



## **PRESS ADVISORY FOR IMMEDIATE RELEASE**

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### **MARRIAGE EQUALITY USA DISAPPOINTED BY TODAY'S CALIFORNIA SUPREME COURT OPINION ABOUT STATE LAW, BUT LOOKS FORWARD TO NINTH CIRCUIT'S DECIDING PROP. 8 CASE**

November 17, 2011 -- San Francisco, CA -- Although Marriage Equality USA is disappointed by today's California Supreme Court opinion about California state law, loving committed same-sex couples and their supporters are very pleased that the case will finally now return to the Ninth Circuit Federal Court of Appeals for a ruling on Proposition 8. Last year – after an over two week trial – the federal district court found that Prop. 8's exclusion of loving, committed couples from marriage violated the fundamental fairness and equality guarantees of our Constitution. Marriage Equality USA is hopeful that the Ninth Circuit will uphold that decision or conclude that under federal law marriage equality opponents cannot continue to litigate the case.

"Every day that Proposition 8 remains in effect, loving committed couples are being denied their fundamental freedom to marry. Many couples, together for years, are still being forced to wait for Prop 8's ban to end so they can plan their weddings. They've waited long enough," said Stuart Gaffney, Marriage Equality USA's Media Director. "We look forward to the case now returning to the 9<sup>th</sup> Circuit and are very hopeful that the court will find that Proposition 8 violates same-sex couples' freedom to marry,"

Despite the California Supreme Court's opinion today about state law, the issue of standing remains very much alive in this case as a matter of federal law. "Under federal law, a person can continue to litigate a lawsuit only if they have suffered tangible harm. The simple fact of the matter is that marriage equality opponents suffer no harm from the freedom to marry being extended to all loving, committed couples. Accordingly, despite today's statement by the California Supreme Court about state law, marriage equality opponents lack standing under federal law to continue their litigation," said John Lewis, Marriage Equality USA's Legal Director.