Our silver anniversary: 25 years on the front lines

In 1988, new challenges gave rise to our mission. With much attained, we look back — and ahead.

On a breezy October day in 1988, a lawyer from a new Philadelphia law firm walked into the U.S. District Courthouse and filed suit against an area hospital, alleging that it had violated a patient’s rights by requiring her to undergo an AIDS test and then denying her services after she tested positive for HIV.

About the same time, the law firm filed suits against an office-machines company and a private two-year school that had discriminated against people with HIV, and filed complaints with the state Dentistry Board asking that several Philadelphia-area dentists be disciplined for refusing to treat patients who had tested positive for the virus.

At the time, such legal actions were virtually unheard of. This was before the Americans with Disabilities Act and before the movie Philadelphia.

The freshly minted law firm was the AIDS Law Project of Pennsylvania, founded to provide help to people with HIV and AIDS. The disease was new and not understood, those with the virus found themselves targets of discrimination, and a body of law had not yet developed to protect their rights and interests.

With that surge of October filings, the AIDS Law Project blew life into what would become its own steady breeze of activism and advocacy, setting the stage for its role as the nation’s only independent, nonprofit public-interest law center devoted to the legal needs of people with HIV and AIDS – at no charge. It also has lent its voice at hearings and debates with those in government who shape HIV/AIDS policy.

Today and all year long, we at the AIDS Law Project are proudly observing the anniversary of that long-ago October and 25 years of work at the local, state and federal levels. We’re also marking our important work at the personal level.

“T am incredibly proud of the work we have done over the last 25 years,” said Executive Director Ronda Goldfein, Esq. “Our small yet dedicated staff works tirelessly to make a difference not only in the lives our clients, but also to send a broader message to address the HIV stigma and discrimination.”

Even as the work goes on, the AIDS Law Project is planning several events to mark this milestone, including a gala fundraiser in the fall, our annual summer movie party and, in mid-September, a trip to the Miss America Headlines over the years. Inset: Our staff gathers for a holiday photo in 2010. (Photo by Kass Mencher)
MESSAGE FROM THE EXECUTIVE DIRECTOR

Dear Friends:

In 1988, when the AIDS Law Project of Pennsylvania was created to provide free legal services to people affected by a new and terrifying epidemic, the future looked grim, the answers few and the horizon near. No one would have predicted that our tiny nonprofit firm would still be around 25 years later.

Yet here we are in 2013, and people with HIV and AIDS are living productive lives instead of enduring rapid and painful deaths.

That is the good news.

It’s also sadly true that we’re still around because we’re fighting some of the same battles we fought 25 years ago against stigma, discrimination and ignorance. Last year we provided legal assistance on more than 2,500 cases throughout Pennsylvania, including our internationally celebrated victory for a boy refused admission to the Milton Hershey School because he has HIV.

But our commitment alone would not have been enough to sustain us through 25 years. We’ve been blessed with friends and supporters who understand the value of our work and always have our back without regard for remuneration. Among them:

- Superlawyers Tom Kline and Shanin Specter of Kline & Specter and our longtime board members Frank McClellan and Avi Eden are all attorneys who understand the challenges of representing vulnerable clients.
- Susan Sherman of the Independence Foundation and Bia Vieira of the Philadelphia Foundation offer to help before we even ask.
- Philadelphia FIGHT, the AIDS Fund, ActionAIDS and Community Legal Services are generous and supportive colleagues.
- David W. Webber and Nan Feyler, our previous executive directors, positioned us well for the years to come.
- Robert Levesque of Q Data Co., Dennis Langan of CRW Graphics, Jeanne FitzPatrick of FitzPatrick Design, and Philadelphia journalist Don Groff helped us — often on short notice — to meet every deadline.
- Jack Cohn, now with Gordon & Rees, has been our tenacious lawyer when defendants threatened us instead of addressing the merits of a claim.
- Jaci Adams has been our Captivating Queen, and Kim Silverman our queen of catering for all events, big and small. Author/musician James McBride and Secret Cinema’s Jay Schwartz have been our kings of entertainment.
- Digitas Health and Knoll Studio have been gracious party hosts. Moore Brothers Wine Company and Flying Fish Brewing Company have generously added to the gala gaiety.
- Our landlord Sam Horowitz, along with building engineers Roger Harris and Richard Henry, have made us always feel safe and secure.
- The Earle Mack School of Law at Drexel University helped us train smart young lawyers who are concerned about HIV and AIDS.

