

undertaken the matter unless he believed he had the firm's full backing.

'Honorable Course'

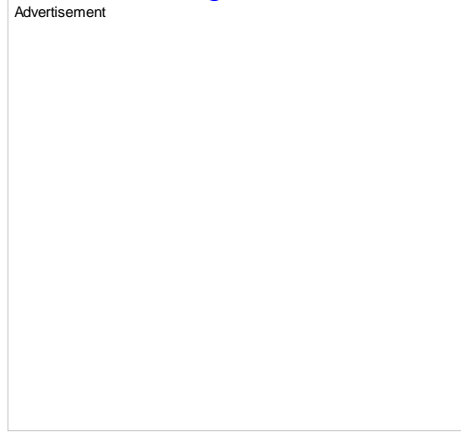
"But having undertaken the representation, I believe there is no honorable course for me but to complete it," Clement said in his letter to Hays. "If there were problems with the firm's vetting process, we should fix the vetting process, not drop the representation."

Clement, a native of Cedarburg, [Wisconsin](#), served as the U.S. solicitor general, arguing the government's side in cases before the U.S. Supreme Court, from June 2005 to June 2008, during the presidency of [George W. Bush](#). He rejoined King & Spalding in November 2008.

"We're sorry to see Paul Clement leave. He's been a good partner and we wish him the best," Les Zuke, a spokesman for the firm, said today in an e-mail.

To contact the reporter on this story: Sophia Pearson in Philadelphia at spearson3@bloomberg.net

To contact the editor responsible for this story: Michael Hytha at mhytha@bloomberg.net



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1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit 4-136

**Exhibit to Pls.' Memo in Supp. of Mot.
for Summ. J.**



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[Pam Spaulding's Facebook Notes](#) by Pam Spaulding

[Resource Center Dallas issues statement on Southwest Airlines' pilot's homophobic and misogynistic comments caught on tape](#)
[Wednesday, June 22, 2011 01:20:30]

[Michigan House Committee passes two radical anti-gay bills](#)
[Tuesday, June 21, 2011 20:46:35]

[Truth Wins Out: Quack Therapist 'Cures' LGBT People With Cold Showers](#)
[Tuesday, June 21, 2011 20:43:46]

[HRC Statement on Health and Human Services Secretary's Commitment to Collection of LGBT Health Data](#)
[Tuesday, June 21, 2011 20:29:11]

[Tracy Morgan Speaks Out For](#)



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Many thanks to Blenders hitting the tip jar after the Righthaven debacle. xo

Why are blogs and the MSM avoiding this story?



Read how copyright-trolling Righthaven LLC, Media News Group and The Denver Post seek



Pam's House Blend ...always steamin'



An Online Magazine in the Reality-Based Community.



Cinemark Responds on CEO \$10,000 Donation to Prop 8

by: PghLesbian
Mon Nov 17, 2008 at 15:57:20 PM EST

Bzzzt. FAIL.

I received this from Cinemark corporate:

Dear Sue,

We received your correspondence regarding your concerns about the Proposition 8 vote in California. Please know that Cinemark made no financial contribution to either side on this issue. The company does not take a formal position on political issues that do not directly affect our business. It would be inappropriate to influence our employees' position on personal issues outside the work environment, especially on political, social or religious activities. Cinemark is dedicated to providing high quality entertainment for all of our customers.

As an equal opportunity employer, we do not discriminate based on race, creed, religion or sexual preference. We appreciate the importance of this matter to you. We hope that you equally appreciate that any individual act or contribution is just that, individual acts of personal expression and do not reflect company positions or policy.

Kindest regards,

James Meredith
Vice President, Marketing & Communications
Cinemark USA, Inc.
3900 Dallas Parkway, Ste 500
Plano, TX 75093
972.665.1060 (office)
jmeredith@cinemark.com

So it is a personal contribution and thus, of no concern to Mr. Meredith. Of course, those of our "sexual preference" make personal decisions all the time about where to spend our money. Money that filled the personal coffers of the Cinemark bigwhigs, enabling the CEO to make a \$10,000 donation in support of Prop 8.

In my response, I explained that I would prefer to see Mr. Meredith take the lead to offset the damages his corporate revenue have done to those in my community before I spend money at this local theaters. I encouraged him to seek out opportunities to support GLBTQ organizations in the Pittsburgh region -- I even made a few suggestions. And I explained that my sexual orientation is no more a preference than his.

In the meantime, I'll go elsewhere with my movie dollars.

PghLesbian :: Cinemark Responds on CEO \$10,000 Donation to Prop 8

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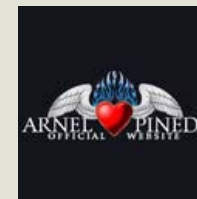
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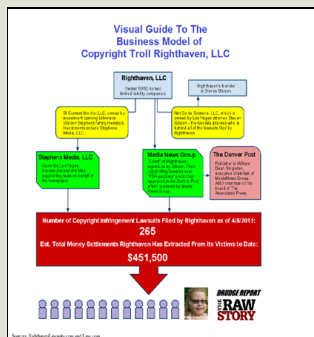
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Should the LGBTQ community avoid Cinemark Theaters

- Yes
- No
- Only until the company makes equal contributions
- Not Sure

Results

Tags: Marriage equality, (All Tags)

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Cinemark Responds on CEO \$10,000 Donation to Prop 8 | 46 comments

"sexual preference"
That about says it all.

When you look for the bad in mankind, expecting to find it, you surely will.

- Abraham Lincoln.

by: Fritz @ Mon Nov 17, 2008 at 15:04:44 PM CST

and
no mention of gender identity. That email screams, "we tolerate the queers so we don't get sued".

Si Hoc Legere Scis Nimium Eruditionis Habes

by: Kiera Lynn @ Mon Nov 17, 2008 at 15:44:15 PM CST
[Parent]

Plus...
I bet any 'equal contribution' would be to HRC - which is simply adding insult to injury.

>^..^<

by: KatRose @ Mon Nov 17, 2008 at 20:11:27 PM CST
[Parent]

makes me suspect that
their "policy" is not official.

Just don't be mean. -- Kate Bornstein

by: Laurel Ramseyer @ Mon Nov 17, 2008 at 17:26:51 PM CST
[Parent]

Cinemark not hiding their bigotry very well...

"Sexual preference" sums it right up. Cinemark is, in effect, saying we all prefer, or choose, to be gay.

