

Marriage Litigation (Last Updated February 4, 2015)

Cases in Federal Court

Marriage Litigation in Circuits that have not ruled post-Windsor (note: blue shading indicates cases in federal appeals court)				
<i>Cases headed to (or in) the 1st Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>
PR	Conde-Vidal v. Rius-Armendariz	Ada Mercedes Conde-Vidal; Lambda Legal	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 3/25/14 by a lesbian couple who married in MA. (Note: Conde-Vidal is the lawyer and a plaintiff. On 6/25/14 plaintiffs filed an amended complaint adding four same-sex couples as plaintiffs and Lambda Legal as counsel. On 8/27/14 defendants filed a motion to dismiss, and on 8/28/14 Cappellanes Internacionales Cristianos Leon de Juda, Inc. moved to intervene. On 9/25/14 plaintiffs filed a motion for summary judgment and an opposition to the defendants' motion to dismiss. On 10/21/14 the judge granted defendants' motion to dismiss and issued a judgment dismissing claims with prejudice. On 10/28/14, plaintiffs filed their notice of appeal. The case docketed with the 1st Circuit on 11/13/14. Appellants filed their brief on 1/26/15. Appellees' response brief is due 2/25/15. The reply brief is due 3/11/15.
<i>Cases headed to (or in) the 5th Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>

TX	DeLeon v. Perry	Akin Gump Strauss Hauer & Feld LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	In Fifth Circuit. Court granted plaintiffs' motion for preliminary injunction on 2/26/14, but stayed the injunction pending appeal. The state appealed. On 4/14/14, the plaintiffs filed an opposed motion to expedite the appeal. That motion was denied on 5/21/14. Briefing schedule is: appellants' brief is due July 28, 2014, amicus briefs in support of appellants are due 8/4/14; appellees' brief is due 9/2/14; amicus briefs in support of appellees are due 9/9/14; appellants' reply brief is due 9/19/14. On 10/6/14 appellees filed opposed motion to expedite argument; on 10/7/14 the court granted that motion. Oral argument is scheduled for the week of 1/5/2015. On 10/10/14, appellants filed their reply brief. Argument was heard on 1/9/2015, along with the Robicheaux v. George (LA) and Campaign for Southern Equality v. Bryant (MS).
	Zahrn v. Perry	Bell Nunnally & Martin, LLP; James J. Scheske PLLC; Jorgeson Pittman LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Putative class action filed 10/31/13; Consolidated with <i>McNosky</i> . Motion for class cert filed 2/28/14. On 3/12/14 state filed an opposed motion to stay pending 5 th Circuit's decision in <i>DeLeon</i> . The motion to certify a class was dismissed and the case was ordered stayed on 9/10/14.
TX	McNosky v. Perry	Pro se	<ul style="list-style-type: none"> • Freedom to marry • 	Filed 10/9/13 by two heterosexual men; motion for preliminary injunction/TRO filed 11/14/13; Consolidated with <i>Zahrn</i> . On 3/12/14 state filed what it captioned an unopposed motion to stay pending 5 th Circuit decision in <i>DeLeon</i> , but on 3/22/14 plaintiffs filed an opposition to the motion for a stay. The case was stayed on 9/10/14.
	Nuckols v. Perry	Pro Se	<ul style="list-style-type: none"> • Freedom to marry 	Filed 1/9/14. Motion to dismiss filed 2/13/14, but held moot due to motion for leave to file amended complaint, which was granted 4/9/14. On that date, the court also granted a joint motion to stay pending the 5th Circuit's decision in <i>DeLeon</i> . Amended complaint filed 4/15/14, followed by another motion to dismiss. On 5/28/14, defendants filed consent to proceed before a magistrate judge.

	Freeman v. Parker	Lambda Legal	• Recognition	Filed 12/26/13, to maintain recognition of out-of-state marriages for purposes of Houston city employee spousal benefits, in response to <i>Pidgeon v. Parker</i> ; Awaiting judge's ruling on motion to consolidate with <i>Pidgeon</i> . Initial conference that was set for 4/25/14 was cancelled. On 8/29/14, plaintiffs filed an unopposed motion for a preliminary injunction, which the court granted. The court also stayed the proceedings pending a decision in <i>DeLeon v. Perry</i> .
	Pidgeon v. Parker	Woodfell Law Firm, P.C.; Texas Values; The Olson Firm, PLLC	• Recognition	Filed 12/17/13. Effort to block provision of spousal health insurance benefits to Houston city employees married to same-sex spouses out of state. Removed to federal court 12/27/13. Awaiting ruling on motion to remand and on motion of <i>Freeman</i> plaintiffs (represented by Lambda Legal) to intervene. On 8/28/14, the federal district court remanded the case back to state court. The subsequent trial court order granting an injunction has been appealed, and is stayed.
LA	Robicheaux v. George	Scott J. Spivey	• Recognition	In Fifth Circuit. Consolidated with the (now-dismissed) <i>Robicheaux v. Caldwell</i> case (which court had held did not sue any defendant responsible for non-recognition). Cross-motions for summary judgment are due 4/17/14. Amicus briefs supporting either side are due 5/12/14. Cross-responses to motions are due 5/19/14. Replies due 6/2/14. Argument scheduled for 6/25/14. On 6/25/14 during argument the judge announced that he wants to decide on both freedom to marry and recognition, not just recognition. On 7/16/14 new briefing was filed from both sides. On 7/17/14, the Court granted a motion to dismiss without prejudice the Plaintiffs' claim for violation of Full Faith and Credit Clause of the U.S. Constitution. On 9/3/14 the judge ruled in favor of the defendants, upholding Louisiana's marriage ban. On 9/23/14 plaintiffs filed a notice of appeal. According to expedited briefing schedule, briefing is to be complete by 11/7/14. Oral argument is set for January 9, 2015. On 11/24/14 appellants petitioned the U.S. Supreme Court for a writ of certiorari before judgment. It was denied on 1/12/15. Oral argument took place in the 5th Circuit on 1/9/15, along with the <i>DeLeon v. Perry (TX)</i> and <i>Campaign for Southern Equality v. Bryant (MS)</i> .

