

LGBT Information Sheet

2010

Proskauer Rose Supports the LGBT Community

Diversity is a core value of Proskauer and a fundamental element of our culture and history.

As a Firm, as professionals, and as individuals, we benefit from the breadth of views and the unique contributions that a diverse workforce brings to our organization. The insight gained from this collaborative approach propels us to fresh perspectives and creative solutions in the service of our clients.

We fully understand that our commitment to diversity is essential to our commitment to excellence. Our dedication to this principle is reflected not only in how we embrace the diversity of the people of Proskauer, but also in the long-standing support we have given to the communities in which we live and work through our strong Pro Bono Program. It is Proskauer's policy to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, national origin, sex, age, disability, citizenship, marital status, sexual orientation, gender identity and/or expression or any other characteristic protected by the law.

Proskauer proudly supports the LGBT community and provides this guide listing some of the many ways our lawyers and staff have been involved either currently or in recent years.

Legal Work and Clients

- AIDS Project Los Angeles: Representation of indigent clients in housing cases.
- Representation of the ACLU in *Parker v. Lexington*: An associate in our Boston office has been involved with the drafting of several *amicus* briefs in cooperation with the ACLU in this case. Many of our clients that joined the brief were LGBT groups.
- *Bennett et al. v. Bowen et al.*, S.164520 (Cal. 2008): An associate in our Los Angeles office has represented the Asian Law Center, NAACP, MALDEF and others in an *amicus* brief in support of a petition to remove Proposition 8 from the ballot.
- Successfully represented gay service members in challenges to their ouster from the armed services in *McVeigh v. Cohen* (D.D.C. 1998) (challenging Navy pretexting at AOL and violations of "Don't Ask, Don't Tell"); *In Re: Steven May* (U.S. Army Administrative Proceeding) (challenging discharge of reservist who was "outed" as civilian and then called back into duty).
- FOIA matter on behalf of the Service Members Legal Defense Network related to Department of Defense surveillance of student groups opposed to Don't Ask, Don't Tell: A partner and an associate led the litigation which succeeded in forcing the

DOD to disclose information about student protests on the campuses of New York University and the University of California at Berkeley that had been retained improperly in a classified DOD database.

- A team of Proskauer lawyers in New York contributed to a report recognized in a directive from New York State Governor Paterson's office instructing all New York State agencies to review and revise their policy statements and regulations to ensure that "terms such as 'spouse,' 'husband' and 'wife' are construed in a manner that encompasses legal same-sex marriages" performed outside the state.

Legal Work and Clients continued

- *In re Marriage Cases*, S.146999 (Cal. 2008): Represented the Anti-Defamation League and 11 other California LGBT centers as *amici*. Proskauer's brief was cited at pages 101-106 of the Slip Opinion.
- *Jeffrey Shapiro v. San Francisco AIDS Foundation and the Los Angeles Gay and Lesbian Center*/Los Angeles Superior Court Case No. BC 376451 (2007): Represented Los Angeles Gay and Lesbian Center in reverse discrimination suit brought by former employee.
- *Keith Bradkowski Application to September 11th Victim Compensation Fund* (2002): Successfully represented surviving domestic partner of a 9/11 victim in his application to receive survivor benefits from the September 11th Victim Compensation Fund, despite federal nonrecognition of domestic partners.
- Pro bono counsel for GLSEN (Gay, Lesbian and Straight Education Network).
- The Haring Estate: Proskauer has handled the legal work for the Keith Haring Estate and the Haring Foundation for over 18 years.
- A 13-year pro-bono program at the Gay Men's Health Crisis, one of the largest social service agencies in America addressing the needs of people with HIV, providing estate planning and related legal services to poor people with HIV/AIDS.
- Representation of Canadian woman (birth mother) in New York family court seeking child support from former female partner under the theory of equitable estoppel. The Magistrate dismissed the action for failure to state a cause of action. The trial court reversed, however, in a decision published at *H.M. v. E.T.*, No. U-110-07, 16 Misc.3d 1136(A), 2007 WL 2597887 (N.Y. Fam. Ct. Rockland Cty. Sept. 11, 2007). This decision is currently on appeal in the Appellate Division, Second Department. The proceedings below continued, however, and after a three day trial, the trial court held that the former partner was equitably estopped from denying her responsibility to support the subject child. Proskauer is currently preparing for a child support determination hearing in late September 2008.

- Representation of transgender individual in a suit against Suffolk County, alleging discrimination in connection with the County's refusal to allow the client to adopt certain children.

Proskauer Lawyer Leadership Roles

Our lawyers have served or currently are serving in the following capacities:

- Member of the Presidential Council on HIV/AIDS and working with the NYC AIDS Coalition on issues that the community faces.
- Longtime individual supporters and sponsors of Immigration Equality, which assists LGBT people in obtaining fair treatment throughout the immigration process.
- Member of New York State Bar Association's Special Committee on the Civil Rights Agenda.
- Former Chair of the Committee on Lesbians and Gay Men in the Profession.
- New York State Bar on the Committee on LGBT People and the Law.
- Member of the New York City Bar Association LGBT Rights Committee.
- Board member, AIDS Action.
- Member of Equality California 2008 Awards Dinner Host Committee.

For more information about Proskauer's diversity efforts, please contact:

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