

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF CONNECTICUT

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JOANNE PEDERSEN & ANN MEITZEN, )  
GERALD V. PASSARO II, )  
LYNDA DEFORGE & RAQUEL ARDIN, )  
JANET GELLER & JOANNE MARQUIS, )  
SUZANNE & GERALDINE ARTIS, )  
BRADLEY KLEINERMAN & JAMES GEHRE, and )  
DAMON SAVOY & JOHN WEISS, )

Plaintiffs, )

v. )

OFFICE OF PERSONNEL MANAGEMENT, )  
TIMOTHY F. GEITHNER, in his official capacity )  
as the Secretary of the Treasury, and )  
HILDA L. SOLIS, in her official capacity as the )  
Secretary of Labor, )  
MICHAEL J. ASTRUE, in his official capacity )  
as the Commissioner of the Social Security )  
Administration, )  
UNITED STATES POSTAL SERVICE, )  
JOHN E. POTTER, in his official capacity as )  
The Postmaster General of the United States of )  
America, )  
DOUGLAS H. SHULMAN, in his official )  
capacity as the Commissioner of Internal )  
Revenue, )  
ERIC H. HOLDER, JR., in his official capacity )  
as the United States Attorney General, )  
JOHN WALSH, in his official capacity as Acting )  
Comptroller of the Currency, and )  
THE UNITED STATES OF AMERICA, )

Defendants. )

CIVIL ACTION  
No. 3:10-cv-1750 (VLB)

SUPPLEMENTAL EXPERT AFFIDAVIT OF LETITIA ANNE PEPLAU, PH.D.

I, Letitia Anne Peplau, Ph.D., hereby depose and say as follows:

1. I have actual knowledge of the matters stated in this affidavit and could and would testify as to such matters if called as a witness.

2. I have already provided an expert affidavit dated May 19, 2011 (my “Original Affidavit”) in this litigation. A complete explanation of my professional background, experience, publications, and compensation appears in my Original Affidavit.

3. I have been asked to respond to the discussion on pp. 22-24 of the Memorandum of Law in Opposition to Plaintiffs’ Motion for Summary Judgment, filed on August 15, 2011, by Defendant-Intervenor the Bipartisan Legal Advisory Group of the U.S. House of Representatives, and specifically to address three articles cited therein: (a) Lisa M. Diamond, *New Paradigms for Research on Heterosexual and Sexual Minority Development*, 32 J. Clinical Child & Adolescent Psychol. 492 (2003); (b) Lisa M. Diamond & Ritch C. Savin-Williams, *Explaining Diversity in the Development of Same-Sex Sexuality Among Young Women*, 56 J. Soc. Issues 297 (200); and (c) Nigel Dickson et al., *Same-Sex Attraction in a Birth Cohort: Prevalence and Persistence in Early Adulthood*, 56 Soc. Sci. & Med. 1607 (2003) (together, the “Articles”).

4. In preparing this affidavit I reviewed the cited portion of the above referenced Memorandum of Law as well as the Articles. I am also generally familiar with the scholarship of Lisa M. Diamond, the author of two of the Articles.

5. None of the Articles changes, in any way, any of the expert opinions I expressed in my Original Affidavit, including my expert opinions that “[s]exual orientation refers to an enduring pattern of emotional, romantic, and/or sexual

attractions to men, women, or both sexes”; that sexual orientation is a “multi-faceted phenomenon involving attractions, related behaviors, and identity”; that “[m]ost adults are attracted to and form relationships with members of only one sex”; and that “the significant majority of adults exhibit a consistent and enduring sexual orientation” (Original Affidavit ¶¶ 10, 17, 23).

6. Indeed, the Dickson, et al. article provides further evidence in support of these opinions. Among the participants in the Dickson study, the overwhelming majority of individuals who reported only opposite sex attraction at age 21 also reported only opposite sex attraction at age 26. Similarly, the vast majority of those who reported major attraction to the same sex at age 21 reported this at age 26 as well. The data show that only ½ of 1% of the male participants and 1.3% of the female participants shifted from only opposite sex attraction to major attraction to the same sex or vice versa. The people who did shift in their reported attractions were virtually all individuals who shifted in or out of reporting that they were “more often attracted to the opposite sex” but “at least once” to their own sex. Dickson, et al., at p. 1609 (explaining which responses were classified as “occasional same-sex attraction”).

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 9th day of September, 2011.



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Letitia Anne Peplau, Ph.D.

**CERTIFICATE OF SERVICE**

**I hereby certify that on September 14, 2011, a copy of the foregoing Supplemental Expert Affidavit of Letitia Anne Peplau, Ph.D was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.**

**/s/ Gary D. Buseck**  
**Gary D. Buseck**