

EXHIBIT 32

1 SUPERIOR COURT OF NEW JERSEY

2 HUDSON COUNTY, LAW DIVISION

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3 MICHAEL FERGUSON, BENJAMIN UNGER, SHELDON
4 BRUCK, CHAIM LEVIN, JO BRUCK, BELLA LEVIN,

5 Plaintiffs,

6 -against-

7 JONAH (Jews Offering New Alternatives for
8 Healing f/k/a Jews Offering New Alternatives to
9 Homosexuality), ARTHUR GOLDBERG, ALAN DOWNING,
10 ALAN DOWNING LIFE COACHING LLC,

11 Defendants.

12 Docket No. L-5473-12

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13 One Liberty Plaza
14 New York, New York

15 February 25, 2014
16 9:05 a.m.

17 DEPOSITION of ALAN DOWNING, taken pursuant
18 to Notice, held at the offices of Cleary
19 Gottlieb Steen & Hamilton, LLP, taken by Fran
20 Insley, a Notary Public of the States of New
21 York and New Jersey.

22
23 ELLEN GRAUER COURT REPORTING CO. LLC
24 126 East 56th Street, Fifth Floor
25 New York, New York 10022
212-750-6434
Ref: 106352

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2 necessarily benefit from or experience in the
3 same way.

4 Q. It breaks the isolation that many
5 men had been experiencing?

6 A. Absolutely and really attacks the
7 roots of their shame.

8 Q. So going back again to this overview
9 of what the journey outlooks like, could you
10 provide that to us?

11 A. The journey out of what?

12 Q. The journey out of homosexuality.

13 A. Again, I focus on the journey into
14 manhood. So a journey out of homosexuality
15 would depend on the individual. It might
16 include overcoming self destructive behaviors.
17 There is a lot of addictions that I have seen
18 in this particular population and again these
19 are men -- the population to be very clear --
20 men with unwanted same sex attraction, that
21 discord within themselves or between them and
22 their families and society, often they will
23 turn to different kinds of addictions. So that
24 would be one way, of just getting healthier in
25 that regard.

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2 Perceiving themselves differently,
3 relating to men differently, recognizing that
4 they can be, have a close physical or emotional
5 relationship with other men and it doesn't have
6 to be sexual, that they have other options. So
7 that would be some of the stuff that they would
8 be leaving behind.

9 Q. If someone overcomes their
10 addictions, for example, does that help them to
11 be more straight?

12 A. I think overcoming one's addictions
13 helps one become more self aware and
14 recognizing that they are more than their
15 addiction, that they are able to face the
16 demons, the challenges, the fears that they
17 have in their lives. They don't have to run
18 from them. Once the addiction is eliminated or
19 under control, then they can face those fears
20 and the fear may be oh, wow, you know what, I
21 want to be a gay man. I like this community.
22 I like what it represents, awesome or it may be
23 I want to express myself in a different way,
24 more in accordance with my belief or consistent
25 with my family.

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2 That's their choice. But it is
3 certainly removing an addiction from whatever
4 setting would allow them to make more informed
5 authentic and healthy choices about the
6 direction of their life.

7 Q. It didn't necessarily help them to
8 reduce their physical attractions to men?

9 A. To some degree. If their addiction
10 is sex addiction, if you stop feeding that
11 addiction, there will be some diminishment of
12 sexual attraction, but again, we need to draw a
13 clear distinction between addictive behavior
14 and attractions. They are not the same thing.
15 That is something that addicts confuse quite
16 often. They assume their addictions are their
17 attractions, but they are not. They are very
18 different.

19 Q. So gay people can have nonaddictive
20 gay sexual relationships just as homosexual
21 people can have nonaddictive -- sorry,
22 heterosexual people can have nonaddictive
23 heterosexual relationships?

24 A. Yes. I believe addiction, sexual
25 addiction and orientation or expression of

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2 Q. I was going to ask you the same
3 question.