Well, after that little missive I have a new cinema preference and it doesn't involve Cinemark cinemas, at all.

by: Storm @ Mon Nov 17, 2008 at 17:21:00 PM CST

I'm not gay
But I'm choosing to go elsewhere for my movies also. I'm also letting him know.


by: Cheryl @ Mon Nov 17, 2008 at 17:27:57 PM CST


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vee: a decline on the revenue radar demonstrates our economic power.

Come, come, my conservative friend, wipe the dew off your spectacles, and see that the world is moving.
-Elizabeth Cady Stanton

by: [T2inDC](#) @ Mon Nov 17, 2008 at 17:29:27 PM CST

Apparently, only one cinemark in the bay area

...up by South San Francisco/ Daly City. Oh well, I guess that will make it all the easier to avoid? D:

by: [mcc](#) @ Mon Nov 17, 2008 at 17:31:48 PM CST

Only one by that name. But the Century

theaters, the Hyatt, well, here's a partial list for the Bay Area. Plus, it comes with it's own nifty zip code tool...

<http://www.cinemark.com/theate...>

Down with the DNC/DSCC/DCCC incumbent protection racket. Down with Gay, Inc.

by: [Jacques](#) @ Mon Nov 17, 2008 at 18:18:52 PM CST
[Parent]

Oh geez

Century's almost all of the local theatres.

Are there any South Bay movie theatres that AREN'T owned by Cinemark/Century?!

by: [mcc](#) @ Mon Nov 17, 2008 at 19:47:30 PM CST
[Parent]

Go to google and type in

movies:{your zip code} movies:94010

or try www.fandango.com or www.moviefone.com

Down with the DNC/DSCC/DCCC incumbent protection racket. Down with Gay, Inc.

by: [Jacques](#) @ Mon Nov 17, 2008 at 21:14:30 PM CST
[Parent]

No

Cinemark owns Century theaters and also CineArts theaters. There is a CineArts theater here in the city, as well as the Century at the Westfield Shopping Center.

by: [Deelishn07](#) @ Mon Nov 17, 2008 at 18:26:10 PM CST
[Parent]

Cinemark Sucks

They've got the biggest theater around Jackson, over in Pearl Mississippi. I haven't been there much since Blair Witch because they were so inept at handling the crowd for that movie that it was a joke. They actually stopped the movie after they started it in an attempt to identify people who had paid to see other movies but were seating in Blair Witch. Absolutely ridiculous and a horrible experience.

Didn't know they were gay bashers until the Prop 8 deal. IMHO, we ought to have a prop 8 vote in every area if for no other reason that to publicly identify the bigots.

Enjoy.

Mom always told me I was special and I believed her.

by: [timtimes](#) @ Mon Nov 17, 2008 at 17:36:44 PM CST

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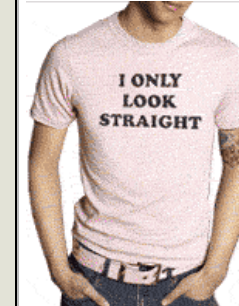
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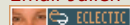
Exhibit 4
Page 553

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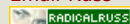
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Blend-o-licious endorsements...



The Christian Civic League of Maine's Mike Hein calls Pam's House Blend: "a leading source of radical homosexual propaganda, anti-Christian bigotry, and radical transgender advocacy."

He is "praying that Pam Spaulding will turn away from her wicked and sinful promotion of homosexual behavior." (CCLM's web site, 10/15/07)

Ex-gay "Christian" activist James Hartline on Pam:



"I have been mocked over and over again by ungodly and unprincipled anti-christian lesbians."

(from "Six Years In Sodom: From The Journal Of James Hartline," 9/4/2006, written from the "homosexual stronghold" of Hillcrest in San Diego).

"Pam is a 'twisted lesbian sister' and an 'embittered lesbian' of the 'self-imposed gutteral experiences of the gay ghetto.'" -- 9/5/2008

I tell you Chica that no greater abomination exists than women denying their spirit of sisterhood and instead becoming the oppressor. -Rebeca, Universidad Complutense de Madrid

by: MauraHennessey @ Mon Nov 17, 2008 at 17:36:44 PM CST

no response

I wrote them a few days ago, but have yet to get a response. If this is what they will send me, though, they need not bother.

by: ChristopherM @ Mon Nov 17, 2008 at 17:37:27 PM CST

Done

Here's the email I sent.

I've long enjoyed seeing films at the Evanston CineArts 6 theater, but I can not in good conscience continue to spend money at a company where a vp sends out emails like this one:

We received your correspondence regarding your concerns about the Proposition 8 vote in California. Please know that Cinemark made no financial contribution to either side on this issue. The company does not take a formal position on political issues that do not directly affect our business. It would be inappropriate to influence our employees' position on personal issues outside the work environment, especially on political, social or religious activities. Cinemark is dedicated to providing high quality entertainment for all of our customers.

As an equal opportunity employer, we do not discriminate based on race, creed, religion or sexual preference. We appreciate the importance of this matter to you. We hope that you equally appreciate that any individual act or contribution is just that, individual acts of personal expression and do not reflect company positions or policy.

If you don't understand what is wrong with this, it's the phrase sexual preference. This implies the official opinion of the company is that people choose to be homosexual. I don't remember choosing heterosexuality, and I know my gay friends do not choose to be gay. To imply otherwise is foolish and make me want to not contribute to your bottom line. So I won't be going to your theater any time in the near future. If you change your mind you can signal that by making a contribution to an organization that is striving to overturn the odious Prop 8 in California. Don't be concerned about following up with me personally, I am sure to see the press announcement.

by: Cheryl @ Mon Nov 17, 2008 at 17:37:36 PM CST

The Letter I wrote--probably too nice

Mr. Meredith-

I'm sure I'm not the first to mention it, but in your very well meaning response to the Prop 8 question, you use the phrase "sexual preference."

As you have probably heard by now, that term is highly offensive to the gay community.

Its use is often a way we identify homophobes.

I'm hoping that isn't true in your case, but people who know, respect and are educated about gay people know better.

The term is "sexual orientation."

"Preference" is what you have about ice cream flavors and models of cars. Homophobes cling to it's use because their entire argument about us rests on insisting our sexuality is a choice, hence the reason we react rather strongly to your choice of words.

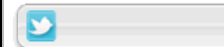
I'm sure your's is a tough position to be in, but I'd be a little more careful when addressing gay people the next time, especially when you are trying to calm the waters.

Best

XXXXXX

PS I wonder if you would write a similar letter to your black customers had your CEO donated to an anti-civil rights group.