We hope we won’t still be around in 25 years, but the AIDS Law Project of Pennsylvania remains committed to providing services as long as we are needed. On our silver anniversary, we also remember our extended family of staff, alumni, volunteers, interns and board members. If you’re part of the family and haven’t been in touch lately, reach out to us on Facebook (https://www.facebook.com/AIDSLawPA) or Twitter (@AIDSLawPa).

And finally, no commemoration is complete without acknowledging the 38,000 Pennsylvanians with HIV and AIDS whom we have represented over the last 25 years.

Their strength and courage have inspired us all.

Thanks,

Good Counsel is published semiannually by the AIDS Law Project of Pennsylvania for our friends, volunteers and colleagues committed to protecting the rights of people with HIV/AIDS. Last year, we worked on more than 2,500 legal matters, nearly all from people with HIV/AIDS. We help people navigate the legal system, the welfare system, the housing system and the worlds of public and private insurance. We provide education and training to thousands of professionals who work with people with HIV/AIDS.

Remember us at workplace giving time.
When you donor-designate in your workplace giving campaign, remember your neighbors served by the AIDS Law Project of Pennsylvania.

United Way of SE PA Specific Care Option #09067 Combined Federal Campaign Donor Option #36027
Pageant, which is returning to its home in Atlantic City. Watch for details on these events in your email and at our website, www.aidslawpa.org.

As we look ahead, we’d like to also take a look at what got us to where we are. Here’s a glance back at 25 highlights of successful actions that the AIDS Law Project has taken on behalf of clients over the past quarter-century. We hope you’ll appreciate them with us and continue to support the important history that has been laid by these cases.

1. 1988 AIDS Law Project brings suits against Pennsylvania physicians for secret HIV testing.

2. 1989 AIDS Law Project files suit against a funeral home that allowed a family to mourn over an empty coffin rather than put their relative, who died of AIDS, inside.

3. 1990 AIDS Law Project files suit against a dentist who refused to treat patients with HIV and AIDS.


5. 1994 AIDS Law Project’s lawsuit on behalf of an HIV-positive man denied emergency medical services resulted in the first formal Justice Department settlement of an AIDS-discrimination case under the Americans with Disabilities Act. The city of Philadelphia agrees to a training program which reinforces the obligation of emergency medical workers to treat patients with HIV and AIDS.


7. 1995 AIDS Law Project case of Doe vs. Rite Aid/SEPTA argued for the confidentiality of employee health and prescription records. As a result of the case, the 3rd Circuit Court of Appeals affirmed the constitutional right to privacy in one’s prescription records and Rite Aid agreed not to give employers in Pennsylvania information on AIDS-related prescriptions.

8. 1999 The Pennsylvania Legislature adopts the Standby Guardianship Law, proposed and drafted by the AIDS Law Project’s Parents with HIV/AIDS Project.

9. 1999 The AIDS Law Project negotiates a financial settlement for a Delaware County man who was fired from his job, after his partner was diagnosed with AIDS.

10. 2001 An AIDS Law Project client, a North Philadelphia man with AIDS who was refused access to a bus because the driver didn’t believe he was disabled, is financially compensated and the bus company adopts an anti-discrimination policy.


12. 2002 The AIDS Law Project sues a bus company whose driver attempted to deny service to a group of HIV activists traveling to a rally in Harrisburg.

