

Case No. 12-17668

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

BEVERLY SEVCIK, et al.,

Plaintiffs-Appellants,

v.

GOVERNOR BRIAN SANDOVAL, et al.,

Defendants-Appellees,

and

COALITION FOR THE PROTECTION OF MARRIAGE,

Intervenor-Defendant-Appellee.

On Appeal from the United States District Court
For the District of Nevada
Case No. 2:12-CV-00578-RCJ-PAL
The Honorable Robert C. Jones, District Judge

**COALITION FOR THE PROTECTION OF MARRIAGE'S JOINDER IN
GOVERNOR C.L. (BUTCH) OTTER'S EMERGENCY MOTION UNDER
CIRCUIT RULE 27-3 FOR RECALL OF MANDATE AND STAY**

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Intervenor-Defendant-Appellee Coalition for the Protection of Marriage (“Coalition”) hereby moves for recall of the mandate (Dkt. No. 267) and a stay of the Ninth Circuit’s October 7, 2014 Opinion (Dkt. No. 265) invalidating and enjoining enforcement of all of Nevada’s statutory and constitutional provisions preserving marriage as the union of a man and a woman. In support of its motion, the Coalition joins in and adopts Governor C.L. (Butch) Otter’s Emergency Motion Under Circuit Rule 27-3 for Recall of Mandate and Stay filed in *Latta v. Otter*, Nos. 14-35420 and 14-35421 (No. 14-35420, Dkt. No. 184; No. 14-35421, Dkt. No. 178), which cases have been consolidated with this case for purposes of disposition (Order, Dkt. No. 264).

WHEREFORE, the Coalition respectfully requests that the Court recall the mandate and issue a stay pending disposition of a timely petition for rehearing en banc (which the Coalition will file), or stay the mandate for a reasonable period to allow the Coalition to seek in a fair and orderly way a stay from the Circuit Justice or the full Supreme Court.

DATED: October 8, 2014

Respectfully submitted,

By: s/ Monte Neil Stewart

Monte Neil Stewart

*Lawyers for Appellee Coalition for the
Protection of Marriage*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on October 8, 2014.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/ Monte Neil Stewart