if I did depositions in the other -- there were three other lawsuits; two of them were

Lively

consolidated. But I don't remember if I did depositions in those.

Q. Did you indicate on your bar application to California that you had been found to have committed a battery on a woman when you expelled her from a meeting?

MR. MIHET: Objection. Form.

A. Yes.

Q. You are in addition to being a lawyer, a pastor; is that correct?

A. That is correct.

Q. You have to forgive me for --

A. I will do that.

Q. Good. It carries more weight, probably.

Do you hold any -- were you ordained by any church to be a pastor or is that something you declare yourself? And I don't mean that disrespectfully, I just don't know.

A. No, I'm ordained through the Pentecostal Assemblies of God.

Q. You also -- strike that.

Maybe an easier way of putting this is, can you state for the record, sir, your

Lively

education beginning from where you graduated high school and any other degrees or certifications you hold?

A. I took some random miscellaneous community college classes up until I think 1993. I then got an associate's degree at Schimek at that community college in Salem or Portland Oregon, I don't remember which.

And then I got a bachelor's degree in -- a BS in management communication from Western Baptist College. And then applied for and was accepted to Trinity Law School and received a juris doctor in 1999.

And then I pursued and received a doctor of theology degree from the Pentecostal Assemblies of God in 2007.

Q. All right. The community college degree, what is that in?

A. I don't remember. I think it was just liberal arts.

Q. Just associate arts?

A. Yes.

Q. And the Western Baptist College, where is that located?

Lively

A. Salem, Oregon. It's now called Corban College, actually.

Q. And Trinity Law School, where is that located?

A. In Santa Anna, California.

Q. And the doctorate you have from the Pentecostal Assemblies, is that college or university, what are they --

A. Well, the long title was the School of Bible Theology, I think.

Q. Does that have a physical location or is that something you do online?

A. Well, it is, for most people it's a correspondence program, but I live near the founder, Dr. Richard Anderson. In fact, the reason I decided to go because I had personal relationship, was able to have a personal relationship with him, and so he was my doctoral advisor and I was able to meet and work with him in person. He's in San Jacinto, California.

Q. Did that also, though, include course work, correspondence course work, too?

A. No.

Lively

Q. So you did all your work with him directly?

A. Yes.

Q. But separate and apart from what you did, if someone else was doing that that didn't live in proximity to Mr. Anderson, they would do it through a correspondence course?

A. I don't know.

Q. Did they have a physical campus besides where Mr. Anderson lived?

A. I don't know.

Q. Now, I've seen reference to some sort of human right certificate that you hold. What is that, sir?

A. In 1997, I received a certificate in international human rights from the institute of International Human Rights in Strasburg, France.

Q. Is that work that you did via correspondence course or did you attend the university there?

A. I attended it. It was held at the University of Strasburg, it was administered

Lively

by the United Nations or at least under their umbrella.

Q. And how long did you attend that?

A. I would say it was a month. I believe a month-long program, daily full-day sessions for a month.

Q. And I'm sorry, you may have said this, what year was that?

A. 1997.

Q. Now, you are also an author, correct?

A. Yes.

Q. How many books have you written, sir?

A. Well, I have written the Pink Swastika, which is now in its fourth edition and I'm working on a fifth edition. I wrote the Poison Stream, which was a sequel to the first edition of the Pink Swastika. I wrote Seven Steps to Recruit Proof Your Child, and I wrote Redeeming the Rainbow, a Christian response to the gay agenda.

I also, this book was never published, I also wrote the manuscript that

this is drawn from, My Life in his Hands, it's an unpublished.

Q. You just made reference to Exhibit 21?

A. Exhibit 21.

Q. And it says there, The Four Lawsuits from my Life in his Hands in 2006. So that's a manuscript you've written but it is unpublished?

A. Correct.

Q. Is it complete?

A. No. I'm still alive.

Q. I was just going to ask that --

A. Barely.

Q. You anticipated my next question which was, is that because you're still alive, but people do write their autobiographies in many instances while they are still alive, correct?

A. Benjamin Franklin, actually, I read Benjamin Franklin's autobiography as a teen-ager, very inspirational. He wrote that in his 40s, which is good because his later life is not quite as laudable.

