

INSTINCT'S
2010 LEADING MEN

Paul Katami & Jeff Zarrillo THE FACES FOR EQUALITY

THEY live on a quaint, tree-lined street in suburban Burbank, California. They have two cars, two dogs, one cat and a mortgage. At first glance, they seem to be a couple like any other who has been together for almost 10 years.

But while their situation may be typical, their circumstances are anything but.

Paul Katami and Jeff Zarrillo never set out to make history or be a part of it on such a large scale. But that's just what's happening. All they wanted to do was take the next—what they call “natural”—step in their relationship. They wanted to get married. But that simple notion flew in the face of social conservatives across the nation and bigoted

or confused voters throughout California who voted in November 2008 to take away the right for two men (or two women) to commit themselves to each other through matrimony.

Now, as two of the four plaintiffs in *Perry v. Schwarzenegger* (i.e., the Prop. 8 trial), Katami and Zarrillo find themselves at the forefront of the civil rights issue of the new millennium: same-sex marriage.

Paul, 38, was born and raised with an older brother and an older sister in a strict Catholic home in San Francisco, where he went to church every Sunday and served as an altar boy. He doesn't have an official coming-out story, but he recalls that “My very first and ever attraction has been to men. It's always been very innate to who I was, even as a child.”

In his mind, it was what it was, and being gay was just a piece of him. Paul did have fears about being gay and different and being accepted by family and friends, but he never gave them the chance to question it, because he never presented his family with a deep, dark, emotional moment revealing his sexuality; he just brought dates home for holidays and presented it as a nonissue.

Jeff's story is a bit different. “I think I really knew [I was gay] in fifth or sixth grade, and I was extremely frightened because I didn't know why I had this attraction. I don't think I came to grips with it until I moved away from my family and to L.A. Once I got here, I had a sense of freedom and renewal, where I could be who I needed to be and who I wanted to be,” he reveals.

Jeff, 36, was born and raised in Brick, New Jersey, the younger of two boys, with parents who are still together after 42 years of marriage. He moved to Los Angeles for his job in 1999, and within a couple of years he met Paul. After a few years together and as Jeff's 30th birthday approached, Jeff wanted Paul to move in with him, but Jeff wasn't yet out to his family on the East Coast.

“I was really living a double life,” he admits. “I had my life out here in California, which was gay. And my life at home in New Jersey, and it was always straight, straight, straight. There was never a conversation

about who I was dating or anything like that.”

Paul said he would love to move in with Jeff, but because Jeff was not out to his family, Paul wouldn't do it. But he was willing to wait for as long as Jeff needed to come out to his family. That same day, Jeff booked a flight to New Jersey to tell his parents the secret he had held all his life.

Jeff remembers the moment like it was yesterday. His parents were sitting on the couch in the family room in the house where he'd grown up. He sat across from them, exhaled deeply and said, “I don't know why it's so hard for me to tell the two people I love most in this world what I need to tell you.”

Tears welled in his mom's eyes, and she called Jeff to her side. “Come here, honey,” Jeff remembers her saying. “I know what



you're going to tell me. Come sit next to me.” Jeff moved into her embrace and told his mom that he and Paul were together—a couple—and while Jeff was crying, his dad reached in and grabbed his son's hand and squeezed it. “In the way he always did to relieve the tension,” Jeff remembers, “My dad smiled and said to me, ‘So, is this where I'm supposed to kick you out?’” They all laughed





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through their tears and Jeff finally breathed—his long-held secret at last out in the open.

It was at Paul's 33rd birthday party where Jeff dropped to one knee and put a ring on Paul's finger, and in that moment of what should have been just sheer joy and excitement, Paul says he had an epiphany: "Here we are in this amazing moment, and it's emotional and our friends are all around us, but it's also puzzling... because what does it mean? Because we can't get married. We're prohibited from this."

Jeff jumps in. "You don't realize how much you're missing it until you realize that you can't have it."

The pair decided not to get married during the window of time when it was legal for gay couples to do so in California because they feared the worst—that their marriage could be taken away from them. "Can you imagine if we got married, and it's one of those days that is supposed to be the happiest of your life, and then some group wants to put it on a ballot

and take it all away from you?" Jeff implores incredulously.

Of course no one could have predicted that the 18,000 same-sex marriages that took place before Proposition 8 would stand after our crushing defeat, but Paul and Jeff didn't want fluctuations in the law dictating their marital status, their love or their lives.

"We want to get married on our terms," Paul says. "Can you imagine somebody telling you that the most important day of your life is invalid?"

