

## LAMBDA LEGAL CO-CHAIR WINS PRESTIGIOUS CIVIL RIGHTS AWARD



Lambda Legal board co-chair Paul M. Smith (pictured left), who successfully argued our 2003 landmark victory in *Lawrence v. Texas*, received the Thurgood Marshall Award at an annual American Bar Association (ABA) dinner in August. Named after the late Supreme Court justice—the first honoree, in 1992—the award honors members of the legal profession who have made outstanding contributions to the advancement of civil

rights. This is the first time the ABA has honored an openly gay attorney for legal work on behalf of LGBT equality.

A partner at the Washington, D.C., firm Jenner & Block, Smith has argued before the Supreme Court in 12 cases in addition to *Lawrence*, which struck down all remaining state sodomy laws. This year, he was co-counsel in *CLS v. Martinez*, in which the Court agreed that a public university can deny funding to a group that excludes LGBT students (Lambda Legal filed a friend-of-the-court brief in the case). He was also co-counsel in *Gill v. OPM*, in which a federal judge found a critical portion of the so-called Defense of Marriage Act unconstitutional.

“This award is a recognition not just of me, but of a movement,” Smith said in his acceptance speech, “a movement that is engaged in the civil rights fight of our time.”



after staff learned he had HIV. Lambda Legal sued Fox Ridge on behalf of Dr. Franke and his daughter, Sara Franke Bowling (pictured left), alleging that it violated both federal and state law.

Bowling, who also lives in North Little Rock, says she and her father are pleased with the resolution of the lawsuit and elated that their legal battle has already had an impact. “Recently, I received an email from a

friend who works as the activity director at an independent living facility in town,” Bowling said. “She told me that most of the staff at her facility were being educated and trained about HIV and indicated that our case was described to the staff. I can’t tell you how happy this news has made my father and me.”

Dr. Franke currently resides at Chenal Heights, an assisted living facility in Little Rock.

### HIV DISCRIMINATION SUIT SETTLED

In August, the parties in *Franke and Bowling v. Parkstone Living Center, Inc. (d/b/a Fox Ridge at North Little Rock)* reached a settlement as the case neared its trial date. The case began when Fox Ridge, an assisted-living facility in North Little Rock, Ark., abruptly ejected Rev. Dr. Robert Franke, a 75-year-old retired university provost and minister,

### COURT VINDICATES TRANSGENDER NURSING STUDENT



For two years, LaDonna Thornton attended nursing classes at a technical college in Montgomery, Ala. as a female, in the nurse’s uniform she bought from the school. Yet last fall as she registered for class, an instructor pulled her aside and said, “There’s a problem. Your documents don’t match up.” Thornton explained she was transgender, that she considered herself female and had legally changed her name, and that she

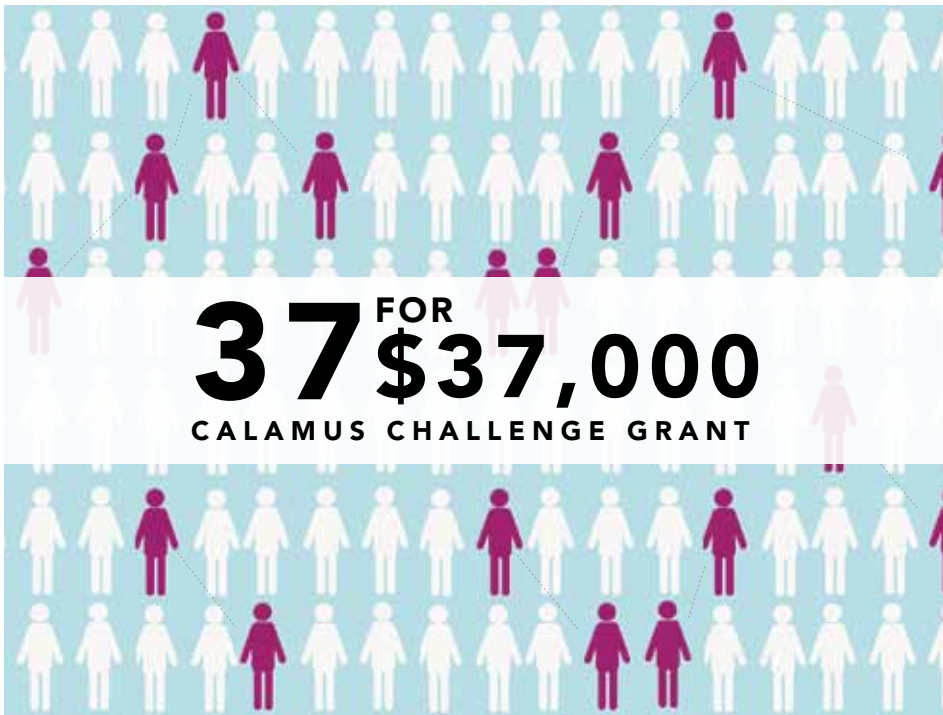
had intentionally left the gender question blank to avoid deception.

