

Lawyer Faces 'Severe' Actions After Sending Company-Wide Email Calling AIDS The 'Gay Plague'



by **RACHEL WITKIN**

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It's never a good idea to send out offensive mass emails to everyone in your company. A Virginia law firm says it has **taken** "immediate and severe" action against a lawyer who railed against same-sex marriage and called AIDS the "gay plague."

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Walter Kubitz (image, right), a senior lawyer at Becker & Poliakoff, was angry that a federal court recently found Florida's ban on same-sex marriage to be unconstitutional, as he doesn't think there's a "shred of historical evidence that [the Florida Constitution] ... was ever intended to legitimize homosexuality."

Citing what he labeled "the gay plague of AIDS" as an example of "reckless trashing of morality," Kubitz sent this **email** chock full of Bible quotes to everyone at the firm:



Subject: New Decision: Same Sex Marriage (Brenner v. Scott)

Date: Mon, Aug 25, 2014 7:18 AM

The issue having been raised, permit me the liberty to reply, lest my usual silence be taken as assent.

Judge Hinkle says that the Florida ban on same-sex marriage violates the 14th Amendment Due Process and Equal Protection clauses. However, there is not a shred of historical evidence that either of those clauses was ever intended to legitimize homosexuality.

Judge Hinkle and others like-minded have effectively amended the Constitution by judicial fiat. This is a blatant usurpation of power reserved to the States and to the people in violation of the 10th Amendment. The better handling of the

issue is as exemplified by Baker v. Nelson, 409 U.S. 810 (1972), in which the U.S. Supreme Court refused to overturn a Minnesota ban on same-sex marriage “for want of a substantial federal question.”

Adding insult to injury, Judge Hinkle invokes our founding fathers as though they would have approved of his ruling. Not so. In his 1796 farewell address then-president George Washington spoke of morality as being indispensable to our societal well-being.

Today’s reckless trashing of morality has been damaging on many fronts. For one, there has been a significant increase in sexually transmitted disease over the past few decades, with the gay plague of AIDS being a classic example.

We would do well to heed the Proverbs 11:21 warning of our ultimate Judge: “Though hand join in hand, the wicked shall not be unpunished.” In other words, popularity does not trump peril.

Homosexuality, clearly condemned throughout Scripture, is especially perilous in that it tends toward the “reprobate mind” as spoken of in Romans 1:18-32 that makes its participants all the more hardened in their ways. The message to the homosexual, as to all, is “Seek ye the LORD while he may be found . . .” (Isaiah 55:6).

Wally Kubitz

It’s unclear if he meant to hit reply all to a staffwide email about the court decision or if the email was supposed to be personal. Regardless, Becker & Poliakoff staff members are “furious.”

“The email infuriated me,” Ken Direktor, a member of the company’s management committee,” [said](#) to the *Daily Business Review*. “I’ve been here 28 years, and we promote and support a work environment that’s diverse and collegial. An email as divisive as this runs directly contrary to the core values of the firm.”

Right after the firm received Kubitz’s email, they sent another mass email saying that Kubitz’s email was "[reprehensible](#)," and “inappropriate and would not be tolerated.”