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Peter LaBarbera of Americans for Truth Against Homosexuality heartily endorses the Blend, calling Pam:

A "vicious anti-Christian lesbian activist." (Concerned Women for America's radio show [9:15], 1/25/07)



Presented to Pam Spaulding by Peter LaBarbera of Americans for Truth Against Homosexuality on December 19, 2008

"A nutty lesbian blogger." (MassResistance radio show [16:25], 2/3/07)

Pam's House Blend always seems to find these sick f*cks. The area of the country she is in? The home state of her wife? I know, they are everywhere. Pam just does such a great job of bringing them out into the light. --Impeach Bush

who monitors yours Bevis ?? Just thought I would drop you a line,so the rest of your life is not wasted. --"Joe"

Autumn's transgressive endorsements...

by: *DavidinPS* @ Mon Nov 17, 2008 at 17:42:15 PM CST

Sexual Preference

I think it more identifies persons who are ignorant than bigots. At the Prop 8 rally I attended at least two politicians gay friendly enough to be speaking rattled on about "sexual preference." For them it is a matter of education, not bigotry.

by: *tony* @ Mon Nov 17, 2008 at 17:46:13 PM CST [Parent]

both, i think.

some people do use it deliberately, often along with "lifestyle". but you're right, uneducated allies sometimes also use it, and the word 'homosexual' too.

Just don't be mean. -- Kate Bornstein

by: *Laurel Ramseyer* @ Mon Nov 17, 2008 at 18:06:27 PM CST [Parent]

C'mon, guys... it's PLANO!!!

THE most Baptist suburb of Baptist Dallas!!

FYI: In the late 1990s(?) Plano had the highest teen suicide rate of any city in the country... purported to be a result of steroid use.

THAT should tell ya something.

by: *GraciesDaddy* @ Mon Nov 17, 2008 at 19:00:52 PM CST [Parent]

issues that don't directly affect business?

The company does not take a formal position on political issues that do not directly affect our business.

I hate to burst this guy's bubble but the company's bottom line is affected by this. The job security and compensation of a CEO is based on company performance. Why the hell would I want to do anything that helps the company's bottom line when said company's success positively impacts the CEO's compensation which, in turn, affords said CEO's ability to fund more hate?

There are no Cinemark theaters near me but, if there were, I would most certainly avoid going to a movie playing at one of them. As Maura said, if it were a donation to the Klan/the Aryan Nation (or any anti-Christian organization) the CEO would have been fired.

by: *ol cranky* @ Mon Nov 17, 2008 at 17:46:41 PM CST

CEO

Mr. Meredith would have a valid point if the "employee" he was talking about was not the CEO. If an user at a Cinemark Theater contributes to either side of an issue, then it is not attributable to the company in the public eye, nor should it be. A CEO is a different story, and, worse, Mr. Meredith knows it. If his CEO contributed to a white supremacy group, then he'd be out on his ass.

by: *tony* @ Mon Nov 17, 2008 at 17:49:39 PM CST

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Current City: Durham, North Carolina
Email: pam@phblend.net
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Frank Gaffney of the Center For Security Policy:

"What's wrong with this picture is that the individual...who goes by the name Autumn Sandeen, is a transgender individual."

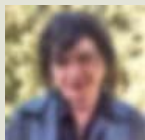
(The Family Research Council's DADT Press Conference, November 30, 2010)



Peter LaBarbera of Americans for Truth Against Homosexuality:

"Transvestite Autumn Sandeen" ... "one radical gender activist"

(Americans For Truth About Homosexuality's **Why We Need "Americans For Truth"**, December 28th, 2006)



Sharon Gaughan, Managing Editor of TS-SI:

"[F]rom a dated sideshow entertainment to an overt threat" ... "She has become the wonder of the new millennium, persisting in our nightmares" ... "Autumn Sandeen should leave her betters alone"

(TS-SI's **Ashley Love and the Burden of Autumn Sandeen**, January 12, 2011)



Self-described "pro-White" author and internet radio host **James Edwards**:

"[T]he 800 pound gorilla of tranny bloggers"

(Political Cesspool's **Trouble in Pervtown**, June 16, 2009)

Yes

the GLBTO community should definately boycott Cinemark theaters. I don't care if it was a personal donation by the CEO because he received the money from Cinemark to be able to donate it. How many gay dollars are part of the 10K that helped to pass Prop 8? By continuing to patronize Cinemark you are helping the guy to be able to donate more money to anti-gay legislation. In effect, you are cutting your own throat.

by: *Deelishn07 @ Mon Nov 17, 2008 at 18:01:28 PM CST*

Cinemark

Voting w/ your money is the based way to get someone's attention. You need to post a list of every organization that contributed to hate so your supporters not in California know not to contribute to.

by: *Robert M @ Mon Nov 17, 2008 at 18:24:56 PM CST*

Ah, the smell of roasting hypocrisy in the morning!

Cinemark's CEO - the public face of the corporation and the final say on any decisions the corporation makes - used his income from the corporation to sponsor hate. The CEO IS the corporation. Ergo, the corporation sponsored hate.

Hope the board of directors enjoys their end-of-year reports.

God save ornery old queens! - kevinchi

by: *Keori @ Mon Nov 17, 2008 at 18:31:36 PM CST*

and I individually not contribute to Cinemark....with MILLIONS of my friends

"race, taste. and History finally overcome....and you ain't there"
by *Tony Kushner*

by: *peteyPornpig @ Mon Nov 17, 2008 at 18:43:02 PM CST*

hey Cinemark

<http://img.villagephotos.com/p...>

back at ya!

"race, taste. and History finally overcome....and you ain't there"
by *Tony Kushner*

by: *peteyPornpig @ Mon Nov 17, 2008 at 18:45:50 PM CST*
[Parent]

CINEMARK = TINSELTOWN

In many parts of the country Cinemark theaters go by the name of TINSELTOWN. Remember that the next time you get an urge to go to the movies. Better yet, just rent a DVD and enjoy the movie in peace and quite in the comfort of your own home. Save gas, save money, and help save the planet.

by: *Storm @ Mon Nov 17, 2008 at 19:25:07 PM CST*

Response

Remember, Netflix just connected with the Logo channel. So that's always an option if Cinemark is your only theater.

by: *PghLesbian @ Mon Nov 17, 2008 at 19:51:57 PM CST*
[Parent]

Meet Cindi Marx

Check out this new community blog:

<http://www.boycottcinemark.com/>

When you look for the bad in mankind, expecting to find it, you surely will.

- Abraham Lincoln.

Cathryn Platine of Riding The Second Wave:

"Pam's House Blend Blog house tranny"

(Riding The Second Wave's **Left Behind**, July 22, 2008)



"If you're gay, lesbian, or bisexual, would you sacrifice for your trans neighbors and siblings? If you're trans, would you sacrifice for your gay, lesbian, or bisexual neighbors and siblings? It's something worth knowing about yourself and those around you."