13. 2003 The AIDS Law Project wins a financial settlement from a dentist who refused to treat a man with AIDS.

14. 2004 The AIDS Law Project wins a liver transplant for an Altoona man for whom Medicaid denied coverage. HIV is removed from the state’s list of “life-limiting conditions” as a result. In 2010, the AIDS Law Project wins another liver-transplant case for a client with HIV, this time for a client on Medicare.

15. 2006 The case of M. Smith v. Life Partners draws international media attention to the work of the AIDS Law Project. The company had threatened to stop paying the

Saluting the AIDS Law Project’s early leaders

No silver observance would be complete without saluting those who put the AIDS Law Project of Pennsylvania on the path to where it is now, with more than thirty-eight thousand clients helped over two and a half decades.

Our early momentum came from founder David W. Webber, Esq., who served as executive director for four years from 1988 until 1992, and Nan Feyler, Esq., who was executive director from 1992 to 2000. Feyler was succeeded by current executive director Ronda B. Goldein, Esq.

Just out of law school, David had been legal director of the Philadelphia AIDS Task Force for four years when he decided that the discriminatory patterns he’d seen emerging as HIV spread required a concerted legal response. Existing laws offered no protections against such discrimination and, at a time when the disease was a virtual death sentence, patients needed wills and durable powers of attorney to put their affairs in order.

In 1988, few legal precedents existed for those who wanted to fight being fired from a job because they had HIV/AIDS. They needed an advocate willing to explore new legal territory.

As David told the Philadelphia Inquirer at the time: “We’re sort of on the ground floor in terms of precedent.”

Today, Webber is senior development specialist with Action-AIDS, a Philadelphia-based HIV/AIDS nonprofit service organization.

Nan, who was a lawyer at the AIDS Law Project before becoming executive director, had the task of taking the effort to the next level. Under her guidance, the AIDS Law Project became more self-sufficient and evolved further as a force representing those with HIV/AIDS.

Reflecting on progress in the AIDS fight, Nan says that “the most wonderful changes related to the improvement in medical treatment of HIV. In the early days we often raced against time to help clients before they became too ill or passed away — something some of our adversaries used in their favor by delaying the resolution of a case.

“Gradually as medical options improved, we were able to fight to help people access medical care, disability benefits, health insurance, EMT treatment, nursing home care, prison health care or get their job back and return to work as their health improved.

“It was incredibly rewarding work and taught me so much not only about law and medicine, but about myself. I am so proud that the AIDS Law Project continues to ‘fight fearlessly.’ ”

Today, Nan is chief of staff to the commissioner of the Philadelphia Department of Public Health.
Parties with a purpose

Keep watching for details of these 3 great events

Just around the bend, the Summer Movie Party

The lazy, hazy, crazy days of summer will soon be upon us, and one of the city’s warm-weather traditions will be back as well — the annual Summer Movie Party that benefits the AIDS Law Project.

This will be the 14th year for the movie party and anyone who’s been there can attest to the fine spread of finger foods, cooling libations and stimulating repartee as scores of AIDS Law Project supporters revel in the festive atmosphere.

At this point, the location, date and movie selection have yet to be determined, but we hope you’ll begin getting mentally prepared to save the date as soon as it becomes available.

Traditionally the featured movie has been selected from the archives of Jay Schwartz, proprietor of The Secret Cinema, a Philadelphia treasure that screens distinctive 16mm films — never video — at often-surprising venues around the city. Thanks to Jay for his longstanding support.

Doors will open at 6 p.m. and the movie will begin at 7:30. Admission is a minimum tax-deductible donation of $20 in advance and $25 at the door.

For details and tickets, call the AIDS Law Project at 215-587-9377 or visit www.aidslawpa.org.

There she is, Miss America

In case you hadn’t heard, dahling, the Miss America Contest is returning this year to its rightful home – Atlantic City – after an eight-year detour to Las Vegas.

