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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 KRISTIN M. PERRY, SANDRA B. STIER,
PAUL T. KATAMI, and JEFFREY J.
12 ZARRILLO,

13 Plaintiffs,

14 CITY AND COUNTY OF SAN FRAN-
CISCO,

15 Plaintiff-Intervenor,

16 v.

17 ARNOLD SCHWARZENEGGER, in his
18 official capacity as Governor of
California; EDMUND G. BROWN, JR., in his
19 official capacity as Attorney General of
California; MARK B. HORTON, in his official
20 capacity as Director of the California Depart-
ment of Public Health and State Registrar of
21 Vital Statistics; LINETTE SCOTT, in her
official capacity as Deputy Director of Health
22 Information & Strategic Planning for the
California Department of Public Health;
23 PATRICK O'CONNELL, in his official
capacity as Clerk-Recorder for the County of
24 Alameda; and DEAN C. LOGAN, in his
official capacity as Registrar-Recorder/County
25 Clerk for the County of Los Angeles,

26 Defendants,

27 and

28 PROPOSITION 8 OFFICIAL PROPONENTS

No. 09-CV-2292 VRW

**AMENDED MOTION FOR LEAVE TO
FILE AN AMICI CURIAE BRIEF BY THE
ASIAN LAW CAUCUS, ASIAN
AMERICAN JUSTICE CENTER, ASIAN
PACIFIC AMERICAN BAR ASSOCIA-
TION OF LOS ANGELES COUNTY,
ASIAN PACIFIC AMERICAN LEGAL
CENTER, ASIAN PACIFIC BAR
ASSOCIATION OF SILICON VALLEY,
ASIAN PACIFIC ISLANDER LEGAL
OUTREACH, BIENESTAR HUMAN
SERVICES, CALIFORNIA STATE
CONFERENCE OF THE NAACP,
COALITION FOR HUMANE
IMMIGRANT RIGHTS, JAPANESE
AMERICAN BAR ASSOCIATION, LA
RAZA CENTRO LEGAL, MEXICAN
AMERICAN LEGAL DEFENSE AND
EDUCATION FUND, NATIONAL BLACK
JUSTICE COALITION, SOUTH ASIAN
BAR ASSOCIATION OF NORTHERN
CALIFORNIA AND ZUNA INSTITUTE;
AND [PROPOSED] ORDER**

Judge: Chief Judge Vaughn R. Walker
Dept.: Courtroom 6, 17th Floor

1 DENNIS HOLLINGSWORTH, GAIL J.
 2 KNIGHT, MARTIN F. GUTIERREZ, HAK-
 SHING WILLIAM TAM, and MARK A.
 3 JANSSON; and
 PROTECTMARRIAGE.COM - YES ON 8, A
 PROJECT OF CALIFORNIA RENEWAL,

4
 5 Defendant-Intervenors.

6
 7 The Asian Law Caucus, Asian American Justice Center, Asian Pacific American Bar As-
 sociation of Los Angeles County, Asian Pacific American Legal Center, Asian Pacific Bar
 8 Association of Silicon Valley, Asian Pacific Islander Legal Outreach, Bienestar Human Services,
 9 California State Conference of the NAACP, Coalition for Humane Immigrant Rights, Japanese
 10 American Bar Association, La Raza Centro Legal, Mexican American Legal Defense and
 11 Education Fund, National Black Justice Coalition, South Asian Bar Association of Northern
 12 California and Zuna Institute (collectively “*Amici*”) respectfully move this Court for leave to file
 13 an *amici curiae* brief in support of Plaintiffs in the above captioned case (the “Action”).

14
 15 This Court has broad discretion to appoint *amici curiae*. *Hoptowit v. Ray*, 682 F.2d
 1237, 1260 (9th Cir. 1982). In submitting this brief, *Amici* hope that the legal arguments and
 16 empirical data provided will be of assistance to the Court in determining the extent to which the
 17 pervasive prejudice against gay men and lesbians impedes their ability to rely on traditional
 18 political processes used to protect a minority from discriminatory state action so as to warrant
 19 heightened judicial scrutiny of Proposition 8 under the Equal Protection Clause of the United
 20 States Constitution.

21
 22 A central objective of all *Amici* is to protect constituencies who, as a result of their mi-
 nority status, are at risk of being deprived of fundamental rights through the will of the majority,
 23 including the right to marry. Indeed, many of the *Amici* represent communities that have faced
 24 marriage discrimination in the past in the form of anti-miscegenation laws. Furthermore, the
 25 nearly 1.2 million individuals living in same-sex couples in the U.S. come from diverse racial,
 26 ethnic, religious and social backgrounds and are also members of the civil rights organizations,
 27 community groups and bar associations that have joined as *Amici* in this brief. *See* Rubenstein,
 28