	Forum for Equality Louisiana v. Barfield	Stone Pigman Walther Wittmann LLC	• Recognition	Filed 2/12/14. Consolidated with <i>Robicheaux</i> cases on 3/18/14.
<i>Cases headed to (or in) the 6th Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>
OH	Obergefell v. Hodges (formerly Obergefell v. Himes)	ACLU; Gerhardstein & Branch Co., LPA; Newman & Meeks Co., LPA	• Recognition	In the Supreme Court. Filed in July 2013; Permanent injunction granted 12/23/13 requiring Ohio to recognize on death certificates marriages validly entered by same-sex couples in other states; Fully briefed on 5/1/2014. On 4/23/14, Equality Ohio, the Equality Ohio Education Fund, and four unmarried same-sex couples moved to intervene in the appeal, and that motion is fully briefed. On 5/20/14 case was consolidated with <i>Henry v. Himes</i> on appeal. Oral argument took place on 8/6/14. On 11/6/14 the 6 th Circuit overturned the district court decision and ruled the marriage ban constitutional. On 11/14/14 plaintiff-appellees filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court granted cert on 1/16/15.
OH	Henry v. Hodges (formerly Henry v. Himes)	Lambda Legal; Gerhardstein & Branch Co., LPA; Newman & Meeks Co., LPA	• Recognition	In Supreme Court. Filed 2/10/14. Seeks recognition of out-of-state marriages (for purposes of obtaining accurate birth certificates listing both spouses' names as the parents of children born in Ohio, and in general). Motion for declaratory relief and permanent injunction filed 2/28/14. Opposition filed 3/19/14. On 4/14/14 judge granted plaintiffs' motion for permanent injunction and declaratory judgment. He stayed his decision pending appeal in the Sixth Circuit (though the stay does not apply to the four plaintiff couples). Case docketed with the 6 th Circuit on 5/12/14. On 5/20/14 it was consolidated with <i>Obergefell</i> on appeal. Briefing schedule: appellant's brief due 6/10/14; appellee's due 7/8/14; reply due 7/15/14. Oral argument took place on 8/6/14. On 11/6/14 the 6 th Circuit overturned the district court decision and ruled the marriage ban constitutional. On 11/14/14 plaintiff-appellees filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court granted cert on 1/16/15.

	Gibson v. Himes	Gerhardstein & Branch Co., LPA; Newman & Meeks Co., LPA	<ul style="list-style-type: none"> • Freedom to marry 	<p>Complaint and motion for temporary restraining order and preliminary injunction filed 4/30/14. Answers filed 5/19/14 and 5/21/14. Plaintiffs filed motion for permanent injunction on 6/18/14. On 8/4/14, the court issued an order staying the case and providing plaintiffs 2 weeks following the 6th Circuit decisions to supplement their motion. On 11/20/14, a joint motion was filed to extend the stay pending resolution of cert. petitions from the 6th Circuit decision in DeBoer v. Snyder. On 12/18//14, the court entered an order extending the stay. A status conference is set for 2/18/15.</p>
MI	DeBoer v. Snyder	Carole M. Stanyar; Magill, Posner & Cohen; Dana P. Nessel; Robert A. Sedler	<ul style="list-style-type: none"> • Freedom to marry • Second-parent adoption 	<p>In Supreme Court. Marriage claims added to second parent adoption claims. Trial judge ruled MI marriage ban unconstitutional 3/21/14. 6th Circuit stayed decision 3/22/14. State appealed to 6th Circuit On 4/29/14 the 6th Circuit denied Michigan's motion for initial en banc review. Appeal was fully briefed as of 6/26/14. Oral argument took place on 8/6/14. On 11/6/14 the 6th Circuit overturned the district court decision and ruled the marriage ban constitutional. On 11/17/14 plaintiff-appellees filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court granted cert on 1/16/15.</p>

