

FRIDAY

MONDAY

TUESDAY

WEDNESDAY

TODAY

Feedback | FAQ

Previous

Next

Bookmark Reprints

NEWS

RULINGS

VERDICTS

Prop. 8 donors seek protection

Gay marriage ban proponents say they've been victims of vandalism, threats

By Emily Green

SACRAMENTO - The proponents of California's ban on gay marriage are headed to federal court today in an effort to force Secretary of State Debra Bowen to remove from her office's website a list of donors who backed the contentious measure.

The motion for summary judgement by ProtectMarriage.com and the National Organization for Marriage California, which backed Proposition 8, seeks to reverse a 2009 preliminary injunction by U.S. District Judge Morrison England forcing the groups to reveal the names of their donors. England is set to consider the issue in a hearing today.

The case touches on the hot-button question of whether individuals who fund a ballot initiative have a right to privacy that outweighs the need for a transparent political system. It comes as the ban's backers await a ruling from the state Supreme Court on whether they have standing.

'It's an uphill legal argument.'

- Joseph La Rue

In court briefs, plaintiffs argue that Prop. 8 donors deserve protection because they've been "subjected to threats, harassment and reprisals as a result of their support" for the measure, ranging from destruction of yard signs to threatening phone calls, emails and postcards, as well as boycotts of their businesses.

Much of the evidence cited in the plaintiffs' brief relies on news reports of harassment faced by donors, including one supporter who claims he received a message saying, "Consider yourself lucky. If I had a gun, I would have gunned you down along with each and every other supporter ..."

Plaintiffs' briefs also point to a news report of two churches involved in the Prop. 8 campaign receiving envelopes containing white, powdery substances.

Past and future donors "have suffered, or will suffer, irreparable harm if the requested relief is not granted," the brief states.

Legal observers said ProtectMarriage.com and the National Organization for Marriage face an uphill battle in court.

Last June, in a case similar to the one now before England, the U.S. Supreme Court ruled that people who signed petitions calling for the repeal of a gay rights law are not generally protected from having their names publicly revealed. The justices threw the case back to the lower court to make a final decision. *Doe v. Reed*, 09-559.

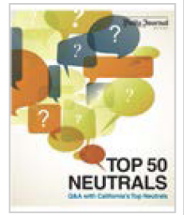
In that case, U.S. District Judge Benjamin Settle ruled last week that the examples of harassment faced by petitioners were not serious enough to justify keeping their names secret and ordered the petitions' disclosure to the public.

The state attorney general's office, defending the Prop. 8 challenge, declined to

SPECIAL REPORT

Top Neutrals

Top Neutrals



Thursday, October 20, 2011

Government

Committee considers cutting courthouse construction projects

Local officials traveled from across the state Wednesday to ask court leaders to spare their courthouse construction projects from state budget cuts.

Judicial Profile

Joyce M. Cram

Superior Court Judge Contra Costa County (Martinez)

Litigation

Prop. 8 donors seek protection

The proponents behind Prop. 8 are headed to federal court today in an effort to force Secretary of State Debra Bowen to remove from her office's website a list of donors who backed the contentious measure.

Judge rules suit against hedge fund accounting firm can proceed

Lawyers representing two investment management company executives notched a win in court Wednesday that will allow their fraud case against a San Francisco hedge fund accounting firm to proceed.

Immigration

Report criticizes federal immigration program

Thousands of U.S. citizens have been arrested under a controversial federal immigration enforcement program that disproportionately targets Latinos, according to a report issued by UC Berkeley School of Law on Wednesday.

Law Practice

Orrick environmental lawyer heads to boutique

A leading environmental transaction attorney at Orrick, Herrington & Sutcliffe LLP has left to open a San Francisco office for a Seattle-based boutique firm.

comment. In its brief, it asked for summary judgement.

"Plaintiffs' theory would stifle the free flow of political speech, hide critical information from the electorate, and eviscerate campaign finance laws by creating a loophole so large that any group could use it to avoid disclosure," the brief says.

"The issue is whether or not people who claim harassment can come up with a sufficient case," said Rick Hasen, a professor at UC Irvine School of Law. "And that is something most plaintiffs had a hard time doing."

Joseph La Rue, an attorney for the plaintiffs, agreed. "It's an uphill legal argument," said La Rue, with Bopp, Coleson & Bostrom in Indiana. "But having said that, I think that it's not an insurmountable battle ... especially in this case when you have so much evidence of people who suffered so many different things."

[Previous](#) [Next](#)

BUSINESS MEDIATORS

						
Hon. Robert Altman (Ret.)	Linda Bulmash, Esq.	Hon. Dennis Chaote (Ret.)	Hon. Patricia Collins (Ret.)	Michael Diliberto, Esq.	Hon. Yuri Hofmann (Ret.)	Joan Kessler, Esq.
						
Hon. Robert Letteau (Ret.)	Denise Madigan, Esq.	Hon. Michael Marcus (Ret.)	Hon. Wendell Mortimer (Ret.)	Hon. Gregory O'Brien (Ret.)	Hon. Wayne Peterson (Ret.)	Michael Roberts, Esq.
						
Hon. Enrique Romero (Ret.)	Hon. Robert Thomas (Ret.)	Caroline Vincent, Esq.	Hon. Alexander Williams III (Ret.)	Ralph Williams, Esq.	Hon. John Zebrowski (Ret.)	

Lucie Barron, President Century City tel 310.201.0010	Terry Shea, Manager Downtown Los Angeles tel 213.683.1600	 www.adrservices.org	Jessie O'Neil, Manager Irvine tel 949.863.9800	Genevieve Kenziwald, Manager San Diego tel 619.233.1323
-------------------------------------------------------------	-----------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------	---------------------------------------------------------------

Intellectual Property

Oracle-Google Java trial postponed

A San Francisco federal judge on Wednesday vacated the Halloween trial date of Oracle Corp.'s Java-related copyright and patent infringement lawsuit against Google Inc.

U.S. Court of Appeals for the 9th Circuit Convicted defense contractor may get a second chance

A key figure in a bribery scandal involving a congressman in San Diego may get another chance to contest his conviction, a 9th U.S. Circuit Court of Appeals panel ruled Wednesday.

Bankruptcy

Judge approves settlements in Heller bankruptcy

A federal bankruptcy judge on Wednesday approved settlement agreements between the Heller Ehrman LLP estate and 10 law firms that hired away its shareholders.

California Supreme Court

State justices take up DNA collection case

The state Supreme Court has agreed to review whether it's constitutional to collect DNA samples from anyone arrested for a felony.

Litigation

SF city attorney settles consumer suits

The San Francisco City Attorney's Office this week secured settlements in two cases that will require defendants to pay the city and county nearly \$1.9 million.

High court set to hear redevelopment case arguments

The state Supreme Court announced Wednesday it will hear oral arguments Nov. 10 in a case that will determine the fate of redevelopment agencies in California.

Judge shows approval for OC class action deal

A final settlement appears imminent in a business litigation case that was once estimated to be one of the largest nationwide consumer class actions filed in Orange County.

Law Practice

Quinn Emanuel to open office in Moscow

Quinn Emanuel Urquhart & Sullivan LLP plans to open an office in Moscow to serve high net-worth clients who do business in the U.S., joining a small number of American law firms that have a presence in Russia.

Real Estate

Real Estate Deals