--**Autumn Sandeen**, 4/19/2010, the night before **GetEQUAL's** DADT repeal protest at the White House

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Issues Directly Effecting the Community

It's outrageous that they would say marriage equality doesn't impact the company directly. They no doubt have LGBT employees and patrons, not to mention all of the movies that they screen having significant contributions from the LGBT community. As someone who **IS** directly impacted by this discrimination, I will most certainly take my business elsewhere.

by: **greyduck** @ Mon Nov 17, 2008 at 21:08:11 PM CST

Add this...

...to Cinemark's horrendously anti-worker policy on labor relations and unions. Other than the anti-union indoctrination required for new employees, there's the tacit understanding that anyone so much as carrying on too long a conversation with an organizer will be fired.

by: **M** @ Mon Nov 17, 2008 at 21:19:44 PM CST

preference

At my diversity training for a new job at a college - one of the diversity officers used the term sexual preference. My hand went up faster than you could imagine. I explained why that wasn't the best term. She agreed and was thankful I pointed it out, but I can't believe I had to.

by: **pt90048** @ Mon Nov 17, 2008 at 23:25:25 PM CST

Looks like another place added to my list.

Between the religious right boycotting certain places, and the LGBT boycotting others, it lessens my chances of running into a bigot during my adventures.

And for those companies that are getting it from both sides, Marriott comes to mind, I know a great bankruptcy attorney.

If I make sense? it was quite by accident.

by: **HappyCat** @ Tue Nov 18, 2008 at 01:46:09 AM CST

Unfortunately when Bush speaks, he speaks for the USA.

When a CEO Speaks, he speaks for the Corporation. And this CEO is not an employee of Cinemark, he is an employee of the Board of Directors of Cinemark.

This James Meredith Vice President of Marketing & Communications, he works for the CEO. The CEO probably delegated this letter to Mr. Meredith.

Letters written and directed to James Meredith, or to Cinemark as a whole are semi futile. To get the best effect letters should be directed towards the Board of Directors and/or shareholders. A list of the Board of Directors should be public record, but I have no idea how to find out this information. But I would believe that your average broker should have access to that sort of information.

If the CEO felt strongly enough about his convictions to donate \$10k to steal rights, he should be proud enough to stand by it and say I am a bigot to the core, and face the consequences of his actions.

This is moral and immoral. The moral thing, the thing that everyone knows is right inside, though some are afraid to say, is EQUALITY. Inequality is immoral.

by: **mickdansforth** @ Tue Nov 18, 2008 at 01:55:54 AM CST

I want to boycott

But... they don't have one near me!!! Crud foiled again ;)

..... Next time someone gives you a hard time for being LGBT... just ask them if they are unenlightened...or closeted

by: **lisabrealty** @ Tue Nov 18, 2008 at 04:35:43 AM CST

Not in my area either.

So I'm boycotting in spirit. (I'm clsoing my eyes and visualizing my self not going to their theaters.)

watashi no yomeiri wa doko desu ka

by: *belfrieboi* @ Tue Nov 18, 2008 at 09:57:00 AM CST
[Parent]

lol

Good Idea... Is it wrong to imagine yelling fire while visualizing boycotting their theaters??

..... Next time someone gives you a hard time for being LGBT... just ask them if they are unenlightened...or closeted

by: *lisabrealty* @ Wed Nov 19, 2008 at 04:59:08 AM CST
[Parent]

I suppose so

as long as no one is trampled in the imagined stampede to the fire exits.

watashi no yomeiri wa doko desu ka

by: *belfrieboi* @ Wed Nov 19, 2008 at 09:09:47 AM CST
[Parent]

CINEMARK (aka CENTURY) THEATRES

Here in San Francisco, the Century San Francisco 9 cinema, owned by Cinemark, is the only venue showing The Metropolitan Opera's HD Live broadcasts. For this reason, I sent the following off to The Met yesterday.

November 17, 2008

Dear Metropolitan Opera:

Good afternoon from San Francisco.

The live high definition cinema broadcasts from the Metropolitan Opera have brought much joy and pleasure to me, especially since they started running in San Francisco. However, I very much regret to inform you that I will attend no further showings. The reason is that they are presented at the Century San Francisco Center Cinemas, which are part of the Cinemark company. I have received reliable reports that the CEO of Cinemark, Alan Stock, donated \$9,999.00 to the "Yes on 8" campaign here in California. In my view, this means that Mr. Stock holds me and my rights in no regard. I therefore will no longer patronize his cinemas.

I hope you will reconsider the venues where The Met broadcasts are shown. If I see them presented at, for example, AMC Theatres, Landmark Theatres, or independent cinemas, such as the Castro Theatre, then I will once again enthusiastically attend. I will recommend the same course of action to my friends.

Thank you so much for your understanding.

William M. Brown

by: *Captain Bill* @ Tue Nov 18, 2008 at 06:01:20 AM CST

Well Done

That is a really great letter, Captain.

This is moral and immoral. The moral thing, the thing that everyone knows is right inside, though some are afraid to say, is EQUALITY. Inequality is immoral.

by: *mickdansforth* @ Tue Nov 18, 2008 at 12:59:25 PM CST
[Parent]

We need to Picket Cinemark Nationwide

Someone needs to organize a Friday Night or Saturday Afternoon with Pickets in front of Cinemarks Nation Wide.

This is moral and immoral. The moral thing, the thing that everyone knows is right inside, though some are afraid to say, is EQUALITY. Inequality is immoral.

by: *mickdansforth* @ Tue Nov 18, 2008 at 13:06:26 PM CST

my preference...

is to not see movies at my local Century Theatre anymore. it's going to be a pain in the butt, but at least i live somewhere that has options that are locally owned even if they're not a short walk from my house.

"it's a long road from law to justice." (Dar Williams)

by: *algormortis* @ Tue Nov 18, 2008 at 14:03:25 PM CST

Boycotts

Although I'd probably draw the line at a supporting a corporation that is overtly hostile to gays, boycotting Cinemark probably does little to hurt the guy who actually made the contribution. Who it does hurt are those near minimum-wage workers who actually work in the theaters and who for the most part had nothing to do with Prop 8. I'd be more inclined to support a boycott if it was official policy voted on by their Board of Directors. And should the half plus of Californians who voted for this thing boycott any Hollywood film where a participant actor or director made a contribution to the No side?

