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*Attorneys for Plaintiffs*

Michael Ferguson, Benjamin Unger, 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  
HUDSON COUNTY, LAW DIVISION

Docket No. L-5473-12

CIVIL ACTION

**CERTIFICATION OF LINA  
BENSMAN, ESQ. IN SUPPORT OF  
MOTION TO ENFORCE  
PERMANENT INJUNCTION AND  
FOR DEFAULT JUDGMENT**

I, Lina Bensman, hereby certify as follows:

I am an associate at the law firm Cleary Gottlieb Steen & Hamilton LLP, co-counsel for Plaintiffs Michael Ferguson, Benjamin Unger, Chaim Levin, and Jo Bruck in this action.<sup>1</sup> By order of this Court, I have been admitted *pro hac vice* as one of the counsel of record for Plaintiffs in this case. I am familiar with the facts and circumstances of this matter.

Pursuant to the Parties' *Protective Stipulation*, dated April 22, 2013, and out of an abundance of caution, Exhibits 11-26, 29-32, 35-44, 48, 50-51, 53, 57-62, as well as the attachments to the emails in Exhibits 9 and 56, are filed under seal. These exhibits are marked with an asterisk below.

1. A true and complete redacted copy of the December 2015 settlement agreement between the Parties (the "Settlement Agreement") is attached as Exhibit 1.<sup>2</sup>
2. A true and complete copy of the Court's Order Granting Permanent Injunctive Relief and Awarding Attorneys' Fees (the "Permanent Injunction"), dated December 18, 2015, is attached as Exhibit 2.
3. A true and complete copy of Plaintiffs' Brief in Support of Plaintiffs' Motion to Enforce Permanent Injunction and for Default Judgment (the "Original Motion"), dated March 28, 2018, is attached as Exhibit 3.
4. A true and complete copy of Defendants' Brief in Opposition to Plaintiffs' Motion to Enforce Permennat [sic] Injunction and Enter Default Judgment, dated April 27, 2018, is attached as Exhibit 4.

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<sup>1</sup> Capitalized terms used herein but not defined shall have the meaning ascribed to them in the *Brief in Support of Motion to Enforce Permanent Injunction and for Default Judgment*, filed contemporaneously herewith.

<sup>2</sup> An unredacted version of Exhibit 1 has been filed with the Court under seal.

5. A true and complete copy of the May 11, 2018 hearing transcript is attached as Exhibit 5.

6. A true and complete copy of the Certification of Arthur Goldberg in Opposition to the Plaintiffs['] Motion to Enforce Permenant [sic] Injunction and Default Judgment ("Goldberg Cert."), dated April 27, 2018, is attached as Exhibit 6.

7. A true and complete copy of the Court's Order Granting in Part Plaintiffs' Motion to Enforce Permanent Injunction and Default Judgment, dated May 15, 2018, is attached as Exhibit 7.

8. A true and complete copy of an email dated June 7, 2018, from Michael Laffey to Thomas Kessler, is attached as Exhibit 8.

9. A true and complete copy of an email dated June 14, 2018, with attachments, from Michael Laffey to Thomas Kessler, is attached as Exhibit 9.\*

10. A true and complete copy of a letter from Lina Bensman to Michael Laffey, dated February 20, 2019, is attached as Exhibit 10.

11. A true and complete copy of an email dated December 31, 2015, from Elaine Berk to David Pickup and Arthur Goldberg, Bates-stamped JIFGA-00029543, is attached as Exhibit 11.\*

12. A true and complete copy of an email dated November 17, 2016, from JIFGA's Office Manager to David Pickup and Arthur Goldberg, Bates-stamped JIFGA-00040984, is attached as Exhibit 12.\*

13. A true and complete copy of an email dated December 31, 2015, from Robert L. Vazzo to Arthur Goldberg, Bates-stamped JIFGA-00029581, is attached as Exhibit 13.\*

14. A true and complete copy of an email dated January 3, 2016, from Arthur Goldberg to a parent of Client 8, Bates-stamped JIFGA-00029725, is attached as Exhibit 14.\*

15. A true and complete copy of an email dated February 3, 2016, from Robert L. Vazzo to JIFGA's Office Manager, Bates-stamped JIFGA-00065799, is attached as Exhibit 15.\*

16. A true and complete copy of a credit card authorization form dated January 8, 2016, Bates-stamped JIFGA-00065805, is attached as Exhibit 16.\*

17. True and complete copies of invoices, along with transmittal correspondence, from Robert L. Vazzo to JIFGA's Office Manager, for all months from January 2016 to April 2018, are attached collectively as Exhibit 17,\* with the following Bates-stamped page ranges:

