



Press Release

The Battle for Marriage Is Not Over

Lawsuit is Filed Challenging Governor Paterson's Directive Regarding Recognition of Foreign Same-Sex Marriages

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Earlier today, a diverse group of New York taxpayers represented by the Alliance Defense Fund filed for an injunction to block Governor Paterson's same-sex "marriage" decree. Plaintiffs in the lawsuit include Senator Martin Golden (S-22nd), Senator Serphin Maltese (S-15th), Assembly Minority Leader James Tedisco (A-110th), Assemblyman Brian Kolb (A-129th), and Assemblyman Daniel Burling (A-147th). Pro-family leaders joining in the litigation include Rev. Duane R. Motley and Rev. Jason J. McGuire of New Yorkers for Constitutional Freedoms (NYCF), Mr. Michael R. Long and Ms. Shaun Marie Levine of The Conservative Party of New York State, and Stephen P. Hayford, Esq. of the Coalition to Save Marriage in New York. Others may join the action as plaintiffs at a later time.

Last week, Governor Paterson revealed that he had directed all state agencies in New York to recognize same-sex "marriages" from other states or countries. Governor Paterson has indicated that he based his directive on the February decision of the Appellate Division, Fourth Department in *Martinez v. County of Monroe*. The New York Court of Appeals declined to hear an appeal of the *Martinez* decision due to a technicality; the decision – which suffers from an array of legal flaws – may be re-appealed by the County. The decision provides a flimsy basis for the governor's directive.

Governor Paterson's action is in defiance of the Court of Appeals' 2006 decision in *Hernandez v. Robles*, as well as the Domestic Relations Law and the New York State Constitution (separation of powers). Governor Paterson's decree would thrust new financial burdens on New York taxpayers, who would be required to foot the bill for the additional employee benefits involved and for the significant regulatory revisions ordered by the governor. Accordingly, the Alliance Defense Fund has requested an injunction blocking any effort to enforce the Governor's decree until the lawsuit can be heard.

Rev. Duane R. Motley gave the following statement in support of the lawsuit: "We must show Governor Paterson that he is subject to the Laws and Constitution of New York State. He is not at liberty to make an 'end run' around the Legislature by issuing a directive like this one. NYCF strongly urges Governor Paterson to reverse this ill-advised directive. Marriage is a sacred institution; it is, and always will be, the union of a man and a woman. NYCF will do everything in its power to protect marriage from being redefined according to the preferences of a small, vocal special interest group."

Rev. Jason J. McGuire concurred. "Governor Paterson's directive shows that he is out of touch with the majority of New Yorkers who agree that the institution of marriage should be limited to unions of one man and one woman. In effect, the governor has encouraged New Yorkers to sidestep existing marriage laws by obtaining same-sex 'marriage' licenses in other places and forcing state agencies to recognize them here." Rev. McGuire added, "Governor Paterson supports same-sex marriage and calls it 'beautiful.' That is his prerogative. The fact that a same-sex 'marriage' law has not passed in New York – despite the strenuous efforts of same-sex 'marriage' advocates over a period of years – speaks volumes about where most New Yorkers and their elected officials stand. Governor Paterson may disagree with us, but that disagreement does not justify this blatant disregard for the will of the people."