How could we resist? We expect to be there when the new winner is crowned on Sept. 15 and we hope you’ll join us for the frivolity.

The AIDS Law Project is planning a group tour that will take at least one coachload of friends and supporters to the seaside city in time for dining and boardwalk strolling of our own before witnessing the main competition inside Boardwalk Hall. The Sunday finals are scheduled to run from 9 to 11 p.m., after which we’ll hop aboard the bus back to Philadelphia.

We’ll keep you posted about this fundraiser as details develop. Keep an eye on the “Events” section of our website at www.aidslawpa.org or call 215-587-9377 for the latest.

If you’ve never heard those iconic lyrics in person — “There she is, Miss America” — this is your chance!

Get ready for the 25th anniversary gala

Coming this autumn – the gala that’s been 25 years in the making.

Yes, we’ll hoist a glass to the many accomplishments and challenges overcome since the founding of the AIDS Law Project of Pennsylvania in 1988. Expect an evening of camaraderie, delectable dining and a program guaranteed to warm the heart as we traverse memory lane and dedicate ourselves to a robust future serving the HIV/AIDS community.

Plans for this memorable fundraising evening are being laid with an eye to a comfortable setting perfect for celebrating the camaraderie that comes from traveling the long road together. Once our party plans are firmed up, we’ll provide the when and where via our website and through the mail. We expect the gala to be held in October or November.

Call 215-587-9377 for information on sponsorship opportunities for this once-in-a-quarter-century event. As details unfold, we’ll be posting them at www.aidslawpa.org. See you there!

TAKE A SEMINAR, TAKE CONTROL

Life can be a little easier with the right information at your fingertips. Our AIDS and the Law experts give you the lowdown on how to leave your job, go back to work or handle your landlord. These free seminars are held at our offices at 1211 Chestnut St., Suite 600, just a short walk from the Broad Street and Market/Frankford SEPTA lines, Market East trains and many bus lines.

BACK TO WORK

Your medications are working and you’re ready to get a job. This seminar covers the rules of returning to work so you won’t lose the benefits that got you healthier in the first place. You’ll also learn how to improve your credit rating with your new income.

Second Tuesday of the month, noon-2 p.m. May 14 June 11 July 9 Aug. 13 Sept. 10 Oct. 8 Nov. 12

LEAVING YOUR JOB

Making a smooth transition from the working world onto disability benefits takes planning. This seminar lays out a step-by-step timeline so you know what to expect when it’s time to make the move. You’ll also learn how to avoid some of the common debt pitfalls leaving a job can entail and how to handle the debt you may take with you into retirement.

Second Wednesday of the month, noon-2 p.m. May 8 June 12 July 10 Aug. 14 Sept. 11 Oct. 9 Nov. 13

HOUSING: TENANTS’ RIGHTS AND RESPONSIBILITIES

Before you sign a lease or offer a security deposit, learn what to expect of your landlord and what your landlord can legally expect of you. This program covers protecting and retrieving your deposits, record keeping, qualifying for subsidies, dealing with utilities, and all aspects of the landlord/tenant court process.

Second Thursday of the month, noon-2 p.m. May 9 June 13 July 11 Aug. 8 Sept. 12 Oct. 10 Nov. 14
Legal Services in 2012
We helped 1,512 people with 2,508 legal issues. Many clients seek assistance with multiple issues. Most requests for help came from people with HIV/AIDS, although we also took calls from case managers, other AIDS-service professionals, lawyers, students and others.
All we want for our anniversary is ...

We at the AIDS Law Project are proud to be marking the 25th anniversary of our founding, and who could blame us for assembling an anniversary wish list? As a nonprofit organization, we rely on the generosity of many – in many forms. Here is a list of supplies, services and other needs that are essential to keeping the AIDS Law Project up and running. By donating toward the purchase of these items, you can help us continue to carry out the AIDS Law Project’s important work.