4 A. Journey into Manhood uses techniques
5 that are similar to other types of experiential
6 or men's weekends.

7 Q. And which of those are proven
8 techniques?

9 A. Again, proven is a broad term. I
10 experienced these weekends before I had any
11 specific education around them. Since then I
12 have learned different theories, different
13 modalities. There is clearly a gestalt work
14 that takes place into Journey into Manhood.
15 There is clearly psychodrama that takes place,
16 clearly bio genetics, clearly emotional
17 intelligence, proven psychological theories
18 that are part of the program that I have
19 recognized.

20 Q. Have any of those techniques been
21 proven to help individuals become heterosexual?

22 A. I don't know of any studies that
23 have proven those techniques specifically to
24 address the issue of transitioning to
25 heterosexuality, but they are proven and used

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2 on the weekend to help men overcome issues,
3 perhaps underlying issues that may have some
4 impact on the road on their -- how they express
5 and perceive their sexual attractions.

6 Q. Do you know of any techniques on the
7 Journey to Manhood weekend that are proven to
8 assist a man become more heterosexual?

9 A. I don't know that that is again the
10 purpose of Journey into Manhood, so I don't
11 know why they would want to pursue those kinds
12 of techniques or try to prove that they do.

13 The purpose of Journey into Manhood
14 is to help a man become more comfortable to
15 grow into the man he wants to be. It is
16 presented by men who have used those techniques
17 to grow into their authentic masculinity as
18 they define it.

19 For many of those men, that means
20 moving away from a homosexual orientation and
21 moving more towards a heterosexual orientation.
22 So to that degree, you have the anecdotal
23 evidence that those techniques have been
24 effective for those men on their journey, but
25 there are no money back guarantees that the

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2 Q. When you say benefited, do you mean
3 that it's helped them to be straight?

4 A. It has helped them resolve their
5 issues. For some men that is expressing
6 themselves and labeling themselves as
7 heterosexual or straight, but it's helped and
8 it's -- frankly, I know of men who identify as
9 gay that it's helped as well. I think Jayson
10 Littman being one of them is listed in the
11 e-mail.

12 Q. So if someone followed this list, it
13 would help them resolve their issues, whether
14 that helps them to become heterosexual or
15 homosexual?

16 A. There are many things on this list
17 that could help someone live a happier,
18 healthier life, gay, straight or otherwise.

19 Q. What is EMDR?

20 A. It's something I flunked on my mid
21 term. I never remember. It's -- I never
22 remember what the acronyms mean. It has to do
23 with rapid eye movement. It's a
24 desensitization process and helps someone
25 re-traumatize trauma that they may have

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2 experienced in their lives.

3 I first became familiar with it
4 because of -- well, because of my college
5 studies. It's a commonly referenced technique
6 that is gaining a lot of attention these days,
7 particularly in the areas of helping
8 individuals process past trauma.

9 Q. Do you know of any studies that link
10 this particular technique with overcoming
11 homosexuality?

12 A. I do not know of any studies of that
13 nature.

14 Q. Is it a technique that you've
15 suggested to clients?

16 A. Not often. I have heard of
17 individuals working with clients who experience
18 same sex attraction. We've used it. And I
19 have heard, again anecdotal reports, that it's
20 been good.

21 My experience, in fact, an EMDR
22 specialist once shared with me that what I do
23 with psychodrama is in a sense, mechanically
24 speaking, accomplishes many of the same goals
25 of EMBD, which allows the individual to go back

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2 to a different part of their brain where past
3 traumas are stored, bring them back to the
4 present in a safe place, reprocess them not
5 using eye movement or tapping or whatever, but
6 to reprocess it and to see things in a new way,
7 to get past the old stories. But it's not a
8 technique that I'm trained in and I have rarely
9 used it. I rarely referred it.