- JIFGA-00065770–71 (January 2016 invoice and transmittal email);
- JIFGA-00032705–06 (February 2016 invoice and transmittal email);
- JIFGA-00034124–25 (March 2016 invoice and transmittal email);
- JIFGA-00034889–90 (April 2016 invoice and transmittal email);
- JIFGA-00036091–92 (May 2016 invoice and transmittal email);
- JIFGA-00066622–23 (June 2016 invoice and transmittal email<sup>3</sup>);
- JIFGA-00066735–37 (July 2016 invoice and transmittal email<sup>4</sup>);
- JIFGA-00066871–72 (August 2016 invoice and transmittal email);
- JIFGA-00039944–45 (September 2016 invoice and transmittal email);
- JIFGA-00067093–94 (October 2016 invoice and transmittal email);
- JIFGA-00041685–86 (November 2016 invoice and transmittal email<sup>5</sup>);
- JIFGA-00042786–87 (December 2016 invoice and transmittal email);
- JIFGA-00043843–44 (January 2017 invoice and transmittal email);
- JIFGA-00044864–65 (February 2017 invoice and transmittal email);

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<sup>3</sup> A second attachment to the transmittal email contains an individual's credit card information that is not relevant to this motion and is excluded from this Exhibit.

<sup>4</sup> The email in JIFGA-00066735 represents that the attachment Bates-stamped JIFGA-00066737 contains a corrected copy of the June 2016 invoice.

<sup>5</sup> A second attachment to the transmittal email contains an individual's credit card information that is not relevant to this motion and is excluded from this Exhibit.

- JIFGA-00046052–53 (March 2017 invoice and transmittal email);
- JIFGA-00046875–76 (April 2017 invoice and transmittal email);
- JIFGA-00048122–23 (May 2017 invoice and transmittal email);
- JIFGA-00049078–79 (June 2017 invoice and transmittal email);
- JIFGA-00069063–64 (July 2017 invoice and transmittal email);
- JIFGA-00069191–92 (August 2017 invoice and transmittal email);
- JIFGA-00069347–48 (September 2017 invoice and transmittal email);
- JIFGA-00054027–28 (October 2017 invoice and transmittal email);
- JIFGA-00054680–81 (November 2017 invoice and transmittal email);
- JIFGA-00056222–23 (December 2017 invoice and transmittal email);
- JIFGA-00056992–93 (January 2018 invoice and transmittal email);
- JIFGA-00058720–21 (February 2018 invoice and transmittal email);
- JIFGA-00060383–84 (March 2018 invoice and transmittal email);
- JIFGA-00060815–16 (April 2018 invoice and transmittal email).

18. A true and complete copy of an email chain dated January 6, 2016, between an individual and Arthur Goldberg, Bates-stamped JIFGA-00030006, is attached as Exhibit 18.\*

19. A true and complete copy of an email chain dated March 25, 2017, between an individual and Arthur Goldberg, Bates-stamped JIFGA-00045371, is attached as Exhibit 19.\*

20. A true and complete copy of an email chain dated July 4, 2017, between an individual and Arthur Goldberg, Bates-stamped JIFGA-00048787, is attached as Exhibit 20.\*

21. A true and complete copy of an email chain dated July 10, 2017, between two individuals and Arthur Goldberg, Bates-stamped JIFGA-00049029, is attached as Exhibit 21.\*

22. A true and complete copy of an email chain dated May 30, 2018, between an individual and Arthur Goldberg, Bates-stamped JIFGA-00061533, is attached as Exhibit 22.\*

23. A true and complete copy of an email dated August 3, 2017 from Arthur Goldberg to two individuals, copying Elaine Berk, Bates-stamped JIFGA-00050096, is attached as Exhibit 23.\*

24. A true and complete copy of an email chain dated April 19, 2017, between Robert Morgan and Arthur Goldberg, Bates-stamped JIFGA-00046104, is attached as Exhibit 24.\*

25. A true and complete copy of an email dated May 13, 2017, from Robert L. Vazzo to Arthur Goldberg, Bates-stamped JIFGA-00046877, is attached as Exhibit 25.\*

26. True and complete copies of invoices, along with transmittal correspondence, from Robert Morgan to JIFGA's Office Manager, for all months from December 2015 to December 2017, are attached collectively as Exhibit 26,\* with the following Bates-stamped page ranges:<sup>6</sup>