And "sexual preference" is wrongly but honestly perceived by some to be the politically correct/non-offensive term. If you feel the letter was meant to be offensive or that the writer didn't care, go ahead and be offended. But the "correct" labels change and I'll bet in twenty years someone will find a reason to be offended about "orientation." Being half Asian I could make a case. Just kidding.....

by: *FTracy3* @ Tue Nov 18, 2008 at 14:13:59 PM CST

Re this poll: make an option for "everyone" should boycott, not only LGBTQ

The poll should have an option to vote: Everyone should boycott, not only the LGBTQ community.

by: *Mivasair* @ Thu Nov 20, 2008 at 13:54:48 PM CST

Cinemark officers and directors - fyi

Zuehlke, Steve 49 2007 Vice President, Director of Theatre Operation
Meredith, James 39 2008 Vice President - Marketing and Communication
Lundin, John 58 2000 Vice President - Film Licensing
Harton, Don 50 1997 Vice President - Construction
Cavalier, Michael 41 2006 Senior Vice President, General Counsel, Secretary
Owens, Tom 51 2007 Senior Vice President - Real Estate
Hebert, Walter 62 2007 Senior Vice President - Purchasing
Carmony, Robert 50 2007 Senior Vice President - New Technology & Training
Warner, Timothy 63 2006 President, Chief Operating Officer
Fernandes, Valmir 47 2007 President of Cinemark International L.L.C.
Mitchell, Tandy 57 2004 Executive Vice President, Assistant Secretary
Chereskin, Benjamin 49 2004 Director
Dombalagian, Vahe 34 2004 Director
Senior Hernandez, Enrique 64 2004 Director
Ezersky, Peter 47 2004 Director
Syufy, Raymond 45 2006 Director
Sepulveda, Carlos 50 2007 Director
Staubach, Roger 66 2007 Director
Soderquist, Donald 74 2007 Director
Rosenberg, Steven 49 2008 Director
Copple, Robert 49 2007 Chief Financial Officer, Executive Vice President, Treasurer, Assistant Secretary
Stock, Alan 47 2006 Chief Executive Officer
Mitchell, Lee 71 2006 Chairman of the Board

by: *jjerome* @ Tue Feb 17, 2009 at 17:55:00 PM CST

Cinemark Responds on CEO \$10,000 Donation to Prop 8 | 46 comments

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Exhibit 4-137

**Exhibit to Pls.' Memo in Supp. of Mot.
for Summ. J.**

This group is scheduled to be archived

Over the next few months, Facebook will be archiving all groups created using the old groups format. When this group is archived, its wall posts, photos and discussion threads will move to the new groups format, but group members will need to be re-added.

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Boycott Hoehn Motors [Join](#)

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Basic Info

Name: **Boycott Hoehn Motors**

Category: **Organizations - Advocacy Organizations**

Description: **Robert Hoehn, President of Hoehn Motors in Carlsbad, CA gave: \$25,000 on 2/8/08 to Yes on Prop 8**

Hoehn Motors has 6 large car dealerships located along the 5 freeway in Northern San Diego County: Mercedes-Benz, Porsche, Audi, Infiniti, Acura and Honda. Mr. Hoehn was one of the earlier backers of Proposition 8, and has had a demonstration in front of his dealerships that was organized by the North County LGBT Coalition.

www.northcountylgbtcoalitionforce.org

Privacy Type: **Open: All content is public.**

Information

Category: **Organizations - Advocacy Organizations**

Description: **Robert Hoehn, President of Hoehn Motors in Carlsbad, CA gave: \$25,000 on 2/8/08 to Yes on Prop 8**

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www.northcountylgbtcoalitionforce.org

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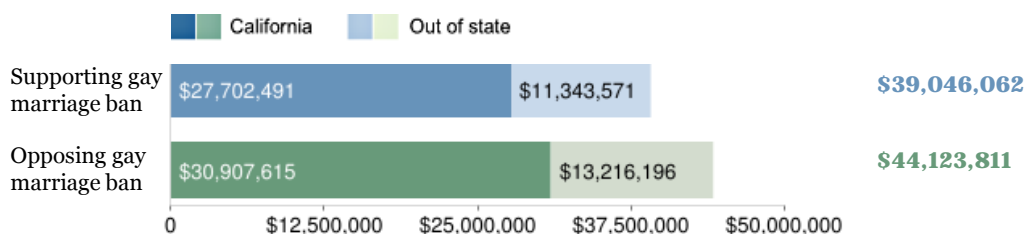
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Proposition 8: Who gave in the gay marriage battle?

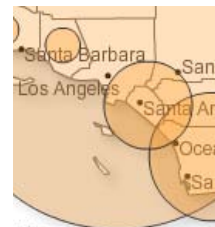


Proposition 8 Maps

Tracking the money: Final Numbers *2009/02/03*

Prop 8 and Prop 4: Narrow votes, different outcomes *2008/11/06*

Prop 8 and Prop 22: Gay marriage ban: A tale of two votes *2008/11/06*



In November 2008 — five months after gay couples began marrying in the state — Californians went to the polls and **voted 52% to 48% to ban same-sex marriage.**

Proposition 8 amended California's Constitution to define marriage as between a man and a woman and is the state's costliest social initiative to date, with more than \$83 million raised.

The initiative fight got underway after the California Supreme Court ruled unconstitutional a **2000 vote** that **limited marriage to heterosexual couples.** In their May 2008 decision, the justices said gay couples had the same fundamental right to marry.

Supporters of Proposition 8 wanted to end gay marriage in California; opponents wanted to maintain the right of same-sex couples to wed.

[Read arguments for and against the ban from the Secretary of State's Official Voter Information Guide.](#)

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Total donations supporting ban

1. California	\$27,702,491
2. Utah	\$2,774,809
3. Connecticut	\$1,422,854
4. Pennsylvania	\$1,206,877
5. Texas	\$1,122,925

Total donations opposing ban

1. California	\$30,907,615
2. New York	\$2,885,815
3. Ohio	\$1,411,456
4. Illinois	\$1,292,992
5. District of Columbia	\$1,217,876

About the Data Desk

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1
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Exhibit 4-139

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PRINT TEXT

Prop. 8 Anger Spurs Donor Blacklists

By John Blackstone

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(CBS) For supporters of same-sex marriage, the Election Day loss in California seems to be energizing their campaign rather than ending it.

Demonstrations against Proposition 8, the ban on same-sex marriage, have been growing, CBS News correspondent John Blackstone reports.

Now the anger is moving to the Internet, where supporters of same-sex marriage are posting blacklists - the names and businesses of those who gave money to help Proposition 8 pass.

