

## DEMANDING EQUAL BENEFITS AND DIGNITY

With Lambda Legal's help, **Michael Ely** is fighting for the spousal survivor checks he's entitled to—and the full promise of marriage equality.

Ely poses with a picture of his late spouse, James "Spider" Taylor.



PHOTO: MARK NAVARRO

"I knew I'd met my soulmate." That's how Michael Ely, 66, describes that night in 1971 he met aviation mechanic and fellow rock musician James "Spider" Taylor in a gay bar in Long Beach, California. "It was something about his essence, his mystique," remembers Ely. Amid the fog, they kissed goodbye before Spider hitchhiked off down the Pacific Coast Highway. And thus began a four-decade-plus relationship that ended when

Spider died in May 2015 after a battle with cancer.

"We were probably the closest couple of all our straight and gay friends," says Michael. "We were in an all-gay band in L.A. called Red Wedding—and this was long before *Game of Thrones!*" They had a commitment ceremony and bought each other rings that read "Don't Forget"—short for "Don't Forget I Love You." For years, when they were in places where they could not say "I love you" aloud, they

would simply say to each other, "Don't Forget."

In 1994, after the grief of burying so many L.A. friends who had died of AIDS, the couple moved to Tucson for a fresh start. "We both loved the desert and those Arizona years were wonderful," says Michael. But in 2013, Spider was diagnosed with cancer. The couple desperately wanted to marry—but could not until a court decision made that possible in Arizona late the following year. They wed

## OUR PROGRESS

**Lambda Legal fights every day to secure full civil rights for all LGBTQ people and everyone living with HIV. A snapshot of recent work your support made possible...**

### TRANSGENDER MILITARY BAN

*In January, the Supreme Court sided with Lambda Legal when it denied the Department of Justice's petition to review the case before an appeals court had ruled on it. Unfortunately, the Court also let the government lift the preliminary judicial freeze on the ban itself. We're focused on moving the case towards trial, likely in April.*

### HIV+ MILITARY DISCRIMINATION

*We had a February victory when a judge made the Department of Defense stop discharge proceedings against two Air Force servicemembers with HIV. It's the latest success in a trio of our cases challenging this discriminatory and medically unfounded ban.*

### OUT AT WORK

*In December, we joined law firm Arnold & Porter's suit on behalf of a transgender teacher in Maryland who was harassed at work and forced to resign.*

### LOVE MAKES A FAMILY

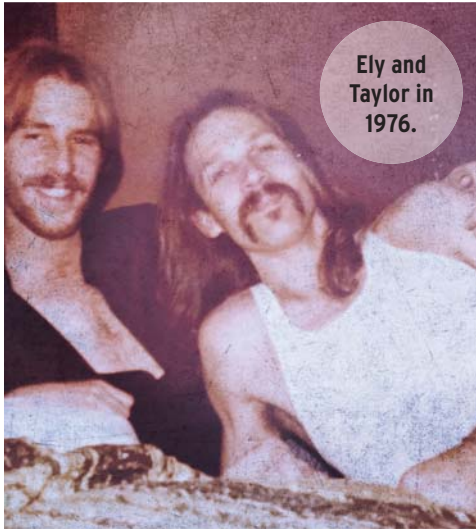
*We were in court in November on behalf of a Fort Worth same-sex couple denied the opportunity to foster a refugee child because they did not "mirror the Holy Family."*

### IDENTITY DOCUMENTS

*We're suing Ohio and Kansas, two of the three states that still refuse to let transgender people correct their birth certificates. We won't stop until everyone everywhere has the right to define who they are.*

### MARRIAGE EQUALITY

*Full equality requires that all rights and responsibilities of marriage be extended to all. The Hawaii Supreme Court agrees, and last fall sided with us in a case asserting that same-sex spouses have the same parenting and child-support obligations as opposite-sex spouses. ■*



Ely and Taylor in 1976.

They had a commitment ceremony and bought each other rings that read "Don't Forget"—short for "Don't Forget I Love You."

almost immediately, Spider frail but joyous as they stood before close friends in Tucson's beautiful, historic courthouse. Spider died six months later.

Now, with Lambda Legal's help, Michael is going before a federal court to fight a law that is discriminatory to gay couples who were denied the legal right of marriage for so many years: Federal law says that couples must be married at least nine months before one person can receive the other's Social Security benefits after death. But because they had to wait so long, Michael and Spider were married for only six months when

Spider died. Sure enough, Michael's application for benefits was denied. Now, he's leading a class-action lawsuit on behalf of others who face a similar problem.

"Spider was the primary earner and I was the domestic partner and the band manager," explains Michael. "He left me a pension of \$800 that I get for four years only. I need that social Security money. I'm worried about what's going to happen to me. It just seems so fundamentally unfair."

Peter Renn, Lambda Legal counsel on the case, agrees. "The government is robbing people of their money in retirement because they're gay," he says. "Social Security is meant to protect not only ourselves but the loved ones we leave behind. Michael and the other people in this class action have been denied that security. So when it comes to full marriage equality, we have unfinished business here." Michael's case is one of four that Lambda Legal has filed in the last half year as part of that effort to resolve that "unfinished business."

The case will likely be decided in the coming months. Michael is anxious about its outcome. Meanwhile, he keeps busy with a large circle of friends, daily workouts—and plenty of quality time with Frappy (short for Frappuccino), the terrier-mix rescue that he and Spider had adopted together. "For two weeks after Spider died, Frappy sat by the door waiting for him. I'm glad I had him around, because all those mornings when I didn't want to get out of bed, Frappy made me."