- JIFGA-00029988–89 (December 2015 invoice and transmittal email);
- JIFGA-00065748–49 (January 2016 invoice and transmittal email);
- JIFGA-00065953–54 (February 2016 invoice and transmittal email);
- JIFGA-00066137–38 (March 2016 invoice and transmittal email);
- JIFGA-00066335–36 (April 2016 invoice and transmittal email);
- JIFGA-00066488–89 (May 2016 invoice and transmittal email);
- JIFGA-00066602–03 (June 2016 invoice and transmittal email);
- JIFGA-00066705–06 (July 2016 invoice and transmittal email);
- JIFGA-00066858–59 (August 2016 invoice and transmittal email);
- JIFGA-00066975–76 (September 2016 invoice and transmittal email);
- JIFGA-00067063–64 (October 2016 invoice and transmittal email);
- JIFGA-00067165–66 (November 2016 invoice and transmittal email);
- JIFGA-00067414–15 (December 2016 invoice and transmittal email);
- JIFGA-00067635–36 (January 2017 invoice and transmittal email);
- JIFGA-00068123–24 (February 2017 invoice and transmittal email);
- JIFGA-00068338–39 (March 2017 invoice and transmittal email);

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<sup>6</sup> Several of the emails transmitting Robert Morgan's invoices contain duplicate copies of the same invoice. These duplicates have been excluded from this Exhibit.

- JIFGA-00068558–59 (April 2017 invoice and transmittal email);
- JIFGA-00068777–78 (May 2017 invoice and transmittal email);
- JIFGA-00068874–75 (June 2017 invoice and transmittal email);
- JIFGA-00069010–11 (July 2017 invoice and transmittal email);
- JIFGA-00069126–27 (August 2017 invoice and transmittal email);
- JIFGA-00069313–14 (September 2017 invoice and transmittal email);
- JIFGA-00069562–63 (October 2017 invoice and transmittal email);
- JIFGA-00069684–85 (November 2017 invoice and transmittal email);
- JIFGA-00069923–24 (December 2017 invoice and transmittal email).

27. A true and complete copy of the cited excerpts from Volume 1 of the June 11, 2015 trial transcript is attached as Exhibit 27.

28. A true and complete copy of the article, “Once-prominent ‘Conversion Therapist’ Will Now ‘Pursue Life as a Gay Man,’” written by Julie Compton, and published on NBC News, [www.nbcnews.com](http://www.nbcnews.com), on January 23, 2019, is attached as Exhibit 28.

29. A true and complete copy of an email chain dated September 14, 2015 to July 16, 2017, between an individual and Arthur Goldberg, Bates-stamped JIFGA-00049368, is attached as Exhibit 29.\*

30. A true and complete copy of an email chain dated August 11, 2016, between Arthur Goldberg and Joseph Nicolosi, Bates-stamped JIFGA-00038324, is attached as Exhibit 30.\*

31. A true and complete copy of an email chain dated May 8, 2016, with Arthur Goldberg via the JNARS listserv, Bates-stamped JIFGA-00034987, is attached as Exhibit 31.\*

32. A true and complete copy of an email chain dated May 9, 2016, with Arthur Goldberg via the Nefesh listserv, Bates-stamped JIFGA-00035024, is attached as Exhibit 32.\*

33. A true and complete copy of the Court's Statement of Reasons, dated April 24, 2015, is attached as Exhibit 33.

34. A true and complete copy of the webpage, "We've Changed Our Name," available on the Brothers Road's website, <https://www.brothersroad.org/namechange>, as visited on March 18, 2019, is attached as Exhibit 34.

35. A true and complete copy of an email chain dated March 15, 2018, between Arthur Goldberg and Esly Regina de Carvalho, copying Alan Alencar, Bates-stamped JIFGA-00058389, is attached as Exhibit 35.\*

36. A true and complete copy of an email chain dated May 1, 2017, between Arthur Goldberg, Robert L. Vazzo, and others, Bates-stamped JIFGA-00046450, is attached as Exhibit 36.\*

37. A true and complete copy of an email chain dated April 10, 2017, between Arthur Goldberg and Richard Wyler, Bates-stamped JIFGA-00045862, is attached as Exhibit 37.\*

38. A true and complete copy of an email chain dated April 10, 2017, between Arthur Goldberg and Richard Wyler, Bates-stamped JIFGA-00045870, is attached as Exhibit 38.\*

39. A true and complete copy of an email chain dated April 17, 2017, between Arthur Goldberg and Richard Wyler, Bates-stamped JIFGA-00046036, is attached as Exhibit 39.\*

40. A true and complete copy of an email dated April 24, 2017, from Richard Wyler to Arthur Goldberg, Bates-stamped JIFGA-00046251 is attached as Exhibit 40.\*



41. A true and complete copy of an email dated January 24, 2016, from the someone in the JiM Alumni Facebook Group to Arthur Goldberg, Bates-stamped JIFGA-00030799, is attached as Exhibit 41.\*

42. A true and complete copy of an email dated January 24, 2016, from Richard Wyler addressed to “JiM Israel ‘journeyers,’” Bates-stamped JIFGA-00030800, is attached as Exhibit 42.\*

43. A true and complete copy of a post dated June 21, 2017, from a member of or visitor to the “JiM 104 Pennsylvania” Facebook group, forwarded to the jonahhelp@aol.com email address, Bates-stamped JIFGA-00048346, is attached as Exhibit 43.\*

44. A true and complete copy of an email chain dated August 28, 2017, between an individual and Arthur Goldberg, Bates-stamped JIFGA-00051008, is attached as Exhibit 44.\*

45. A true and complete copy of the article, “What Is Homosexuality? Reorientation Therapists Disagree” written by Joseph Nicolosi, and published on Joseph Nicolosi’s website, <https://www.josephnicolosi.com>, is attached as Exhibit 45.