"Invalid" is a word that stings. And that's the main reason they are not registered as domestic partners in California—it's a point of contention for them. "We didn't want to settle for a domestic partner," Jeff says firmly. "Why should we?"

The couple has taken the necessary steps to protect themselves in regards to powers of attorney, their home and possessions, but "[domestic partnership] still labels us in a separate and unequal category," Paul says.

"Although state law did have some protections, it didn't have all of them that federal law affords straight couples. If something were to happen to one of us, the other would lose our home."

They've taken a costly, lawyerly route to protect themselves in the event of an unforeseen tragedy, which seems particularly shameful and unnecessary when you consider that straight couples can just walk into any city hall, get a marriage license and all but instantly get those protections, whereas gays cannot.

"I want to marry Paul because I love him," Jeff states simply. "No matter where you are in the world, when you say the word 'marriage,' people know what it means. And we want to be able to have that with each other. I want to call him my husband. It may seem to many people like it's just a word, but it's a lot more than that."

Paul is quiet for a moment while he struggles with his emotions, "When it's in your heart and you feel you found someone who is..." The emotions get the better of him, and he trails off. "We don't want to get married *because* of the law. The law is supposed to be *there* because we want to get married. Some people say that marriage isn't a civil right, but with marriage comes rights, so you lose that argument when you realize that there is so much damage being done to those who are prohibited from it. I love Jeff. I think we always

just accepted that we *couldn't* get married." He looks at his partner, and after a pointed pause he finishes his thought. "But not anymore."

The American Foundation for Equal Rights (AFER) is a nonprofit that is dedicated to protecting and advancing equal rights for every American citizen, and specifically for spearheading the groundbreaking federal court case against California's Proposition 8. AFER had not yet been created when Jeff and Paul's path would first cross with the organization's founders. But once they did intersect, nothing would be the same.

"I had been trying to get Paul to sit down and watch NOM's 'Gathering Storm' ad," Jeff says, "but he was busy with work, had family in town, all sorts of things going on..."

"He kept saying, 'You have to watch this video! It's going to piss you off!'" Paul remembers.

Already disgusted with the "Yes on 8"

campaign and its scare tactics, Paul sat down to watch NOM's latest attack on the gay community and immediately jumped off the couch in anger. "It was my breaking point," Paul recalls. "That was the first time in my life that I really mined deep enough and I recognized the damage that had been done to me over the years, and now I'm pissed off. Really pissed off."

It was at this point that Paul reached out to friends and family to counter the offensive NOM ad with real people—not paid actors like NOM's much-ridiculed video. Paul pulled together a skeleton script breaking NOM's ad down lie by lie, shot for shot. He found a friend who donated the space, others who could donate equipment, and then they shot the video in one day. Four days later, they launched "Love Not Laws" on YouTube, and it exploded across the gay blogosphere. "This video started a concentric circle of conversation," Paul remembers. "And what it kept coming back to was that [gay marriage] needed to be a federal mandate."

Chad Griffin and his business partner, Kristina Schake, were two of the many thousands who saw the "Love Not Laws" video and were about to—serendipitously and coincidentally—launch the American Foundation for Equal Rights to challenge Proposition 8. They had funding and they had leads, with powerhouse lawyers Ted

Olson and David Boies, but what they were looking for were plaintiffs to be the faces for their case. Through the previously mentioned concentric conversations, Paul and Jeff learned about AFER, the proposed federal lawsuit and the esteemed legal team, and they knew they wanted to be involved.

Initially the idea of challenging Prop. 8 in federal court was met with doubt and even disdain—from within the LGBT community. Paul and Jeff say they understood why gay groups were originally apprehensive about the case but "it was rough for Paul and I to read the negative press that's been out about this case—even from our own community," Jeff says. "It's too soon"; "You shouldn't do this"—this is early on in the case—and Paul and I are sitting in our kitchen, and I said, 'Look, it's okay that they feel this way, but we're *doing* something about it. We can go to our graves—win or lose—knowing that we tried



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to do something. We did not settle for being second-class citizens.' And truth be told, if we didn't file this case in federal court, somebody else would have. And we've got one hell of a team on our side. Wouldn't



you want Ted and David?" asks Jeff.

As we all know, Judge Vaughn Walker of the Federal District Court for the Northern District of California found Proposition 8 to be unconstitutional on August 4, 2010.

could tell the plaintiffs—and only the plaintiffs—the outcome just a few moments before the verdict was made public. The plaintiffs were led into a conference room where Boies, Olson and other members of the legal team were eating lunch. "Ted

"I'll never forget that moment," says Jeff. As all four plaintiffs (Paul and Jeff and Sandy Stier and Kristin Perry) were waiting on pins and needles for the verdict, Judge Walker advised their counsel that they

Olson was sitting there just eating his pizza with his tie flipped over his shoulder," Jeff remembers, "and he looks up and tells us, 'Don't react.'"