Donations of any size are valuable to us, and we welcome any dollar amount toward an item on our list. For instance, if a donor wants to cover one hour of a landlord-tenant hearing instead of a whole hearing, that smaller amount can be entered via PayPal or other method of contribution.

Information on the many ways we can accept donations – by check, credit card, online, or through the United Way or a federal giving campaign – can be viewed at this page on our website: http://www.aidslawpa.org/donate

Here’s a starter list of what we have in mind, followed by a handful of other possibilities. Watch the website and our Facebook page at https://www.facebook.com/AIDSLawPA for more.

25 Landlord-Tenant Court hearings: Our intrepid housing attorney, Jenna Collins, spends a lot of time fighting to keep a roof over her clients’ heads. For any given hearing, she may have to review a pile of paperwork, interview the client and others, then get peppered with questions by a judge. To keep a client in his or her home is truly priceless, but realistically, we have to pay the bill.

Each hearing, in terms of the cost of her time (billable rate is $175/hr), from initial client interview through prep time to actual hearing (average 4 hours) = $700.

25 months of rent: “Nothing can be said to be certain, except death and taxes.” To that, we would add: paying the rent. Helping us with this overhead expense means more money to spend on legal services for our clients and it keeps the landlord happy.

One month of rent, including utilities, at our Center City Philadelphia office building = $6,750.

25 cases of copy paper: Because we’re lawyers, and – despite computers – lawyers have to make a lot of photocopies. If you already have spare copy paper, feel free to donate it.

One case of copy paper = $41.99.

25 months of IT support: It takes a guru to keep the AIDS Law Project’s aging computer infrastructure in good working order. Between creating user accounts and directory structures, organizing data dumps, and other information-technology things we still don’t understand, the need is ever-present. Thankfully, David Talento, IT consultant-extraordinaire, is up to the challenge.

Ongoing IT support per month = $500.

25 editions of our newsletter, Good Counsel: The twice-yearly newsletter is our way of communicating our successes and good work to our supporters and friends. Our staff is assisted by the good folks at CRW Graphics (the printers). Your gift would help keep the presses rolling. (Coincidentally, this present would ensure that we keep communicating well into 2025. That’s a lot of news.)

Each edition of Good Counsel, including writing, editing, design and printing = $5,000

Other office-related expenses that we could use help with:

- 25 hours of graphic design
- 25 back-up drives
- 25 terabytes of memory
- 25 months of administrative support
- 25 months of electricity for the office (i.e., monthly bills paid)
- 25 press releases
- 25 articles for the web page
- 25 hours of fundraising work/
- grant writing
- 25 monthly “E-newsletters”

As anyone who runs an organization or office knows, there’s always something coming down the road that demands your attention – and resources. If you have a specialty or product that you think could help our endeavor, please get in touch. We’ll thank you 25 times over!
client’s health insurance premiums, because she lived longer than the insurer expected. The case is settled in 2009 for $250,000, allowing M. Smith to purchase her own health insurance.

**16. 2006** AIDS Law Project persuades Pennsylvania’s Bureau of Professional and Occupational Affairs not to enforce regulations that conflict with the Americans with Disabilities Act preventing people with HIV/AIDS from working in a number of fields, including barbering and cosmetology.

**17. 2006** The AIDS Law Project settles a second Americans with Disabilities Act suit against the City of Philadelphia Emergency Medical Technicians, in which the City agrees to pay significant damages to the client, adhere to a nondiscrimination policy and train all personnel on infection control and HIV/AIDS transmission.

**18. 2008** The AIDS Law Project negotiates a settlement in the unlawful firing of a food-service worker who has HIV, decisively calling attention to the reality that the federal list of diseases that can be transmitted by food handlers does not and never has included HIV.