10 Q. Is there a reptilian part of the
11 brain?

12 A. Yes, that's the Amygdala.

13 Q. Is that where one's homosexuality
14 resides?

15 A. No, probably not. The Amygdala is
16 where the fight or flight response is stored
17 and that is the work that EMDR would access.
18 So again, I can't speak intelligently as to how
19 EMDR works. I just don't have that level of
20 experience. How it works in relationship to
21 same sex attraction, I really couldn't speak to
22 that.

23 Q. The theory is that if it did work
24 would be by resolving trauma that the
25 resolution of that trauma would assist the

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2 person to no longer have same sex attraction?

3 A. No and this is pure supposition on
4 my part, but I think, what would happen is, you
5 resolve the past trauma. Once the trauma is
6 resolved that frees the conscious mind to start
7 making new choices, new ways of changing
8 perceptions.

9 So I think that the SSA attractions
10 would probably be a second or third level of
11 response to the original trauma, but not the
12 specific trauma itself. That would be my
13 guess.

14 MR. LI MANDRI: Don't guess in the
15 future. Don't speculate. You said you
16 didn't know the technique, so if you don't
17 know, just say so.

18 A. I really don't know.

19 Q. What is the first level?

20 MR. LI MANDRI: I'm going to object.
21 Lacks foundation.

22 A. Trauma.

23 Q. You don't have any opinion about
24 whether EMDR works to treat unwanted same sex
25 attraction?

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2 A. Not really. I have heard anecdotal
3 responses from individuals. I never heard
4 anything negative about it. I think, what I
5 have heard and this isn't just SSA related EMDR
6 works for some people, it doesn't work for
7 other people, which would be true of most
8 therapeutic interventions. Not everybody
9 responds well to the same intervention
10 regardless of the issue.

11 Q. You mentioned before that you've
12 lead men's groups at JONAH for a number of
13 years. Describe the different types of men's
14 groups that you've led.

15 A. The two primary men's groups that
16 I've led were one targeted for men under the
17 age of 30 and the other for married men or men
18 over the age of 30. Sometimes there might have
19 been an exception where a married man who is in
20 his early 20s, which is quite common in the
21 orthodox community, might have been included in
22 the younger men's group. It really depended on
23 where he was going to be better served.

24 Q. What is the youngest participants
25 that you've had in such groups?

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2 know. I don't know if I have ever seen anybody
3 who has only one contributing factor to why
4 they would sexualize another man, but envy is a
5 component.

6 Q. Can you think of any other
7 components, apart from normalized envy, not
8 recognizing the value of his body?

9 A. Variations on the theme,
10 self-esteem, fear.

11 Q. Fear of what?

12 A. Themselves usually, fear of their
13 own potential.

14 Q. And by resolving body issues, can
15 that eliminate homosexual desire?

16 A. It can contribute to a more
17 comfortable place for a man in his relationship
18 with other men and how he perceives himself in
19 relationship with other men. You know, the
20 term that you're consistently using is
21 elimination and I don't know that there is any
22 one thing that eliminates. It's not what we
23 do. As is often compared to, it's like peeling
24 away the layers of an onion.

25 Q. Nothing you do would eliminate

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2 homosexual desire in clients?

3 A. Ultimately I don't help people
4 eliminate things. That is their job. I help
5 facilitate them looking at their lives in ways
6 that they can shift their perceptions. As a
7 result, they may experience an elimination of
8 what they previously experienced as same sex
9 attraction, but I don't do that. I facilitate
10 them doing their work.

11 Q. Explain a little bit more the line
12 between your responsibility and the client's
13 responsibility.

14 A. It's pretty clearly outlined in my
15 service contract. I'm a facilitator.
16 Facilitate comes from the French word facile,
17 which is simple. So my goal is to help them
18 make things simpler in their lives, to help
19 them uncomplicate things. I do that by
20 providing feedback, reflecting back to them
21 what they are doing, challenging them at times,
22 but within the parameters that they've
23 established.

24 So it's a bit of a give and take,
25 just like a golf coach is going to say you've