Chris Lee, an engineer who is an immigrant from China, was shocked to see his name on the Web

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site AntiGayBlacklist.com after he gave \$1,000 to the campaign to end same-sex marriage.

"I was completely disgusted," Li said. "This sort of blacklist should only appear in communist countries, should not be found in the United States."

In Los Angeles, demonstrators called for a boycott of a restaurant whose manager made a personal donation of \$100 to the "Yes on 8" campaign.

"She didn't think it would be public record," said Jeff Yarbrough.

Anger over the blacklists brought out demonstrators in Sacramento, where Scott Eckern resigned as musical director of a local theater when he was identified as a donor.

While it isn't clear who is behind the blacklisting Web sites, political donations are public record and publishing them is legal. But this campaign is making even many supporters of same-sex marriage uncomfortable.

"I understand the anger, but I think we need to channel it," said Molly McKay of Marriage Equality USA. "Into conversations, into moving forward because, you know again, hate vs. hate produces more hate."

Those campaigning to end same-sex marriage drew up their own blacklist, sending letters to large donors to the campaign to save same-sex marriage, demanding equal money or threatening to publish their names.

The Internet has made open political financing even more open - and perhaps more intimidating.
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2
3
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9
10
11
12
13
14
15
16
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Exhibit 4-140

**Exhibit to Pls.' Memo in Supp. of Mot.
for Summ. J.**

Equally disappointing is the lack of a forceful denunciation from leaders of the honorable cause of bringing marriage equality to California. "We achieve nothing if we isolate the people who did not stand with us in this fight," the No on 8 campaign reminded its coalition in a statement issued after the election.

Guess what? Certain advocates of the cause *are* alienating people - and this approach needs to be called out. Remember, the No on 8 campaign was shouting "blackmail!" at the top of its lungs when the Yes side sent certified letters to major donors threatening to "out" them in a press release unless they also contributed to the marriage ban. Of course, that "threat" had a tinge of absurdity. Corporations such as PG&E, McDonald's and Levi Strauss were not afraid of being "outed" for their association with the marriage-equality cause. They were well aware that their major donations amounted to a public statement that might cause them to lose - and gain - customer goodwill.

Opponents of same-sex marriage should not be let off the hook for their post-election tactics. There is already talk of a recall campaign against California Supreme Court justices if they overturn Prop. 8, reminiscent of the unsuccessful attempt to oust Chief Justice Ronald George and Justice Ming Chin after they voted to overturn a law that required parental consent for minors to receive an abortion. The judiciary must not be intimidated in this nation of laws.

Assemblyman Mark Leno, the San Francisco Democrat who wrote a marriage-equality bill that passed both houses and was vetoed by Gov. Arnold Schwarzenegger, said he does not "defend or rationalize" overzealous tactics by those on his side. He noted that tumult and emotion have historically defined moments of momentous social change. "This is a visceral reaction to the fact that, for the first time in U.S. history, a recognized constitutional right was repealed by a simple majority vote," Leno said.

Time is on the side of marriage equality. Sixty-one percent of voters younger than 30 opposed Prop. 8, while 61 percent of those older than 65 supported it. Attitudes are changing and will continue to shift as more and more Americans see that extending the right to same-sex couples is not a threat to traditional marriage, but an affirmation of its value to society.

Intimidation, through attempts to chill free speech or an independent judiciary, should have no part in this debate. The leaders on both sides should have the honesty to recognize it within their camps - and the courage to condemn it.

John Diaz is The Chronicle's editorial page editor. You can e-mail him at jdiaz@sfgchronicle.com.

This article appeared on page G - 9 of the San Francisco Chronicle

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Exhibit 4-141

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Gay-rights group, Garff Automotive meet; boycott goes on

Prop. 8 » The Garff family matriarch donated \$100,000 to support Prop 8.

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BY TONY SEMERAD

THE SALT LAKE TRIBUNE

PUBLISHED FEBRUARY 12, 2009 4:25 PM

This is an archived article that was published on sltrib.com in 2009, and information in the article may be outdated. It is provided only for personal research purposes and may not be reprinted.

A boycott of one of Utah's most prominent car dealers remains in place for now, in spite of what both sides described Thursday as an amicable and productive face-to-face meeting aimed at resolving it.

John Garff, president of Salt Lake City-based Ken Garff Automotive Group, and Fred Karger, head of Californians Against Hate, both said a resolution to the conflict was in the works, after a two-hour meeting on Wednesday.

The California group has called for a boycott of 53 Garff dealerships across six states, including California and Utah, in retaliation for a \$100,000 campaign donation made by Katharine Garff, matriarch of the Garff family, in support of Proposition 8, last year's successful initiative to ban same-sex marriage.

Katharine Garff, who was out of town Thursday and unavailable for comment, is company president John Garff's mother. She made the donation to the pro-Prop 8 group ProtectMarriage.com, a week before the Nov. 4 election, according to filings with the California Secretary of State.

Karger and John Garff said they had agreed to keep the substance of their settlement discussions confidential for now, but both confirmed that Karger was drafting a proposal for steps the company might take to resolve the boycott, following the pair's meeting late Wednesday at Garff offices.

"Fred and I focused on common ground, and there is plenty of common ground," Garff said of their meeting, adding that the exchange included details of the company's extensive history of support for Utah's gay and lesbian community.

Karger called the meeting with Garff "a good healthy dialogue" and said he hoped his call for customers to stay away from Garff dealerships could be withdrawn soon, though he refused to be specific about a time frame.

Karger said the group's Internet site, boycottkengarffautomotive.com, and other Internet-based efforts would remain active until final details of the settlement were worked out.

"This is a civil rights issue," Karger said.

In addition to having a nondiscriminatory policy on hiring and employment, Garff Automotive is an annual donor to the pro-gay rights Human Rights Campaign and has donated vehicles to the Utah Pride parade, along with a range of other diversity-promoting causes, Garff said.

"Fred learned some things I don't think he knew," Garff said.

Jerry Rapier, Utah's representative on the Human Rights Campaign's national board of governors, confirmed that annual donations from the Garff company made up a sizable share of corporate largess for the group's banquet and silent

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- » Downside of boycott (05/06/06)

auction.

Noting that he was expressing his personal view, Rapier said the boycott call "offends me and seems shortsighted."

Garff and his father, former Utah House Speaker and Salt Lake Olympic organizer Bob Garff, have both characterized Katharine Garff's donation to Prop 8 -- the fifth-largest made by any Utahn -- as a personal gesture, unrelated to the company.