School officials told her to dress like a male or risk losing her place in the program. As graduation approached, she was asked to fill out another form, on which she left the gender question blank. Again she was pulled aside. The school director told her, “You must dress as a male for graduation.”

Fortunately, Thornton asked Lambda Legal to intervene on her

behalf. And thanks to our advocacy, she proudly attended the pinning-and-capping ceremony in her female nurse whites. “This is a huge victory, not just for LaDonna, but for transgender people anywhere,” said Lambda Legal Staff Attorney Beth Littrell. “Everyone should be able to pursue an education without regard to gender expression and be afforded the dignity to present themselves in accordance with their gender identity.”

<p><b>SAVE THE DATE!</b></p>	OCTOBER (LGBT HISTORY MONTH)		NOVEMBER	DECEMBER
	<p><b>1</b> National Coming Out Day</p> <p>Lambda Legal Indiana Benefit Dinner at the Indianapolis Marriott Downtown  <a href="http://www.lambdalegal.org/indianadinner">www.lambdalegal.org/indianadinner</a></p>	<p><b>17</b> Lambda Legal Connecticut Cares at Mitchell's of Westport  <a href="http://www.lambdalegal.org/connecticut10">www.lambdalegal.org/connecticut10</a></p> <p><b>20</b> National Bullying Prevention Day</p>	<p><b>22</b> Lambda Legal in Miami</p> <p><b>23</b> Lambda Legal in Long Beach, CA</p>	<p><b>20</b> International Transgender Day of Remembrance</p> <p><b>6</b> Lambda Legal Dallas Black-Tie Dinner</p>
<p>FOR MORE INFORMATION ON LAMBDA LEGAL EVENTS, VISIT <a href="http://www.lambdalegal.org/events">www.lambdalegal.org/events</a></p>				



## PROMOTING PHILANTHROPY. PROMOTING EQUALITY.

Twenty years ago, Saul Kaplan joined a handful of Lambda Legal supporters to become the founding members of the Liberty Circle—a group dedicated to making annual significant investments in Lambda Legal’s work. With personal giving and through the foundation he founded in 1994—the Calamus Foundation—Saul maintained his membership until his death in 2004.

In honor of the 20th anniversary of the Liberty Circle and the 37th anniversary of Lambda Legal’s founding, the Calamus Foundation has announced the 37 for \$37,000 Calamus Challenge Grant. On Lambda Legal’s anniversary—October 31, 2010—the Calamus Foundation will fulfill the \$37,000 pledge if we are able to find 37 new individuals to join the Liberty Circle with a commitment of \$1,500 or more.

**“By promoting community challenge grants, the Calamus Foundation has successfully used our funds in a manner that increases awareness and encourages individual philanthropy. This philosophy continues the philanthropic vision of our founder Saul Kaplan and leaves organizations like Lambda Legal with something more than just a check—they are left with a pool of new and engaged supporters, the most valuable asset of any organization.”**

- Louis Bradbury, Calamus Foundation Board President



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