

Case Nos. S168047, S168066, S168078

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

KAREN L. STRAUSS et al., Petitioners,

v.

MARK B. HORTON, as State Registrar of Vital Statistics, etc., et al., Respondents;
DENNIS HOLLINGSWORTH et al., Intervenors

ROBIN TYLER et al., Petitioners,

v.

THE STATE OF CALIFORNIA et al., Respondents;
DENNIS HOLLINGSWORTH et al., Intervenors

CITY AND COUNTY OF SAN FRANCISCO et al., Petitioners

v.

MARK B. HORTON, as State Registrar of Vital Statistics, etc., et al., Respondents;
DENNIS HOLLINGSWORTH et al., Intervenors

**APPLICATION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*
MARRIAGE EQUALITY USA IN SUPPORT OF PETITIONERS
CHALLENGING PROPOSITION 8 AND [PROPOSED] *AMICUS* BRIEF**

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Pursuant to Rule 8.520(f) of the California Rules of Court, Applicant Marriage Equality USA requests leave of the Court to file the attached *amicus curiae* brief in support of Petitioners challenging Proposition 8.

Founded in the autumn of 2000, Applicant is an all-volunteer, national non-profit organization dedicated to securing legally recognized civil marriage equality for all, at the federal and state level, without regard to gender identity or sexual orientation. Applicant works person-to-person at the grassroots level to educate and inform the public about marriage equality with the goal of changing the social climate to end discrimination in civil marriage.

Applicant has a strong presence in California with chapters in Alameda, Butte, Contra Costa, El Dorado, Fresno, Humboldt, Imperial, Kern, Lake, Los Angeles, Marin, Mendocino, Modoc, Monterey, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Solano, Sonoma, Stanislaus, Tulare, Tuolumne, and Yolo Counties and individual members throughout California.

After the vote on Proposition 8, Applicant organized town hall meetings across California and produced an on-line survey that displayed input from thousands of Californians, both gay and straight. Through this grassroots input, Applicant gathered over 1,200 stories of harm summarized

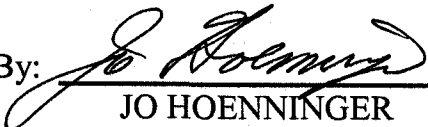
in a report, "Prop 8 Hurt My Family – Ask Me How," which presents personal stories of Californians to illustrate how Prop. 8 harmed same-sex couples, frightened children of same-sex couples, promoted bullying in schools, caused straight allies to experience homophobia, tore about families and destroyed neighborhoods.


Through this proposed *amicus curiae* brief, Applicant hopes to educate the Court about the use of the ballot measure to harm minority groups, particularly gays and lesbians.

The participation of Applicant in these proceedings as *amicus curiae* will not unduly delay or prejudice the adjudication of issues in this case. The original and copies of the *amicus curiae* brief are being timely filed with the Court as prescribed by the Court's November 19, 2008 Order, and copies are being duly served on all counsel in accordance with California Rule of Court 8.44(a)(1).

For these reasons, Applicant respectfully seeks leave to file the attached brief as *amicus curiae* in support of Petitioners challenging Proposition 8. Accordingly, Applicant respectfully requests this Court to accept, file, and consider the enclosed *amicus curiae* brief.

DATED: January 15, 2009

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