Q. As you sit here today -- strike that.

Do you standby those works, as you sit here today, Pink Swastika, Poison Stream, Seven Steps to Recruit Proof Your Child and Redeeming the Rainbow?

MR. MIHET: Form.

A. Yes.

Q. Are there any aspects of them, that as you sit here today, you either disavow or disagree with?

MR. MIHET: Form.

A. Well, the first edition of the Pink Swastika had some errors in it, wrong dates, things like that, that I corrected in the third edition. But, yes, from the third and the fourth edition especially, yes, I stand by that.

Q. And so let me just go through these to make sure we all know what the operative editions are. The Pink Swastika is on its fourth edition, correct?

A. Yes.

Q. Poison Stream?

A. That was one.

Q. One edition, one and done?

A. Yes.

Q. Seven Steps to Recruit Proof Your Child?

A. Same thing.

Q. One edition. And Redeeming the Rainbow?

A. Still in its first edition.

Q. All right. I think we've been able to pull up various versions of this on the web. I think you post versions of these, do you not?

A. Everything I write is posted.

Q. Okay. But do you have copies of the operative editions that you just testified to, fourth edition of Pink Swastika and the first edition of the other three books?

A. Yes.

Q. Okay. I guess what I'm getting at is, would it be possible or would you be agreeable to providing versions of those to your lawyer in connection with this case so that we all know we're dealing with the same

version of the books; is that fair?

A. Sure.

MR. MIHET: We're going to charge them the publication price.

MR. BETKE: I think he said he posted them all online for use.

A. Well, the first edition actually it's fetching quite a price these days. A rare book.

Q. I've asked you about posting under Scott Lively Ministries. Do you also post on a Scott called Defending the Family?

A. No. The website is called Defend the Family dot com.

Q. I had that written here but I didn't trust my handwriting. Defend the Family dot com.

So do you post there under the name Scott Lively?

A. Sometimes.

Q. Does anyone else have the ability to post on that site?

A. No.

Q. Other than comments, perhaps?

Lively

looking for resources to assist in our mutual effort, which is defined in this sentence, The good news is that we are winning. Just last week a young man, one of the key leaders of the Ugandan gay community, came to our ministry center and gave his life to Christ. This is just one of them. We have registered a number of them. So this is our common evangelistic goal.

Q. I'm sorry?

A. That was the nature of the common intention that we had, both myself and Stephen Langa and Martin Ssempa.

Q. Did you have an understanding as of December 2008, that Stephen Langa had been in touch with Mr. Ssempa about participating in this conference?

A. I think it was just an assumption, because I know, I met Martin Ssempa because of -- I mean, I was introduced because of Stephen Langa. So I think he's the one who arranged for Martin to meet me in 2002.

Q. So you knew that they knew each other?

Lively

A. I knew that they knew each other.

Q. Then you received this e-mail from Irene on behalf of Mr. Ssempa relating to an event that you and Mr. Langa were planning, so putting two and two together you assumed they had communicated?

A. Yes.

Q. While we are putting out the thing, I just want to be clear about something. We had asked about the activist handbook as it pertained to an e-mail chain. And counsel had indicated that the document had been produced to us but it hadn't been produced to us as part of that e-mail chain.

And I think it's important that we get the attachment to the e-mail so that if to the extent you produced it separately, we can make sure the two things are the same document; is that fair?

MR. MIHET: Yes. We will look for it.

MR. BETKE: Thank you.

Let's mark this as the next exhibit which would be 28.

Lively

(Whereupon, at this time, the reporter marked the above-mentioned e-mail chain re final information and instructions as Plaintiff's Exhibit 28 for identification.)

BY MR. BETKE:

Q. Exhibit 28 is an e-mail chain Lively 3245 to Lively 3246.

Let me ask you first of all if you recognize that document.

(Witness peruses document.)

A. Yes, vaguely.

Q. What do you understand it to be?

A. An itinerary sent by Stephen Langa to myself, Don Schmierer and Caleb Brundridge who were the three speakers at the conference.

Do you mind if I read it?

Q. No, I don't mind.

(Witness peruses document.)

Q. If you would look at the top of page two, there is a reference to a -- there is an attachment, proposed program for seminar meetings?

Lively

A. I haven't finished reading it yet.

Q. Well, I haven't really asked you a question yet. So maybe I can ask you a question and then you can decide if you need to read it.