"We are a politically neutral company and we always have been," John Garff said.

tsemerad@sltrib.com

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Exhibit 4-142

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What Happens If You're on Gay Rights' 'Enemies List'

By ALISON STATEMAN / LOS ANGELES Saturday, Nov. 15, 2008

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Adam Abernathy marches outside a Mormon temple to protest the Church of Jesus Christ of Latter-day Saints for its support of Prop. 8, which bans gay marriage in California
Mary Altaffer / AP



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Ever since a slim majority outlawed gay marriage in California, opponents have waged national protests and petitions, urging the judicial system to reconsider the results of the Nov. 4 referendum. (Proposition 8 overturned an earlier decision by the California Supreme Court that legalized same-sex marriage.) While the court weighs whether or not to get back into the fray, the civil unrest ignited by the ban shows no sign of abating. A national protest against Prop. 8 organized by JoinTheImpact.com is scheduled for today. The Church of Jesus Christ of Latter-day Saints, which opponents say donated more than \$20 million to the Yes on 8 campaign, has already become a focus of protests, with demonstrators gathered around Mormon temples not only in California but across the country.

The Mormon Church is not the only group being singled out for criticism. African Americans, 70% of whom voted yes on Prop. 8, according to a CNN exit poll, have become a target. According to eyewitness reports published on the Internet, racial epithets have been used against African Americans at protests in California — with some even directed at blacks who are fighting to repeal Prop. 8. Said Evan Wolfson, executive director of nonprofit group Freedom to Marry: "In any fight, there will be people who say things they shouldn't say, but that shouldn't divert attention

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from what the vast majority are saying against this, that it's a terrible injustice." (See the [Top 10 ballot measures](#).)

In addition to the protests, gay rights activists have begun publishing lists online exposing individuals and organizations that have donated money in support of Prop. 8. On [AntiGayBlacklist.com](#), individuals who gave money toward Prop. 8 are publicized, and readers are urged not to patronize their businesses or services. The list of donors was culled from data on ElectionTrack.com, which follows all contributions of \$1,000 and more and all contributions of more than \$100 given before Oct. 17. Dentists, accountants, veterinarians and the like who gave a few thousand dollars to the cause are listed alongside major donors like the Container Supply Company Inc. of Garden Grove, which gave \$250,000. "Anyone who steps into a political fight aimed at taking away fundamental rights from fellow citizens opens themselves up to criticism," said Wolfson. "The First Amendment gives them the right of freedom of speech and to support political views, but people also have the right to criticize them."

Even before the passage of Prop. 8, the group Californians Against Hate compiled and published a "dishonor roll" of individuals (and their company affiliations) who gave \$5,000 or more in support of the measure. Phone numbers and websites were added, along with commentary about some of the larger donors, all public information obtained through the California secretary of state's office. "My goal was to make it socially unacceptable to give huge amounts of money to take away the rights of one particular group, a minority group," says Fred Karger, a retired political consultant and founder of Californians Against Hate. "I wanted to make the public aware of who these people are and how much they're giving, and then they could make a decision as to whether or not they want to patronize their businesses."

The negative publicity is having an effect on both companies and individuals. Scott Eckern, artistic director of the California Musical Theatre in Sacramento, whose \$1,000 donation was listed on ElectionTrack, chose to resign from his post this week to protect the theater from public criticism. Karger says a "soft boycott" his group had started against Bolthouse Farms — which gave \$100,000 to Prop. 8 — was dropped after he reached a settlement with the company. Bolthouse Farms was to give an equal amount of money to gay rights political causes. The amount ultimately equaled \$110,000.

Meanwhile, lists of donors to Prop. 8, once trumpeted on the Yes on 8 website, have been taken down to protect individuals from harassment. "It's really awful," says Frank Schubert, campaign manager for Yes on 8. "No matter what you think of Proposition 8, we ought to respect people's right to participate in the political process. It strikes me as quite ironic that a group of people who demand tolerance and who claim to be for civil rights are so

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FRI NOV 07, 2008 AT 03:01 PM PST

Boycott Mormon businesses and Anyone else who Supported Prop 8

by [Buster CT1K](#)

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We should direct our anger over Prop 8 against those organizations that fought us the hardest. Let's start with the Mormon Church and Mormons.



Mormon Church-owned businesses should be boycotted.

Businesses owned by Mormons, who tithe to the Church, should also be boycotted. Large amounts of Church income comes from tithings. Vote with your wallets! Every dollar less that you give to a tithed Mormon is a dollar less that can be tithed and spent on anti-gay activity.

Some businesses are more easily boycotted than others:

1. retail
2. discretionary travel
3. businesses with competitors

I recommend we boycott Marriott Hotels, owned by the Mormon Marriott family, and so devout that every Marriott hotel has a Book of Mormon in the drawer, along with a bible. In today's depressed travel market, there are plenty of competitors to Marriott and plenty of people can avoid it if they want.

Also boycott Doug Manchester's hotels. <http://www.boycottmanchesterhotels.com/>

Who else? Start a list here! Wiki power.

Boycott list:

1. All Marriotts
2. Manchester Grand Hyatt, San Diego, CA <http://www.boycottmanchesterhotels.com/>
3. Grand del Mar Resort, San Diego, CA
4. Whitetail Club and Resort, McCall, Idaho

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- 5. Franklin Templeton Investments
- 6. Prince Group [what product do these people produce?]
- 7. Blackwater (military subcontractors - OK I know it's hard for an average consumer to boycott this one!)
- 8. The Polynesian Cultural Center, Honolulu, Hawaii
- 9. Hoehn Motors, Carlsbad, California
- 10. A-1 Self Storage Company, San Diego, CA

Update 1: Please rec this up so it becomes a more productive place for Kossacks to deploy their energies, instead of the black v. gay arguments.

Update 2: Many Marriott branded hotels are owned by non-Mormons and split their revenues with Marriott Inc. These should also be boycotted. Their owners would then be encouraged to leave Marriott and affiliate with another chain instead.

Update 3: Added Franklin Templeton, Blackwater and Prince Group based on <http://news.muckety.com/...>

Update 4: See <http://www.sfgate.com/...> for donors to Prop 8. There are three Marriotts who donated to Prop 8: Elizabeth D. Marriott (\$1000), Woodrow Marriott MD (\$200), and Christina Marriott (\$100). Anyone know if these are members of the same family that owns Marriott Inc.?

Update 5: At the request of commenters, I have refined the title of this diary. We all know that the Mormon Church was a prime mover behind Prop 8. We should do what we can to vote with our wallets to make sure we don't directly or indirectly contribute to the Mormon Church.

Update 6: Utah. Hard call for me. Ski businesses - who owns them? Someone please help find out. I am not calling for a boycott of all of Utah at this time. But definitely boycott the Marriotts there.

