

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

CHRISTOPHER INNISS, et al.,

Plaintiffs,

v.

DEBORAH ADERHOLD, et al.,

Defendants.

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

**PLAINTIFFS' AMENDED RESPONSE TO DEFENDANTS' MOTION
TO STAY PROCEEDINGS PENDING A RULING BY THE
UNITED STATES SUPREME COURT**

Plaintiffs hereby respond to the Court's January 23, 2015 request for a response on the State's motion seeking a stay of this case, in light of the Supreme Court's grant of certiorari in *Obergefell v. Hodges*, 2015 U.S. LEXIS 618 (U.S. Jan. 16, 2015). The briefing in *Obergefell* is due in April, and counsel in that case have received correspondence from the Supreme Court stating that an argument date will be set in April.

Plaintiffs are keenly aware that every passing day without access to marriage inflicts profound harms on same-sex couples in Georgia. *Searcy v. Strange*, No.

1:14-cv-00208, 2015 U.S. Dist. LEXIS 7775, at *5 (S.D. Al. Jan. 23, 2015) (“As long as a stay is in place, same-sex couples and their families remain in a state of limbo with respect to adoption, child care and custody, medical decisions, employment and health benefits, future tax implications, inheritance and many other rights associated with marriage.”). Nonetheless, Plaintiffs have conferred with counsel for Defendants Deborah Aderhold and Monica Fenton (“Defendants”) and are informed that those Defendants would seek at least four months of discovery were the case to proceed. Accordingly, *Obergefell* will be argued – and likely decided – well before the parties could finish discovery and then proceed to dispositive motions for the Court. Since *Obergefell* will likely significantly reshape the issues for discovery, and may decide this case, and given the discovery that Defendants believe is necessary, Plaintiffs believe that proceeding with the case before *Obergefell* is decided would not serve the interests of efficiency or judicial economy.

Additionally, an appeal involving Florida’s ban on marriage for same-sex couples is pending at the Eleventh Circuit, and could also reshape discovery or decide the issues in this case. *Brenner v. Armstrong*, No. 14-14061 (11th Cir.). For that reason, Plaintiffs respectfully request that any stay granted expire either when *Obergefell* or *Brenner* is decided, whichever is earlier.

Respectfully submitted this 28th day of January, 2015,

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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 28th day of January, 2015.

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CERTIFICATE OF SERVICE

I hereby certify that on January 28, 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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