—Tim Murphy

# 10 Reasons to Support Lambda Legal

**1 LGBT people** and everyone living with HIV face an unprecedented threat to our civil rights under the current administration, often under the guise of promoting “religious liberty.” Lambda Legal’s team knows how to fend off these attacks and we have strategies to continue breaking new ground, because we’ve done it before.

**2 Speaking of new ground,** our team just won a huge victory and has halted a Trump-implemented policy to discharge servicemembers who are living with HIV. We expect the government to appeal and will need your support so we can keep fighting.

**3 On the military front,** Lambda Legal has been fighting Trump’s attempt to discharge brave transgender servicemembers since it was formalized as policy. Our case is making its way through the courts and we need continued support so we can keep fighting this all the way to victory.

**4 Support for Lambda Legal’s mission** is at our highest levels. Our community values and believes in our work. In 2018, we received an overwhelming response to a challenge grant issued by our Board of Directors—surpassing a goal of raising \$250,000 to continue the fight. Your continued giving adds to this momentum.

**5 Richard Burns,** our interim CEO, is a proven leader in the LGBTQ movement. In the last six

months, we’ve hired new attorneys, promoted skilled leaders from within and recruited top talent who join us with diverse backgrounds. The Lambda Legal team is strong, dynamic and runs on the financial support of donors like you.

**6 Many of our new attorneys** are in our new D.C. office—the first time we’ve had boots on the ground in the nation’s capital. This team strengthens our relationships with sibling organizations so that together, we can serve as a unified front against anti-LGBT policies and judicial nominees. We need your support so we can safeguard our victories and keep up the fight for fair courts.

**7 Lambda Legal’s collaboration** with sibling organizations helps lift up intersectional issues. Thanks to a grant from the Gilead Foundation, we’re partnering with the Black AIDS Institute on “Cut the Stigma,” a campaign to educate on issues of HIV. Supporting Lambda Legal allows us to collaborate on issues impacting a broad range of communities, especially those disproportionately affected by stigma and discrimination.

**8 LGBTQ young people** are among the most vulnerable, and especially those living in foster or juvenile justice systems. Lambda Legal’s Youth In-Out-of-Home Care program continually advocates for just policies, educates providers and works with legislators to ensure

that the safety and rights of youth are protected—wherever they live. This is where your donation goes.

**9 Lambda Legal’s workplace** employment cases have established new precedents, and a victory last year established that Title VII should be interpreted to prevent LGBT seniors from experiencing housing discrimination. Your donation supports Lambda Legal’s pursuit of real, lived equality in every aspect of our lives.

**10 Equality at work,** at home and for our families is critical. Lambda Legal’s decades of work won the freedom to marry and we’re committed to ensuring our marriages are respected to the fullest extent of the law. Our attorneys and policy experts work tirelessly to protect the marriage victory and defeat state bills that would harm our families. Lambda Legal needs your support as these bad bills continue to be proposed across the country.

## **WE’RE HERE TO STAY**

*For 46 years, Lambda Legal has fought against discrimination, stigma, and hostile governments. We’ve survived the darkest days of the HIV/AIDS crisis. We challenged Don’t Ask, Don’t Tell and took down sodomy laws nationwide. The legal teams on those cases and the leadership of the organization may have changed with time, but our commitment to fight for true, lived equality for LGBTQ people and those living with HIV has never wavered.*

# 2019 EVENTS / *Look for a Lambda Legal happening near you...*

## **Sunday, March 31 | Ft. Lauderdale, FL**

Our annual Lambda Legal in FTL event! An evening of cocktails and hors d'oeuvres at the historic Bonnet House Museum & Gardens.

**RSVP:** 312-663-4413

## **Thursday, April 4 | San Francisco, CA**

Lambda Legal and the San Francisco Leadership Council greet you at The Pearl for cocktails, hors d'oeuvres and a full dessert reception.

**RSVP:** 213-382-7600

## **Thursday, April 18 | Chicago, IL**

Robert Bonvouloir "Bon" Foster was a powerful force in Chicago against HIV/AIDS. This event honors him for bequeathing his estate to found Lambda Legal's Midwest Regional Office.

**RSVP:** 312-663-4413

## **Thursday, April 18 | Phoenix, AZ**

The lovely home of Jon and Carrie Hulburd will host

an evening dedicated to bringing our community closer to full equality than ever before.

**RSVP:** 212-809-8585, ext. 259

## **Thursday, May 9 | New York, NY**

Our biggest annual event, the Liberty Awards National Dinner! Lambda Legal staff, board, leadership council and supporters from nationwide gather to celebrate our victories, brace for the fights ahead and honor our heroes.

**RSVP:** 212-249-6188

## **Thursday, May 30 | Los Angeles, CA**

It's our West Coast Liberty Awards! Join us in the heart of Hollywood for an exquisite cocktail event with a red carpet, silent auction, and dessert reception.

**RSVP:** 213-382-7600

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*For more info and to RSVP online, you can also visit [lambdalegal.org/events](http://lambdalegal.org/events)*



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GUARDIAN  
SOCIETY

## **GIVING TO LAMBDA LEGAL GIVES LGBTQ KIDS A CHANCE AT THE HAPPINESS WE HAVE**

Help ensure that the rights we have won are enforced and defended for generations to come. When you establish a legacy with Lambda Legal through your will, retirement account, life insurance or trust, you help safeguard our community's future.

 **Lambda Legal**  
making the case for equality

**JOIN TODAY** [lambdalegal.org/donate](http://lambdalegal.org/donate) | 120 Wall Street, 19th Floor, NY, NY 10005 | 212.809.8585