

Lie costs Falwell \$5000

The Rev. Jerry Falwell must pay a former college classmate \$5,000 as a result of a promise he made last year, a Sacramento court has ruled.

On Sept. 25, Sacramento Municipal Court Judge Michael S. Ullman awarded the Rev. Jerry Sloan \$5,000 as a result of a lawsuit he filed against Falwell when Falwell refused to fulfill his portion of a contract he made with Sloan.

The basis of the lawsuit was a confrontation between Falwell and Sloan on a live Sacramento TV talk show on KCRA-TV.

On the July 13, 1984, show, Sloan asked Falwell about some remarks he made on his "Old Time Gospel Hour" broadcast concern-

ing the Metropolitan Community Church. In his broadcast, Falwell said the church was "A brute beast... A vile and Satanic system"... which would "one day be utterly annihilated and there would be a celebration in Heaven!" (The M.C.C. is a Christian church which ministers to the gay and lesbian community. Approximately 85 percent of its membership is gay.)

Falwell vigorously denied the statements on the KCRA program, saying it was "an absolute lie!"

Sloan countered by saying he possessed a tape of Falwell making the statements.

Falwell continued to deny the statements, saying that such a tape didn't exist. He then challenged Sloan to produce the tape, saying he would give Sloan \$5,000 to produce the tape.

Within a week, Sloan took two tapes to KCRA. One was a tape which Sloan made of

the "Old Time Gospel Hour" and the other tape was a tape produced by Falwell's own organization, which Sloan obtained by sending \$4 to Falwell's Lynchburg address.

Sloan then had his attorney, Rosemary Metrailler, write to Falwell asking for the money. Falwell refused to do so.

When Falwell came to Sacramento on Sept. 30, 1984, as part of a fundraising tour, Sloan filed his suit and met Falwell with a subpoena as the television evangelist's private jet plane landed at the Sacramento airport.

Judge Ullman heard the evidence of the case on Sept. 13, 1985 and handed down his decision on Sept. 24, awarding Sloan the \$5,000 plus court costs and 7 percent interest from July 18, 1984.

In his seven page opinion, Ullman stated, "The defendant (Falwell) offered \$5,000 to the plaintiff (Sloan) if he could produce a

tape; the plaintiff tendered the tape almost immediately, binding the plaintiff to his unilateral contract."

Sloan said, "I am elated at receiving a favorable judgement. This is the very first time Jerry Falwell has been held accountable in a court of law for what he has said. He tried to squirm out of being responsible for his vicious attack on the Metropolitan Community Church, but now a judge has said he did indeed make the statement and now he must pay for trying to deny it."

Sloan is a former pastor of several Metropolitan Community Churches and is now president of the Lambda Community Fund, a charitable organization which is in the process of opening a gay and lesbian community center in Sacramento.

Sloan and Falwell were schoolmates in the 1950s when they both attended Baptist College in Springfield, MO.

Doctors report vanishing AIDS symptoms

Doctors at Stanford University recorded the first known case of a person in whom blood tests revealed the presence of antibodies to the AIDS virus and later indicated that the antibodies disappeared.

According to the report in the October issue of the *Annals of Internal Medicine*, a 33-year-old woman apparently became infected with the virus after her husband, a hemophilia patient, contracted AIDS from blood-clotting products.

The husband and wife continued to have sexual relations after the husband's symptoms first appeared in 1983, according to the medical report. In January of last year, tests showed that the wife's blood contained antibodies to the AIDS virus. She also showed a slight decrease in the number of her immune system's disease-fighting cells.

The couple began using condoms a month after her positive blood test because semen and blood are the two body fluids known as the most probable vehicles for transmitting the AIDS virus.

In March of last year the husband developed a severe AIDS infection called *Pneumocystis carinii* pneumonia, and the couple stopped all sexual relations. He died in September of last year.

In April of last year, the woman's blood was tested again. It showed no further signs of antibodies to the AIDS virus. The cells of her immune system also had returned to normal.

Her case suggests that changes in the immune system due to infection with the AIDS virus may not always be irreversible and similar cases may well be documented in the future.

The federal Centers for Disease Control in Atlanta estimates that a million or more people in the United States may be infected with the AIDS virus, but only a fraction — estimates range as high as 20 percent — are eventually expected to come down with the disease.

AIDS civil rights project launched by NGRA

SAN FRANCISCO — National Gay Rights Advocates, the San Francisco-based public interest law firm, announced the formation of an AIDS Civil Rights Project. The Project, a first of its kind undertaking, will focus on the increasing problem of AIDS-related discrimination.

In addition to initiating precedent-setting legal cases, the AIDS Civil Rights Project will concentrate on public education and advocacy. As part of this effort, NGRA will publish educational materials outlining the major legal issues confronting people with AIDS. NGRA will also develop a computerized resource bank of legal information relating to the AIDS crisis. This information will be made available to attorneys around the nation. Finally, NGRA will work to educate the general public through media outreach and public

speaking events.

NGRA has hired Benjamin Schatz, J.D. as full-time Director of the Project. *A cum laude* graduate of Harvard Law School, Mr. Schatz has previously worked for such groups as National Gay Task Force and Gay Rights National Lobby. Mr. Schatz' salary for the first year is being paid through grants from the Harvard Fellowship in Public Interest Law and the Berkeley Law Foundation. Because these grants do not cover the costs of office overhead, taxes and legal expenses, NGRA seeks additional funding from individual donors.

"It is vitally important that NGRA is taking the initiative now," commented Mr. Schatz. "At present we have a unique opportunity to create positive legal precedents. It is crucial for gay men and women to realize that AIDS-related discrimination threatens not only those with AIDS, but indeed the entire gay and lesbian community," he added. "NGRA believes that the AIDS crisis is increasingly being used as a pretext for discriminating against all lesbians and gay men."

The AIDS Civil Rights Project will initially concentrate on cases involving discrimination in such areas as employment, housing, insurance, education, and provision of health care services.

Nevada sodomy law attacked

SAN FRANCISCO — National Gay Rights Advocates has filed a lawsuit challenging the validity of Nevada's sodomy statute. The suit, filed in late September, charges the state with

violating the constitutional rights of gay men and women. The plaintiffs in the suit have used aliases to protect themselves from any repercussions. In Nevada, sodomy is a felony punishable by up to six years in prison.

Leonard Graff, NGRA Legal Director said, "The thrust of this suit is that the state of Nevada has over stepped its authority by attempting to regulate purely private behavior between consenting adults." Graff added, "We feel the law is unconstitutional because it criminalizes sexual conduct for gay men and women when the same acts are legal for heterosexuals."

Jean O'Leary, NGRA Executive Director, said, "Challenging sodomy laws is an important part of NGRA's agenda. These laws are the bedrock of discrimination against lesbians and gay men. The law says, in effect, that we are criminals." O'Leary noted that sodomy laws are frequently used as a basis for denying jobs to gay people.

Brian McKay, the Nevada Attorney General, has filed a motion with the District Court in Carson City asking the judge to dismiss the suit. McKay contends that the plaintiffs don't have standing to bring the suit and that the court doesn't have jurisdiction to hear the case. NGRA will be filing a brief in opposition to dismissal on these procedural grounds on October 15, 1985. It is not known how long it will take for the court to make its decision.

Richard Brautigam and Lee A. Ryan are NGRA's volunteer lawyers in San Francisco. They are with one of the city's largest and most prestigious law firms, McCutchen, Doyle, Brown & Enersen. In Nevada, local counsel is Rodney E. Sumpter, an attorney in private practice in Reno.

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5319 S.W. Westgate Dr. # 162 • (503) 297-5651
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