

PROP 8: FIGHTING ABOUT THE STAY ALREADY

You know how the Defendant-Intervenors submitted a premature request for a stay in the Prop 8 case yesterday?

Well, the plaintiffs have now asked Judge Walker not to issue a stay without giving plaintiffs a time to weigh in.

Dear Chief Judge Walker:

I write on behalf of Plaintiffs in response to the obviously premature Motion to Stay filed yesterday by Proponents (Doc #705). As the Court is aware, Proponents' motion requests that a stay be issued contemporaneously with the judgment. Plaintiffs intend to respond to the stay motion, if a response is warranted, as soon as practicable after the Court issues its Order. If the Court is inclined to consider Proponents' request, Plaintiffs respectfully request the opportunity to be heard on their motion.

Respectfully submitted,

Theodore J. Boutrous Jr.

[my emphasis]

Gotta love Boutrous' dig at the way the Defendant Intervenors jumped the gun on the ruling...

But I would say that the fact that the sides are already arguing about whether people should have the right to marry in CA immediately—or only after the inevitable appeals—is another sign that Walker is going to rule for marriage equality today.