

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CHRISTOPHER INNIS, et al.,

Plaintiffs,

v.

DEBORAH ADERHOLD, et al.,

Defendants.

Civil Action Number
1:14-CV-01180-WSD

**NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS
THE AMENDED COMPLAINT**

Plaintiffs Christopher Inniss and Shelton Stroman, RayShawn and Avery Chandler, Michael Bishop and Johnny Shane Thomas, Jennifer Sisson, and Elizabeth and Krista Wurz, through their undersigned counsel, respectfully submit this Notice of Supplemental Authority to apprise the Court of decisions issued yesterday by U.S. District Courts in Arkansas and Mississippi. *See Jernigan v. Crane*, No. 4:13-cv-00410 (E.D. Ark. Nov. 25, 2014) (attached as Exhibit A); *Campaign for Southern Equality v. Bryant*, No. 3:14-CV-818 (S.D. Miss. Nov. 25, 2014) (attached as Exhibit B). Both courts found that *Baker v. Nelson*, 409 U.S.

810 (1972) (mem.), did not preclude them from reaching the merits of plaintiffs’ claims for access to marriage. *See* Ex. A at 21-24; Ex. B at 12-16. Both courts also found that the Fourteenth Amendment requires that same-sex couples be allowed to marry. *See* Ex. A at 27-36, 39-41 (granting partial summary judgment to plaintiffs); Ex. B at 19-25, 30-61 (finding plaintiffs likely to succeed on their claims and issuing a preliminary injunction).

As these decisions illustrate, the Sixth Circuit’s recent decision rejecting plaintiffs’ claims for access to marriage remains one of a few isolated outliers. *DeBoer v. Snyder*, Nos. 14-1341; 3057; 3464; 5291; 5297; 5818 (6th Cir. Nov. 6, 2014); *see also* Ex. B at 58 (declining to follow *DeBoer* because, “[b]y honoring its obligation conferred by Article III, the court does not diminish the political process. Rather, the court holds fast to the fundamental belief that constitutional principles that safeguard liberty and guarantee equality are not subject to the ballot.”).

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Respectfully submitted this 26th day of November, 2014,

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LOCAL RULE 7.1(D) CERTIFICATION OF COMPLIANCE

I certify that this pleading has been prepared with Times New Roman font,
14 point, as approved by the Court in L.R. 5.1(C), N.D. Ga.

Respectfully submitted, this 26th day of November, 2014.

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CERTIFICATE OF SERVICE

I hereby certify that on November 26, 2014, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will automatically send email notification to the following attorneys of record:

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