



HISTORIC PROP. 8 TRIAL TO CLOSE ON WEDNESDAY, JUNE 16

For Immediate Release
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Theodore Olson to Deliver Closing Arguments in Perry v. Schwarzenegger Case

Unprecedented Trial to Secure Equal Protection Under the Law

Press Conference to Follow After Court at U.C. Hastings School of Law

www.equalrightsfoundation.org/news

Trial summary at: <http://www.equalrightsfoundation.org/press-releases/perry-v-schwarzenegger-trial-summary/>

On June 16, Theodore Olson will deliver closing arguments on behalf of the plaintiffs in *Perry v. Schwarzenegger*, the historic trial over Proposition 8.

The American Foundation for Equal Rights brought together Olson and David Boies, who notably faced-off in *Bush v. Gore*, to demonstrate that Prop. 8 violates Americans' constitutional rights by creating separate classes of people with different laws for each, in conflict with the nation's founding principles, including equal protection under the law. Prop. 8 unconstitutionally stripped away the right of same-sex couples to marry in California. *The New York Times* editorial page weighed-in on the case on Friday: <http://www.equalrightsfoundation.org/news/ny-times-editorial-marriage-a-basic-civil-right/>.

"This trial clearly demonstrated Proposition 8's denial of equal protection under the law," said Chad Griffin, Board President of the American Foundation for Equal Rights. "No law may violate the U.S. Constitution. Our nation's Founders established the courts to protect every American's constitutional rights against discriminatory laws. This case is not about special rights for Kris, Sandy, Paul and Jeff. Rather, it's about ensuring they simply have the same rights as every American."

The plaintiffs in the case are Kris Perry & Sandy Stier and Paul Katami & Jeff Zarrillo, two couples who want to be married but cannot because of Prop. 8.

Jeff, Kris and Sandy have been together for more than ten years and their family includes four boys. Both are in public service — Kris leads a childhood health and education agency and Sandy works for a county health department. Their home life centers around their kids, with PTA meetings, soccer and music lessons taking up much of their free time.

Paul and Jeff have been together for nine years. Jeff is a general manager for a movie theater company and Paul is a business owner. They own a home together and are proud uncles. The powerful testimony of the plaintiffs, along with the presentation of 17 witnesses and revealing cross-examination of the defendant-intervenors' witnesses, clearly exposed the unconstitutionality of Prop. 8. A summary of the trial is available at:

The defendant-intervenors' star witness was further discredited in Sunday's *New York Times*. See: <http://www.equalrightsfoundation.org/news/nytfrank-rich-two-weddings-a-divorce-and-glee/>. Also last week, John Podesta, head of the progressive Center for American Progress, and Robert Levy, head of the libertarian Cato Institute, were named co-chairs of the American Foundation for Equal Rights Advisory Board, which also includes former NAACP Chairman Julian Bond, UFW Founder Dolores Huerta and FOX News Commentator Margaret Hoover. See the Podesta-Levy *Washington Post* Op-Ed here: <http://www.equalrightsfoundation.org/news/afer-co-chairs-levypodesta/>.

This unprecedented federal court challenge was filed in May 2009, with both sides presenting their cases in court from January 11 to January 27. Since then, Chief Judge Vaughn R. Walker of the U.S. District Court, Northern District of California, has been analyzing the evidence, testimony, and briefs.

Leading civil rights organizations, legal scholars, doctors, scientists, and religious organizations have filed amicus briefs in support of the plaintiffs, including: the California NAACP, Mexican American Legal Defense & Educational Fund (MALDEF), Asian Law Caucus, National Black Justice Coalition, South Asian Bar Association of Northern California, ACLU, Lambda Legal Defense and Education Fund, National Center for Lesbian Rights, retired California Court of Appeal Justice Donald King, family law professors from across the state, American Anthropological Association, American Psychoanalytic Association, National Association of Social Workers, and the American Academy of Pediatrics California Chapter. See: <http://www.equalrightsfoundation.org/press-releases/amicus-briefs-filed-in-support-of-olsonboies-prop-8-challenge/>.

"More than 30 years ago, the United States Supreme Court recognized that marriage is one of the basic rights of man," the suit against Prop. 8 states, referring to the Court's decision in *Loving v. Virginia*, which struck down bans on interracial marriage.

WHAT: Closing Arguments, Followed by Press Conference

WHEN: Plaintiffs' Closings: 10:00 A.M. - 11:30 A.M.

Plaintiffs' Rebuttal: 3:15 P.M. - 3:45 P.M.

Press Conference: 4:00 P.M. (NOTE: At Nearby U.C. Hastings School of Law)

WHERE: Closing Arguments:

U.S. District Court, Northern District of California

Courtroom of Chief Judge Vaughn R. Walker, 17th Floor

Street address: 450 Golden Gate Avenue, San Francisco

Press Entrance: Turk Street (Between Polk and Larkin)

Media Room with Video Feed: Federal Bar Association Media Center, 1st Floor, at Turk Entrance

Ceremonial Courtroom with Video Feed (Public and Media): 19th Floor

For Seating or Access Questions, Contact the Court at PerryProp8@cand.uscourts.gov or 415-522-4051.

Press Conference:

U.C. Hastings School of Law Alumni Reception Center, 200 McAllister Street, 2nd Floor

For more information, please visit www.equalrightsfoundation.org.

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