

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT L. VAZZO, LMFT, individually and
on behalf of his patients, and DAVID H.
PICKUP, LMFT, individually and on behalf of
his patients,

Plaintiffs,

v.

CITY OF TAMPA, FLORIDA,

Defendant,

v.

EQUALITY FLORIDA,

Intervenor-
Defendant
(Motion Pending)

No. 8:17-cv-02896-CEH-AAS

**NOTICE OF FILING DECLARATION OF NADINE SMITH IN SUPPORT OF
AMENDED MOTION TO INTERVENE**

Proposed Intervenor-Defendant Equality Florida gives Notice of Filing of the Declaration
of Nadine Smith in support Equality Florida's Amended Motion to Intervene.

Respectfully submitted,

/s/ Sylvia Walbolt

Sylvia H. Walbolt

Florida Bar No. 0033604

swalbolt@carltonfields.com

Brian C. Porter

Florida Bar No. 0120282

bporter@carltonfields.com

CARLTON FIELDS JORDEN BURT, P.A.

4221 W. Boy Scout Boulevard

Tampa, FL 33607-5780

Telephone: (813) 223-7000

Facsimile: (813) 229-4133

*Shannon Minter
sminter@nclrights.org
*Christopher Stoll
cstoll@nclrights.org
NATIONAL CENTER FOR
LESBIAN RIGHTS
870 Market Street
Suite 370
San Francisco, CA 94102
Telephone: (415) 392-6257
*Pro Hac Vice Applications Forthcoming

*Scott McCoy
Florida Bar No. 1004965
scott.mccoy@splcenter.org
*David Dinielli
david.dinielli@splcenter.org
*John Tyler Clemons
tyler.clemons@splcenter.org
SOUTHERN POVERTY LAW CENTER
106 East College Avenue
Tallahassee, FL 32301
Telephone: (850) 521-3042
*Pro Hac Vice Applications Forthcoming

*Attorneys for Intervenor Defendant Equality
Florida Institute Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 22, 2018, the foregoing was electronically filed with the Clerk of Court by using the CM/ECF system, which will also send a notice of electronic filing to all counsel of record.

/s/ Sylvia Walbolt
Attorney

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DECLARATION OF NADINE SMITH

I, NADINE SMITH, hereby declare and state as follows:

1. I am the Chief Executive Officer (“CEO”) of Equality Florida Institute, Inc., seeking to intervene as defendant in this action. I have personal knowledge of the matters stated in this Declaration and could and would competently testify to these facts.

2. I have been the CEO of Equality Florida Institute since its founding in Tampa in 1997. Equality Florida Institute is the largest civil rights organization dedicated to securing full equality for Florida’s lesbian, gay, bisexual, and transgender (LGBT) community. Through advocacy, grassroots organizing, education, and coalition building,

we seek to change Florida so that no one suffers harassment or discrimination on the basis of their sexual orientation or gender identity. We coordinate public education campaigns to inform and engage policymakers, LGBT people, and the public at large on issues affecting the LGBT community.

3. One of Equality Florida Institute's main areas of focus is working to protect LGBT families and children. Without legal protections, LGBT families are unable to make vital health care, childcare and end of life decisions for their partners and their children. We have worked with cities, counties, and businesses across the state, for instance, to adopt domestic partnership benefits. Equality Florida Institute also played a critical role in ending Florida's 33-year-old anti-gay adoption ban—a law that had harmed countless families and for decades denied children permanent loving homes. We engaged in years of public education about that ban and successfully worked with the Governor and the Department of Children and Families to immediately end enforcement of the ban after it was ruled unconstitutional on September 10, 2010. More recently, Equality Florida Institute was a plaintiff in the successful *Pareto v. Ruvin*, No. 12-1661 CA 24 (Fla. Cir. Ct. July 25, 2014) lawsuit challenging the constitutionality of the state's ban on marriage equality, and in *Chin v. Armstrong*, No. 4:15-cv-399-RH-CAS (N.D. Florida, Tallahassee Division), the lawsuit challenging the Florida Secretary of Health's refusal to treat married same-sex spouses the same as married opposite-sex spouses for purposes of birth certificates. We would like to be an Intervenor Defendant in this lawsuit for the same reasons we opposed the adoption ban, the marriage ban, and the birth certificate discrimination issues. Efforts to change a person's sexual orientation or

gender identity are wholly discredited by the medical and mental health communities and Plaintiffs' attempts to legitimize this so-called "therapy" are harmful to LGBT Floridians and their families, including our members. Participating in this lawsuit is central to our mission as Florida's statewide LGBT organization.

4. As of January 10, 2018, we had 302,000 supporters in our database, including LGBT youth, some of whom, in the absence of Tampa City Ordinance 2017-47 ("the Ordinance"), may be subjected to dangerous "therapy" practices involving sexual orientation change efforts, whether at the insistence of a parent or guardians, or based on the choice of a licensed mental health professional in question. Equality Florida Institute also has members who are parents of LGBT youth, who have an interest in protecting their LGBT children from these dangerous "therapy" practices.

5. Equality Florida Institute was a supporter of the Ordinance and worked with City Council Member Guido Maniscalco, the Ordinance's sponsor, and his staff to draft the ordinance. Equality Florida Institute also mobilized its members to contact the members of the Tampa City Council to request that they vote for the Ordinance. We did so by emailing and sharing on social media information about the ineffectiveness and dangers of conversion therapy and purpose and effect of the Ordinance, the time and place of public meetings for members to attend, and how to attend an activist training that equipped them with advocacy materials and information. In addition, Equality Florida Institute's Development Director and other members testified in person before the Tampa City Council in favor of passage of the Ordinance. Finally, Equality Florida Institute lobbied members of the Tampa City Council to vote in favor of the Ordinance. Our work

on the Ordinance was in furtherance of our organizational goals, and specifically to protect LGBT youth in Florida from dangerous and deceptive sexual orientation change efforts.

I sign this Declaration under penalty of perjury under the laws of the State of Florida.

DATED this 12 day of January 2018.


Nadine Smith, Chief Executive Officer
Equality Florida Institute, Inc.