The question I have is just simply, what was that attachment, proposed program for seminar in meetings or do you know what it is as you sit here today?

MR. MIHET: For the record, Counsel, I believe it was produced and has been used as an exhibit in previous depositions in this case.

A. I can also make reference back to one of the prior questions to point out that Stephen Langa informed me in this e-mail that homosexuality is still illegal in Uganda according to Uganda law.

Q. I saw that and actually was going to ask you about that. This is basically a final sort of set of information and instructions for the conference that we have been referencing from time to time in March of 2009; correct?

EXHIBIT F

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,

Plaintiff,

v.

SCOTT LIVELY, individually and as President of Abiding Truth Ministries,

Defendant.

CIVIL ACTION

NO. 3:12-CV-30051-MAP

ERRATA REGARDING PLAINTIFF'S RESPONSE TO DEFENDANT'S LOCAL CIVIL RULE 56.1 STATEMENT OF FACTS AND PLAINTIFF'S CONCISE STATEMENT OF MATERIAL FACTS OF RECORD OMITTED BY DEFENDANT

Plaintiff submits this Errata with respect to its Response to Defendant's Local Civil Rule 56.1 Statement of Facts and Plaintiff's Concise Statement of Material Facts of Record Omitted by Defendant, dkt. 270, filed on August 8, 2016. Plaintiff specifically notes the following non-substantive corrections to its filing:

Page	**Location**	**Error (underlined)**	**Correction (underlined)**
10	D-MFR 11-14 at A	Sullivan Decl. Ex. 20 at pp. 385:4-12	Sullivan Decl. Ex. 19 at pp. 386:9-12
33	D-MFR 128	Sullivan Decl. Ex. 28 at 374:22-366:5	Sullivan Decl. Ex. 27 at 374:22-375:23
34	D-MFR 132-148	Sullivan Decl. Ex. 28 at 123:23-126:16	Deposition of Frank Mugisha, dkt. 250-3, at 123:23-126:16
44	¶ 2.b	Sullivan Decl. Ex. 24 at Lively 1560	Sullivan Decl. Ex. 23 at Lively 1560
46	¶ 5	Sullivan Decl. Ex. 19 at 33:11-37:7	Declaration of Pamela C. Spees, dated Oct. 24, 2016 ("Spees Decl."), Ex. E at 33:11-37:7
46	¶ 5	Sullivan Decl. Ex. 19 at 29:10-33:10	Spees Decl. Ex. E at 29:10-33:10

49	¶ 11	Riga Decl.	Sullivan Decl. Ex. 12 at Lively 2001
54	¶ 22	Sullivan Decl. Ex. 34 at pp. 18:19-23:9	Deposition of Samuel Ganafa ("Ganafa"), dkt. 250-1, at pp. 18:19-23:9
54	¶ 22	Sullivan Decl. Ex. 34 at pp. 24:20-22; 28:9-18	Ganafa, dkt. 250-1, at pp. 24:20-22; 28:9-18
54	¶ 24	Sullivan Decl. Ex. 34 at pp. 90:19-23	Spees Decl. Ex. E at p. 90:19-23
60	¶ 48	Wasike Decl. Ex. A	Spees Decl. Ex. A
63	¶ 55	Sullivan Decl. Ex. 92 at 3213	*Id.* at 3213.
63	¶ 55	Sullivan Decl. Ex. 92 at 3213	*Id.*
97	¶ 155	Izama Decl. Ex. A	Spees Decl. Ex. D; Sullivan Decl. Ex. 143
107	¶ 185	Sullivan Decl. Ex. 49 at p. 122:19-25	Deposition of Richard Lusimbo, dkt. 250-2, at 122:19-25
108	¶ 185	Sullivan Decl. Ex. 34 at pp. 35:13-16, 35:22-39:24, 41:7-18	Ganafa, dkt. 250-1, at pp. 35:13-16, 35:22-39:24, 41:7-18
113	¶ 204	Okoth Decl. Ex. A	Spees Decl. Ex. B
113	¶ 204	Tumwine Decl. Ex. A	Spees Decl. Ex. C
113	¶ 206	Sullivan Decl. Ex. 34 at p. 264:8-14	Ganafa, dkt. 250-1, at p. 264:8-14

No other changes have been made.

October 24, 2016

Respectfully submitted,

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