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Statement of David Engel

40 years ago, in 1983, and just when my Broadway career was taking off, I met and fell in love with Eric Underwood. Four years later, in 1987, we made plans to attend my 10-year anniversary reunion from University High School in Irvine, California. I was excited and proud to introduce Eric to all my old high school friends. The evening started out amazing for us as we bonded with old friends.

We stood in a line for guests to have their portrait taken with their husbands, or wives, or dates to be included for publication in a memory book that Worthington Reunion Photographers was hired to publish. We had all prepaid to receive a copy. When Eric and I arrived to the front of the line, the employee told us point blank that although we would be photographed, "It won't appear in the portrait section". We were told that "It's the publisher's policy," and nothing we said made a difference.

We were both stunned and blindsided. We did the photo together and returned to our table deeply upset and humiliated. In my life I had never experienced such blatant discrimination. When our friends found out they tried to intervene. Again, nothing helped. All we got was Worthington's business card.

The next day I called Mr. Worthington to say that I wanted to have the photograph of Eric and me together published in the portrait section. He told me that his publication was not a forum for the homosexual agenda, and said, "So sue me," and hung up. I felt hatred from that man. My feeling of helplessness reduced me to tears.

One of my classmates mentioned attorney Gloria Allred, whose civil rights advocacy, particularly for the LGBTQ community, was already familiar to me.

Gloria took my call, took a meeting with me, and took up my case. Although filled with fear, particularly for my career, it was incredible to know that I had someone on my side. When she took the case, it made me feel renewed and empowered.

The case was a battle. Worthington defended his discrimination on religious and free speech grounds. It became a very difficult public case with many defeats and appeals. Over the long haul, we became the targets of so much hate because we stood up.

Gloria and her team would not give up and continued the fight with me by their side the whole time. After many rough years we finally emerged victorious in the California Court of Appeals. We also received a very humble and contrite apology from Dan Worthington himself.

The lawsuit took its toll but I am so glad we fought the fight so that so many others didn't have to go through the devastating discrimination that we went through. And I am so grateful to Gloria and her whole team for all they did for me and so many others, and all they continue to do in the fight against discrimination.

Friday's Supreme Court decision was shocking and devastating. I immediately knew that all the work and progress we had accomplished all those years ago was suddenly undone.

The news is massively disheartening. I feel that we live in frightening times and cannot look to the courts for protection.

I fought a decade long legal battle for my right to be included with my life partner in my high school reunion memory book. I won that right for myself and my partner. Now nearly 30 years later same sex couples in many states will be left unprotected from discrimination. This decision is completely heartbreaking.

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