



For Immediate Release
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BREAKING NEWS: The California Supreme Court to decide key issue concerning supporters of Proposition 8

Today, the California Supreme Court agreed to answer the question, as requested by the U.S. Court of Appeals for the Ninth Circuit, of whether or not the supporters of Proposition 8 have authority, under the California Constitution, to defend Proposition 8 in court.

In August 2010 the LGBTIQ community celebrated when Chief U.S. District Judge Vaughn Walker ruled in the *Perry vs. Schwarzenegger* case that Proposition 8 was unconstitutional because it violated equal protection guarantees granted by the United States Constitution. Proponents of Proposition 8 immediately filed an appeal with the Ninth Circuit and a stay on marriage licenses for same-sex couples was granted.

The Ninth Circuit panel questioned whether someone other than the state (*i.e. the governor or attorney general*) could appeal Judge Walker's ruling and asked the California Supreme Court to decide that issue before proceeding in the case. Former governor, Arnold Schwarzenegger and then attorney general, Jerry Brown both declined to defend the proposition.

If the Supreme Court finds they do not have authority, then the Ninth Circuit will dismiss the appeal and Judge Walker's ruling will stand -- in California only.

The opening brief regarding this key issue is to be served and filed with the California Supreme Court by March 14, 2011. The answer brief is to be served and filed by April 4, 2011 and the reply brief by April 18, 2011. Oral arguments on the issue will most likely be heard in September 2011.

In the mean time, the LGBTIQ community continues to wait.