

EXHIBIT 19

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CIVIL PART
HUDSON COUNTY
DOCKET NO. HUD-L-5473-12
APP. DIV. NO. _____

MICHAEL FERGUSON, et al.,	:	
	:	TRANSCRIPT
Plaintiffs,	:	
vs.	:	OF
	:	
JONAH, ARTHUR GOLDBERG, ALAN	:	TRIAL
DOWNING and ALAN DOWNING LIFE	:	
COACHING, L.L.C.,	:	(CONFERENCE)
	:	
Defendants.	:	

Place: Hudson County Superior Court
Administration Building
595 Newark Avenue
Jersey City, N.J. 07306

Date: June 19, 2015
Volume 2 of 2
2:59 to 4:26

B E F O R E:

HONORABLE PETER F. BARISO, JR., A.J.S.C.,

TRANSCRIPT ORDERED BY:

JODI ERICKSON, ESQ.,
(Cleary, Gottlieb, Steen & Hamilton, L.L.P.)

Audio Recorded by: C. Ortiz

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1 therapy apparently was listed twice in the CFA
2 instructions.

3 THE COURT: No, they, they took it out --

4 MR. MC COY: Well no, no, --

5 MR. LI MANDRI: -- and changed it to JONAH
6 program.

7 MR. MC COY: Your Honor, Mr. LiMandri is
8 right, but this -- let's go back to the form, to the
9 jury instructions. The place that it remains is if you
10 look in the disease and disorder section and in the
11 statistics section, if you go back there. And then
12 also if you look at the language of your order on
13 partial summary judgment that I handed you.

14 THE COURT: Right, yeah.

15 MR. MC COY: We tracked the language exactly.

16 --

17 THE COURT: Yeah, from there?

18 MR. MC COY: -- In the language of the order
19 you used conversion therapy services.

20 MR. LI MANDRI: Now that we've had evidence
21 though that my clients' -- at that time that was not an
22 issue because we weren't arguing in front of a jury.
23 But now we've had evidence that my clients have never
24 used that term. And that evidence is undisputed.

25 So I want to make sure, if we're going to be

1 instructing the jury, that we're using the right
2 terminology. But the plaintiffs never said my clients
3 called it conversion therapy. And my client says --

4 MR. MC COY: That's fine, Your Honor, we can
5 change it to JONAH program there as well.

6 THE COURT: Yeah, why don't -- yeah, I was
7 just going to say why don't we be consistent and just
8 use JONAH program. So that way --

9 MR. MC COY: That's fine. We'll change in
10 disea -- in that section in disease and disorder and --

11 THE COURT: That way it's consistent through
12 the whole -- you can argue in your summations how you
13 want to reference it. And the witnesses have said --
14 some witnesses have said it means the same, others --
15 you know, so I think you can -- all right.

16 MR. MC COY: That's fine. But the verdict
17 form, it's not in the verdict form. --

18 MR. LI MANDRI: Okay.

19 THE COURT: No.

20 MR. MC COY: -- And we will make sure that
21 it's not in the instructions.

22 THE COURT: Well let me ask you a question
23 here. Who has the harm? Isn't there -- is that not
24 being --

25 MR. MC COY: No, Your Honor, that's not an,