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1. The opinion denying the motion for stay, such as it reflects a ruling on the likelihood of success on the merits, is in conflict with the Eight and Tenth Circuits 2

2. This proceeding involves one or more questions of exceptional importance, including,

a. Is there a privacy right in a funeral? If so, does it reach to public places outside the church?

b. Is there a privacy right in mourning? If so, does it reach religious commentary in the media and on a passive Web site?

c. If there is a privacy right in a funeral or mourning, what is the reasonable time, place, manner and content-neutral limits that can be placed on First Amendment speech, religious speech or assembly? 2

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