Update 7: If a Mormon pays tithings to his or her church, should we still boycott his or her business? Probably yes, unless he or she also makes a reasonable countervailing donation to LGBT causes.

Update 8: The corollary is this - "let the mormon business step forward and say "don't boycott me. I don't support the church's stance. I support equality". Bingo, you got my business back." [Credit: lighttheway] I want a definitive statement that Marriott Inc. supports gay rights and opposes the Mormon Church's stance on same-sex marriage.

Update 9: here is a list of Mormons for Prop 8: <http://mormonsfor8.com/>

Update 10: List of additional Mormon-owned businesses. Peruse at your leisure. <http://www.exmormon.org/...> Of note: Polynesian Cultural Center in Honolulu is owned by the Mormon Church directly. Added to list.

Update 11: Added A-1 Self Storage and Hoehn Motors from <http://www.dailykos.com/...>

ORIGINALLY POSTED TO BUSTER CTIK ON FRI NOV 07, 2008 AT 03:01 PM PST.

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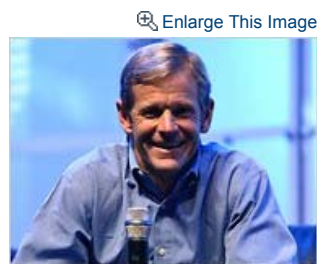


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For Some Sports Figures, Opinions Have a Price

By JULIET MACUR
Published: May 11, 2011

When Peter Vidmar, who won two gold medals in gymnastics in the 1984 Olympics, was chosen to be the United States' chef de mission for next year's London Games, the chairman of the [United States Olympic Committee](#) called him a natural leader and an extraordinary individual.



Peter Vidmar, in 2004. He lasted only eight days the United State's liaison to the I.O.C.

Yet Vidmar, who has been involved with the Olympic movement for more than 20 years, lasted in the role for only eight days. He resigned last Friday after several reports revealed that he had supported initiatives against same-sex marriage. He said he stepped down because he did not want any controversy over his opinions to overshadow the United States team.

For some, like the former Olympic softball player Jessica Mendoza, the resignation was warranted. Others, like the former Olympic swimmer John Naber, said Vidmar's personal views would not have affected Vidmar's treatment of athletes.

In the volunteer job of chef de mission, Vidmar would have been chief spokesman for the United States team, attending sponsor events, conducting news conferences and meeting foreign dignitaries.

He also would have acted as the liaison between Team USA and the International Olympic Committee and the London organizing committee.

"I think there are a number of issues that athletes or people in prominent sports roles just shouldn't take a position on because opinions on those issues are so split down the middle," said Jim Scherr, the former chief executive of the U.S.O.C. who now runs a sports marketing firm in Colorado. "You have to advise them that they should only take a position on certain things if they don't care about the economic consequences. For example, if I were them, I wouldn't touch the same-sex marriage issue. I wouldn't touch abortion."

Vidmar, 49, who declined to be interviewed, participated in a rally supporting Proposition 8, the California ballot measure that defined marriage as being between a

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He is a Mormon and said that he took that stance for religious reasons, but that his views would not influence his ability to serve as chef de mission. In earlier times, his opinions might not have made a difference because few would have known about them, Scherr said. But not now.

“With the proliferation of social media and blogs, opinions get out there so much earlier than they used to, so if people take a stand on an issue, it becomes known, lightning quick,” Scherr said. “So there’s a greater risk for athletes who take a stand on controversial issues.”

David Masci, a senior researcher at the Pew Forum on Religion & Public Life, said opinion on same-sex marriage divided the public but was also evolving. The most recent poll conducted by Pew showed that more people oppose same-sex marriage than support it, 48 to 42 percent. Over the years, that gap has narrowed. Masci pointed out that, in 1996, there was a 38-point gap between those against same-sex marriage and those for it, 65 to 27. The debate over the issue has arisen in the sports world twice in the last week. Rangers forward Sean Avery recently recorded a video in support of same-sex marriage. Within days of the video being made public last weekend, a hockey agent, Todd Reynolds, said on his company’s Twitter page that he was “very sad to read Sean Avery’s misguided support of same-gender ‘marriage.’”

“Legal or not, it will always be wrong,” Reynolds said.

Some commenters called for a boycott of Reynolds’s agency. Others took Reynolds’s side.

Mendoza, an Olympic champion in 2004 and a former president of the Women’s Sports Foundation, said taking a stand on same-sex marriage could elicit both passionate support and intense criticism.

“Peter Vidmar is such a good person, but he and some others think being against same-sex marriage is not discrimination,” Mendoza said. “My feeling is that it is discrimination, hands down. It would be like speaking out against certain races or bashing women or bashing Asian-Americans. But I know a lot of people would disagree.”

Mendoza said that the chef de mission should represent all American Olympians and that Vidmar’s views had surely alienated some gay and lesbian athletes. But when she posted a link on [her Facebook page](#) to [a column she wrote about the issue](#), several of her friends disagreed.

One said: “It is sad for the Olympic movement — and makes me sad too. Peter Vidmar should be leading. NOBODY holds the views of ALL the athletes, and marriage has NOTHING to do with competition.” Another said, “How unfortunate that a few are pushing their agenda on others through this and making it political.”

Naber, a swimmer who won four gold medals at the 1976 Olympics, [told The Chicago Tribune](#) that Vidmar would “never knowingly disrespect, offend or alienate anyone.”

Steve Penny, the president of USA Gymnastics, said Vidmar’s beliefs on same-sex marriage had never affected the way Vidmar served the organization. Vidmar has been chairman of the board since 2008.

“Peter has been an ideal chairman for USA Gymnastics and would have been an ideal chef de mission for the U.S. Olympic team,” Penny said. “It’s unfortunate that this issue clouded his selection because Peter is the most inclusive man I have ever met.”

Scott Blackmun, the chief executive of the U.S.O.C., said that Vidmar would have served



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the athletes well but that he respected Vidmar's decision to step down. Now, Vidmar's situation may be a lesson for others in the Olympic movement.

Donna de Varona, a two-time Olympic gold medalist in swimming, said future candidates for positions like chef de mission should realize that their pasts would be more scrutinized than ever. Candidates who express an opinion publicly about a hot-button issue are likely to pay the price for it, she said.

"I just think we live in a completely different era right now, and you have to be very careful about what you say if you have hopes of being a figurehead," de Varona said. "You can't be naïve."

A version of this article appeared in print on May 12, 2011, on page B18 of the New York edition with the headline: For Some Sports Figures, Opinions Have a Price.



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