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**LANDMARK SETTLEMENT: ADOPTION AGENCY ADMITS HIV DISCRIMINATION
New Jersey Adoption Agency That Refused to Provide Services to Couple with HIV+
Partner Issues Public Apology and Agrees to Implement
Anti-Discrimination Policies and Procedures**

Essex County, New Jersey, June 30, 2005 -- In the first known case in the country challenging a private adoption agency's refusal to provide services to a couple because one of them is HIV-positive, a New York couple has settled a lawsuit charging Children of the World, an adoption agency licensed in New Jersey and New York, with violating federal and state laws prohibiting discrimination against people with disabilities, including HIV/AIDS. The settlement requires Children of the World to publish a public apology in the Essex County Star Ledger, implement anti-discrimination policies and training, and compensate the couple for damages.

The couple – using the pseudonyms John and James Doe in court to protect their privacy – are an HIV-positive man and his long-time partner who sought Children of the World's help in adopting a second child. “We love being parents and we can't even imagine life without children. We just don't want anyone else to have to go through what we experienced – the rejection and humiliation of being told we would not even be considered for adoption, even though we've given our first child such a loving and stable home,” said John Doe, who was HIV positive when the Does adopted their first child and remains in good health.

The lawsuit, charging the adoption agency with violating the Americans with Disabilities Act and the New Jersey Law Against Discrimination, was initially filed by the Legal Action Center, a not-for-profit organization in New York and one of the nation's leading experts in the law of HIV discrimination and confidentiality. While the lawsuit was pending in Essex County Superior Court, the Legal Action Center, assisted by the American Bar Association's Litigation Assistance Partnership Project, combined forces with Lowenstein Sandler PC, a leading national law firm that prides itself on its commitment to *pro bono* work.

"For many thousands of Americans, HIV has become a part of life, a chronic manageable illness, like many others, that people learn to live with while they go about the rest of their lives – growing up, working, parenting – just as others do," said Erika L. Wood, the Legal Action Center attorney representing the Does. Ms. Wood added: "More and more HIV-positive individuals are receiving early, effective treatment that allows them to live long and productive lives. Their adoption applications should be evaluated individually to see if they are fit to parent, and not rejected outright based on outdated misconceptions about HIV disease. This case could have an enormous impact on a broad cross-section of people living with HIV. Adoption may be the only safe way for many couples with an HIV-positive partner to have children."

Jenny Kramer, an attorney with Lowenstein Sandler, stated: "The long-term emotional and societal impact of discrimination can be devastating. John and James Doe have been vindicated, and we are optimistic that the result of this lawsuit will not only resonate deeply within the adoption-agency community, but also effectuate a sea change regarding the equal treatment of those who are HIV positive." As Ms. Kramer explained: "The message here is clear; discrimination will not be tolerated."

About Legal Action Center

The Legal Action Center, a nonprofit law firm, is one of the nation's leading experts in the law of HIV discrimination and confidentiality. In carrying out its mission to fight discrimination against and protect the privacy of individuals and families with HIV/AIDS and other disabilities, the Center has successfully represented many people in overcoming illegal and irrational HIV-based discrimination in employment, access to health care and other vital services. Lowenstein Sandler PC is a full-service law firm of approximately 250 attorneys with offices in New Jersey and New York.

About Lowenstein Sandler PC

Lowenstein Sandler PC is a nationally recognized, *AmLaw* 200 law firm with offices in New Jersey and New York. The firm represents a wide range of clients including public and private companies, financial

institutions, investors, entrepreneurs, governmental agencies and universities. Lowenstein Sandler was named "New Jersey's premier law firm" by *Chambers USA Guide to America's Leading Lawyers for Business* which ranked the Corporate and Litigation departments first in the state. In addition, the firm's lobbying and governmental relations subsidiary, Issues Management LLC, is the top ranked lawyer-lobbying firm in New Jersey.

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