

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

TIMOTHY B. BOSTIC, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 2:13-cv-00395
)	
JANET M. RAINEY, <i>et al.</i> ,)	
)	
Defendants.)	

**NOTICE OF
CHANGE IN LEGAL POSITION
BY DEFENDANT JANET M. RAINEY**

PLEASE TAKE NOTICE that the Office of the Attorney General of Virginia, on behalf of Defendant Janet M. Rainey, in her official capacity, hereby changes the legal position of the Commonwealth in this action. Having exercised his independent constitutional judgment, consistent with his oath of office, the Attorney General has concluded that Virginia's laws denying the right to marry to same-sex couples violate the Fourteenth Amendment to the United States Constitution. The Attorney General will not defend the constitutionality of those laws, will argue for their being declared unconstitutional, and will work to ensure that both sides of the issue are responsibly and vigorously briefed and argued before the courts to facilitate a decision on the merits, consistent with the rule of law. Rainey will continue to enforce the provisions of Virginia law at issue until the judicial branch can render a decision in this matter.

The reasons for this change in legal position are set forth in the accompanying memorandum of law.

Respectfully submitted,

/s/

Stuart A. Raphael, VSB #30380
Solicitor General of Virginia
900 East Main Street
Richmond, Virginia 23219
(804) 786-7240 – Telephone
(804) 371-0200 – Facsimile
sraphael@oag.state.va.us
Counsel for Defendant Rainey

Mark R. Herring
Attorney General of Virginia

Cynthia E. Hudson
Chief Deputy Attorney General

H. Lane Kneedler, VSB #007722
Senior Counsel

Rhodes B. Ritenour, VSB #71406
Deputy Attorney General
E-mail: rritenour@oag.state.va.us

Allyson K. Tysinger, VSB #41982
Senior Assistant Attorney General
E-mail: atysinger@oag.state.va.us

Catherine Crooks Hill, VSB #43505
Senior Assistant Attorney General
E-mail: cchill@oag.state.va.us

