

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

Christopher Inniss and Shelton)	
Stroman; Rayshawn Chandler and)	
Avery Chandler; Michael Bishop)	
And Johnny Shane Thomas; and)	
Jennifer Sisson, on behalf of)	
Themselves and all others similarly)	
situated,)	
Plaintiffs,)	
v.)	Civil Action Number
)	1:14-CV-01180-WSD
Deborah Aderhold et al,)	
Defendants.)	

**UNOPPOSED MOTION TO STAY PROCEEDINGS PENDING A
RULING BY THE UNITED STATES SUPREME COURT**

COME NOW Defendant Aderhold and Defendant Fenton (hereinafter Defendants), by and through counsel, and hereby file this unopposed motion to stay proceedings.

The case at bar concerns the constitutionality of O.C.G.A. §§ 19-3-3.1, 19-3-30(b)(1) and Ga. Const. Art. I, Sec. IV, Para. I which define marriage for the state of Georgia as a union between and man and a woman. (Doc. 1). On January 8, 2015 this Court denied Defendants' motion to dismiss and determined that the laws were subject to a rational basis review. (Doc. 49). On January 16, 2015, the Supreme Court of the United States granted certiorari in four cases *Obergefell, James, et al. V. Hodges Richard, et al* 14-556; *Tanco, Valeria, et al. v. Haslam,*

Gov. Of TN, et al. 14-562; Deboer, April, et al. V. Snyder, Gov. Of MI, et al. 14-571; Bourke Gregory, et al. V. Beshear, Gov. of KY, et al. 14-574

The Court will address the following questions: 1) Does the Fourteenth Amendment require a state to license a marriage between two people of the same sex?

2) Does the Fourteenth Amendment require a state to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state?

The Federal Rules of Civil Procedure encourage a trial court to limit discovery on its own or on the motion of a party when:

... the burden or expense of the proposed discovery outweighs its likely benefit, considering the needs of the case, the amount in controversy, the parties' resources, the importance of the issues at stake in the action, and the importance of the discovery in resolving the issues.

Fed. R. Civ. P. 26(b)(2)(C) (stating the court "must limit the frequency or extent of discovery" when such a determination is made); *see also Panola Land Buyers Ass'n. v. Shuman*, 762 F.2d 1550, 1558-59 (11th Cir. 1985). Rule 26 gives trial courts broad discretion to alter the sequence of discovery for the convenience of the parties and in the interests of justice. Fed. R. Civ. P. 26(d).

The Supreme Court's decision on the stated issues will most certainly guide the future path of the case at bar. As a result, Defendants ask the Court to stay proceedings in this Court until the Supreme Court rules on these pending cases.

Respectfully submitted,

SAMUEL S. OLENS 551540
Attorney General

KATHLEEN M. PACIOUS 558555
Deputy Attorney General

s/Britt Grant 113403
Solicitor General

/s/ Devon Orland 554301
Senior Asst. Attorney General
Counsel for Defendant Aderhold and Fenton

CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing **Motion to Stay Proceedings and Draft Order** using the CM/ECF system which will automatically send electronic mail notification of such filing to counsel of record as follows:

Tara Borelli
William Custer
Jennifer Odom
Jennifer Dempsey
Luke Lantta

I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: NONE

Done this 20th day of January, 2015.

/s/ Devon Orland

40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300
Telephone: (404) 463-8850
Facsimile: (404) 651-5304