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May 26, 2009

Station Managers
Broadcast and Cable Television Stations

Re: National Organization for Marriage

Dear Station Managers:

The undersigned serves as general counsel for the National Organization for Marriage, a Virginia non-stock corporation. This letter provides the basic substantiation for NOM's television advertisements entitled "Consequences," 60-sec and 30-sec ads. Additional information and documentation is available on request.

There are two statements of fact in both advertisements. First, the ad states: "Massachusetts schools teach second graders that boys can marry other boys." This statement is based on the case of *Parker v. Hurley*, 514 F.3d 87 (1st Cir. 2008). In this case, parents of young elementary school students objected to curriculum and class room discussion meant to inculcate in the children the idea that there are no differences between the marriages of men and women and those involving same-sex couples. The U.S. Court of Appeals for the First Circuit held that public schools "have an interest in promoting tolerance, including for the children (and parents) of gay marriages." *Id.* at 95. "Given that Massachusetts has recognized gay marriage under its state constitution, it is entirely rational for its schools to educate their students regarding that recognition." *Id.* See also, Jonathan Saltzman, "Same-Sex Teaching Upheld," *Boston Globe*, Feb. 24, 2007; Ian B. Murphy, "Public School Lawsuit Runs Out of Federal Appeals," *Daily News Tribune*, Oct. 7, 2008.

Second, the ad states: "In California, a public school took first graders to a same-sex wedding, calling it a 'teachable moment.'" Jill Tucker, "Class Surprises Teacher on Wedding

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Day," *San Francisco Chronicle*, Oct. 11, 2008, available at <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/10/11/MNFG13F1VG.DTL&type=printable> .

As you can see, the facts and legal authorities completely substantiate the facts stated in these ads.

Thank you for your attention. Please contact me directly if there are any questions at 812-232-2434 (8:30 a.m. to 5:30 p.m. EDT).

Sincerely,

BOPP, COLESON & BOSTROM

A handwritten signature in black ink, appearing to read "Barry A. Bostrom". The signature is written in a cursive, flowing style.

Barry A. Bostrom
Attorney at Law