

July 11, 2012

Eugene Delgaudio
Public Advocate of the United States
5613 Leesburg Pike, Suite 17
Falls Church, VA 22041

via email and first class mail

Dear Mr. Delgaudio,

We write on behalf of Tom Privitere and Brian Edwards, and Kristina Hill. Brian and Tom are the gay couple in the photo that “Public Advocate of the United States” (“Public Advocate”) misappropriated for use in anti-gay political attack mailers in Colorado, and Kristina is the photographer who took the photo and owns the copyright of that image. The purposes of this letter are to: 1) inform you that Tom, Brian, and Kristina have retained us to investigate their legal claims against you and Public Advocate; and 2) demand that you, “Public Advocate,” or anyone acting on your or Public Advocate’s behalf **immediately** cease and desist any further unauthorized use of Brian and Tom’s images and likenesses, and any further unauthorized use of Kristina’s copyrighted photos or other intellectual property.

It appears from your public statements that you knowingly and willfully misappropriated Tom and Brian’s images and Kristina’s copyrighted photo for use in your homophobic mailers against Colorado state senators. As you are certainly aware, Brian and Tom are not public figures. That photo was a deeply personal representation of their love and commitment to one another and the obstacles they overcame to share their lives together. The use of that photo of their wedding engagement and their images to attack gay couples and their relationships as not promoting “family values” was unfair, unjustifiable, and demeaning of Tom and Brian’s human dignity.

Unfortunately, this is not the first time that “Public Advocate” has unfairly attacked and grossly demeaned the lesbian, gay, bisexual, and transgender (LGBT) community. For years, “Public Advocate” has spread lies and vitriol about LGBT people to raise funds, impede progress toward greater equality, and to deny LGBT people basic dignity and respect. From the many regrettable examples that could be listed, “Public Advocate” has throughout the years:

- blamed “the homosexual agenda” for enhanced-passenger-search procedures at airports so that gay people can feel others up;
- compared marriage equality to bestiality through production of a “Man-Donkey Mock Wedding Ceremony

- defamed gay people as pedophiles and rapists to be feared, in reference, for example, to permitting gay scout masters, which is “the same as being an accessory to the rape of hundreds of boys”;
- demonized gay people and those suffering from AIDS as “prey[ing] on children to replenish the ‘Homosexual Community’”;
- provoked readers through a fundraising letter to “imagine a world where the police allow homosexual adults to rape young boys in the streets”;
- promoted harmful, discredited conversion therapy as necessary and effective to rescue gay people from their orientation; and
- mischaracterized national legislation to address an epidemic of anti-LGBT harassment at schools as “requir[ing] schools to teach appalling homosexual acts...force private and even religious schools to teach a pro-homosexual agenda...ram through their entire perverted vision for a homosexual America....create a new America based on sexual promiscuity.”

Because of these misrepresentations and numerous others, the Southern Poverty Law Center has previously designated “Public Advocate” as a hate group.

Please confirm by Monday, July 23, 2012 that you have ceased the unauthorized use of Tom and Brian’s images