**19. 2009** AIDS Law Project works with the city to develop a protocol that allowed clients to take advantage of an almost completely untested Philadelphia ordinance that exempted domestic partners from having to pay city tax on property transfers.

**20. 2010** AIDS Law Project wins more than $60,000 for a client wrongfully kicked out of a personal-care home because she had HIV.

**21. 2010** AIDS Law Project’s lawsuit on behalf of a surviving partner results in a financial services company paying the retirement money of a deceased doctor to his longtime partner, as he had intended, instead of his ex-wife, from whom he had been divorced for 25 years.

**22. 2011** AIDS Law Project persuades the state of Pennsylvania to clarify regulations confirming protections for HIV-positive workers and job applicants subject to occupational and professional licensing boards.

**23. 2011** AIDS Law Project wins a settlement for an HIV-positive single mother of four fired from her job at a snack-food manufacturer because her supervisors erroneously believed she was forbidden from working around food if she had HIV.

**24. 2012** The AIDS Law Project negotiates a financial settlement with a national health-care staffing firm that took back a job offer from an HIV-positive nursing assistant after learning he had HIV. The firm also agrees to change its hiring policies.

**25. 2012** A 14-year-old and his mother, both our clients, receive $700,000 from the Milton Hershey School in a federal AIDS-discrimination lawsuit settlement after the school refused to admit him solely because he had HIV.

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**Changes...**

**Tip o’ the hat to our volunteers**

Three volunteers have been helping out at the AIDS Law Project in recent months: **Brigid Ferris, Blair Dickerson** and **Michael Gluk**.

Brigid, a social-work intern wrapping up her junior year at West Chester University, is serving as secondary intake person two days a week. She was moved to get involved in the HIV/AIDS community after her policy class heard from the Gay and Lesbian Latino AIDS Education Initiative. Brigid plans a career in social work.

Blair, an adjunct graduate-level instructor at Wilmington University who is serving as an intake worker one day a week, is a graduate of Dartmouth College and the University of Minnesota Law School. He began his volunteer service after learning about our role in the Milton Hershey School case, in which the school refused to admit an HIV-positive honors student.

Michael graduated from Swarthmore College about a year ago and has been a volunteer since February, also working with intake duties. He’s interested in working in public-advocacy law. He also works in the education and public programs department at the Museum of the American Philosophical Society.

Many thanks to our volunteers for their welcome contributions to the AIDS Law Project.

**Congratulations**

Part-time development associate **Jim Rosica**, Esq., who served as media specialist and event planner, has flown South — to a new job as state capital reporter in Tallahassee, Fla., for the Tampa Tribune. Just before leaving he had another big development — he got married to **Erin Buckner**. Congratulations and best wishes to both!

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**Kent Lollis**, husband of managing attorney **Yolanda French Lollis**, Esq., has been honored with the 2013 Alexander Award Lifetime Achievement Award by the American Bar Association’s Council for Racial and Ethnic Diversity in the Educational Pipeline. The council cited his outstanding accomplishments, leadership, and significant contributions to diversifying the educational pipeline to the legal profession. Kent also was the recipient of a new award from the Association of American Law Schools, Academic Support Section, for his promotion of academic support in law schools and in prelaw programs, with the goal of diversifying the profession.

**In memoriam**

We mourn the loss of **Edward A. Schwartz**, friend of the AIDS Law Project, community activist, former city councilman, city official and husband of **Jane Shull**, executive director of Philadelphia FIGHT. Ed, who was 69 when he died of a possible heart attack on Nov. 29, 2012, was praised by former Gov. and Mayor Ed Rendell as a relentless crusader. We miss him.

**Transition**

The AIDS Law Project’s finances are now in the capable hands of **Scriabin Rimerman** and **Carol Scarazzini**. We bid farewell to finance director **Tiffany Hair** and administrative assistant **Jacqueline Hair**.
THANKS TO OUR FUNDERS AND DONORS

Gifts received October 1, 2012, through March 31, 2013

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