46. A true and complete copy of the webpage, “Scientific Advisory Committee,” archived from NARTH’s website, <http://archive.li/heFc5>, as visited on April 14, 2013, is attached as Exhibit 46.

47. A true and complete copy of the article, “You Are Not a Homosexual” written by Alan Medinger, and published on the Joel 2:25 website, <https://joel225.org>, is attached as Exhibit 47.

48. A true and complete copy of an email chain dated May 9, 2017, between Richard Wyler and Arthur Goldberg, Bates-stamped JIFGA-00046738, is attached as Exhibit 48.\*

49. A true and complete copy of the cited excerpts from the June 18, 2015 trial transcript is attached as Exhibit 49.

50. A true and complete copy of an email chain dated February 21, 2018, between Alan Alencar and Arthur Goldberg, Bates-stamped JIFGA-00057444, is attached as Exhibit 50.\*

51. A true and complete copy of an email chain dated November 22, 2017, between an individual and Arthur Goldberg, Bates-stamped JIFGA-00054099, is attached as Exhibit 51.\*

52. A true and complete copy of the cited excerpts from Volume 1 of the June 8, 2015, trial transcript is attached as Exhibit 52.

53. A true and complete copy of an email chain dated March 3, 2016, between Robert L. Vazzo, two individuals, JIFGA's Office Manager, and Arthur Goldberg, Bates-stamped JIFGA-00032757, is attached as Exhibit 53.\*

54. A true and complete copy of the Certification of Robert Morgan in Opposition to the Plaintiffs['] Motion to Enforce Permenant [sic] Injunction and Default Judgment, dated April 27, 2018, is attached as Exhibit 54.

55. A true and complete copy of the letter, with enclosures, sent by Michael P. Laffey to James Bromley on January 30, 2018 is attached as Exhibit 55.

56. A true and complete copy of an email dated June 15, 2018, with attachments, from Michael Laffey to Thomas Kessler, is attached as Exhibit 56.\*

57. A true and complete copy of an email chain dated March 5, 2018, between Robert Morgan and JIFGA's Office Manager, Bates-stamped JIFGA-00070185, is attached as Exhibit 57.\*

58. A true and complete copy of an email dated July 16, 2018, from PayPal.com to Arthur Goldberg, Bates-stamped JIFGA-00070683, is attached as Exhibit 58.\*

59. A true and complete copy of an email dated August 7, 2018, from PayPal.com to Arthur Goldberg, Bates-stamped JIFGA-00070960, is attached as Exhibit 59.\*

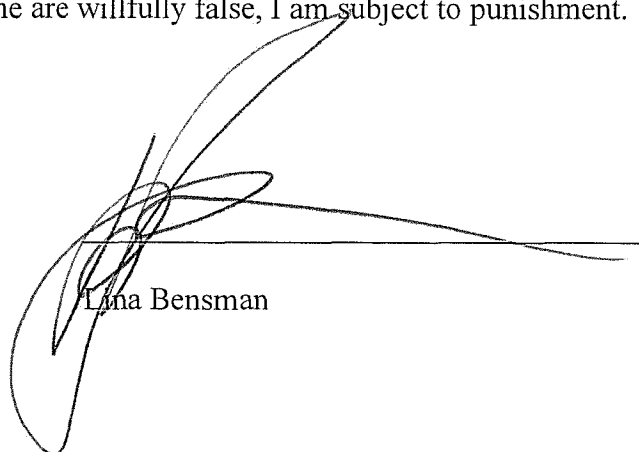
60. A true and complete copy of an email chain dated November 2, 2015, between and individual, Arthur Goldberg, and Elaine Berk, Bates-stamped JIFGA-00027527, is attached as Exhibit 60.\*

61. A true and complete copy of an email chain dated October 11, 2015, between an individual, Arthur Goldberg, Elaine Berk, Bates-stamped JIFGA-00001720, is attached as Exhibit 61.\*

62. A true and complete copy of an email dated September 22, 2015, from an individual to Arthur Goldberg, Bates-stamped JIFGA-000026019, is attached as Exhibit 62.\*

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

Dated: March 27, 2019  
New York, NY



Lina Bensman