The two couples braced their respective partners and waited on Olson's last chew. Olson looked up at the four of them and smiled, "We won."

"He went back to eating his pizza, and I just sort of crumbled into Paul's arms," remembers Jeff. "Everyone was sobbing, so we were definitely reacting," Paul says with a fond laugh. "We couldn't help it. Everyone was just hugging and crying. It was all just so emotional!"

Despite the favorable outcome during this round of the legal battle, the process of the federal trial was particularly trying for Paul and Jeff. Seeing each other on the witness stand brought up strong emotions for the pair and a passion for their cause that they knew they'd felt prior but which really resonated once, they say, "we were in it."

"The emotion is huge. I've



never been more nervous in my life. This is the most important thing that I've ever done, and I wanted to make sure that I did everything I could to perfectly represent why we were there. As much as it was really hard to hear what those who spoke against us had to say, it was also so relieving to hear. Because it was baseless. It had nothing to do with anything. You could sense it. You just knew they had nothing," Paul says. "I was terrified, but what made me feel good every day was [having] Jeff there supporting me, and at several points while on the stand I looked at our legal table, and I would see Ted and David listening, sitting there with tears in their eyes. It really affected them, too. It's really difficult to talk about your life in those surroundings and coming from the heart and having to defend myself, defend my life and validate myself."

The next phase for Paul and Jeff will be when the case is brought before California's Ninth Circuit Court of Appeals, which will begin hearing oral arguments on December 6. In the meantime Paul and Jeff have lives to live, jobs to work and bills to pay. All of this comes as part of the process, balancing their everyday lives with a case that is gathering national attention.

They don't mind being the poster boys for this movement, but they insist that they're not activists and that their lives really haven't changed all that

much despite the frequent trips to San Francisco for the trial and the few million people following their case closely.

"If it was possible for me to be even closer to Paul, I feel like this whole experience has just brought us closer," Jeff says. "What people may not realize is that there is a significant amount of time preparing for the case and having personal, private, sensitive things about our relationship being put out there for everyone to see and hear. That was something we really had to prepare ourselves for. And to go through that process together, I think that just brought us closer."

"If you've ever had a moment where something just feels like it's right, and you have to do it regardless of the fear, regardless of the nerves and the emotions, this was that moment," Paul shares.

Indeed our moment is now. The LGBT movement is on the cusp of having our case for equality heard by the highest court in the land. We'll be waiting patiently for the Ninth Circuit to rule, and we hold out hope that our Leading Men will get to lead this fight for equality all the way to the Supreme Court, so that one day our nation can live up to its promise that all men are created equal...and Paul and Jeff can finally tie the knot, legally, officially and for all the world to see.

For more information about the American Foundation for Equal Rights, visit equalrightsfoundation.org

COVER JEFF WEARS Jacket **Banana Republic** Shirt **H&M** Pants **Armani Exchange** **PAUL WEARS** Shirt & Jacket **H&M** Pants **Diesel** (page 30) **PAUL WEARS** Coat **Topman** Shirt **J.Crew** Pants **G-Star** Shoes **K-Swiss** **JEFF WEARS** Jacket **Rag & Bone** Shirt **J.Crew** Jeans **Armani Exchange** Shoes **Marc Ecko** (page 31) **PAUL WEARS** Shirt **H&M** Sweater **Martin + Osa** Pants **Gap** **JEFF WEARS** Polo **Banana Republic** Jeans **Armani Exchange** Watch **Invicta** (page 32) **JEFF WEARS** Shirt **Zara** Sweater **Rag & Bone** Jeans **Armani Exchange** Shoes **Marc Ecko** **PAUL WEARS** Jacket **J.Crew** Sweater **Habitat** Jeans **UNIQLO** Shoes **K-Swiss** (page 33, top) **PAUL WEARS** Tank **LASC** Shorts **Hurley** **JEFF WEARS** Shirt **One Pen** Shorts **Penguin** (page 33, bottom) **JEFF WEARS** Shirt **J.Crew** Shorts **Quick-silver** Glasses **Prada** **PAUL WEARS** Shirt **Toddland** Shorts **Penguin** (this page) **JEFF WEARS** Shirt **J.Crew** Jeans **Armani Exchange** Watch **Invicta** **PAUL WEARS** Shirt **BDG** Pants **Gap** Watch **Puma**

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