	Caspar v. Snyder	ACLU; Sachs Waldman PC; Julian Davis Mortenoso	<ul style="list-style-type: none"> • “Window-period” recognition (between district court decision and stay) 	<p>Filed 4/14/14 on behalf of the 300 couples married in Michigan before the stay. On 3/26/14 Governor issued statement that these marriages were validly entered, but that state benefits would be “suspended” until further court rulings are issued. U.S. Attorney General Holder issued a statement on 3/27/14 that the federal gov’t would respect these marriages for all federal purposes. On 5/29/14 plaintiffs filed a motion for preliminary injunction. On 6/5/14 all defendants filed a motion to dismiss and a motion to stay. Hearing on motions to consolidate, for preliminary injunction, to dismiss, and to stay was held on 8/21/14. Following the 6th Circuit’s decision in DeBoer, the court ordered supplemental briefing. Defendants filed their brief on 11/14/14. Plaintiffs filed their brief on 11/19/14. On 1/15/15, the court granted the preliminary injunction, recognizing the marriages of over 300 couples who got married between the district court decision in Deboer v. Snyder and the stay.</p>
MI	Blankenship v. Snyder	Alec Scott Gibbs	<ul style="list-style-type: none"> • Recognition 	<p>Filed 6/5/14. On 7/24/14 defendants filed a motion to dismiss. Plaintiffs filed an opposition to the stay motion on 8/14/14. Defendants’ reply regarding the motion to stay was filed 8/28/14. On 9/11/14, defendants filed their reply to the plaintiffs’ opposition to their motion to dismiss.</p>
	Morgan v. Snyder	Rhoades McKee PC	<ul style="list-style-type: none"> • Recognition 	<p>Filed 6/11/14. On 7/14/14 defendant Governor Snyder filed a motion to stay and a motion to dismiss. On 8/14/14 plaintiffs filed a response in opposition to the motion to stay. On 8/11/14 the judge granted the motion to stay. On 12/2/14 the court ordered the parties to show cause why the case should not be dismissed by 12/16/14. Defendant Hollinrake filed her response on 12/9/14. Defendant Snyder and plaintiffs filed their responses on 12/16/14. On 12/23/14 the court ordered a stay and dismissed the defendants’ motion to dismiss.</p>

KY	Bourke v. Beshear	Clay Daniel Walton & Adams PLC; Fauver Law Office PLLC	<ul style="list-style-type: none"> • Recognition • 	<p>In Supreme Court. Final judgment declaring refusal to recognize out-of-state marriages of same-sex couples unconstitutional entered 2/27/14, but stayed until 3/20/14, then permanently stayed until resolution of 6th Circuit appeal. State AG has declined to appeal, but Governor has retained outside counsel and has appealed. (Although <i>Franklin v. Beshear</i> was consolidated with <i>Bourke</i>, it was voluntarily dismissed without prejudice on 2/12/14.) Fully briefed at 6th Circuit as of 6/26/2014. Oral argument took place on 8/6/14. On 11/6/14 the 6th Circuit overturned the district court decision and ruled the marriage ban constitutional. On 11/17/14 plaintiff-appellees filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court granted cert on 1/16/15.</p>
	Love v. Beshear	Clay Daniel Walton & Adams PLC; Fauver Law Office PLLC	<ul style="list-style-type: none"> • Freedom to marry • 	<p>In Supreme Court. On 2/14/14, two same-sex couples moved to intervene in what was <i>Bourke v. Beshear</i> case (after the judge granted summary judgment in favor of the plaintiffs in that case, which raised only recognition claims), to raise freedom to marry claims. That motion was granted and the judge renamed the case. Emergency motion for preliminary injunction filed 2/14/14. A motion for preliminary injunction was denied 2/28/14. Answer filed 3/19/14. On 3/24/14 A+G ordered dismissed as a defendant. Motions for summary judgment and immediate injunctive relief filed 4/18/14. On 5/19/14 defendant filed response to plaintiff's motion for summary judgment; replies were filed 5/28/14. On 7/1/14 District Judge ruled the ban on same sex marriage unconstitutional and immediately stayed the decision. Oral argument took place on 8/6/14. On 11/6/14 the 6th Circuit overturned the district court decision and ruled the marriage ban constitutional. On 11/17/14 plaintiff-appellees filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court granted cert on 1/16/15.</p>

TN	Tanco v. Haslam	NCLR; Rubinfeld Law Office; Holland & Associates, PLLC; Sherrard & Roe, PLC; Regina M. Lambert	<ul style="list-style-type: none"> • Recognition • 	In Supreme Court. Filed 10/21/2013; state answered 11/15/2013; plaintiffs filed motion for preliminary injunction 11/19/2013; preliminary injunction granted 3/14/14; 3/18/14 state filed notice of appeal and motion with district court to stay pending appeal, which was denied on 3/20/14; 6 th Circuit granted the stay 4/25/14. Fully briefed at 6 th Circuit as of 6/26/2014. Oral argument took place on 8/6/14. On 11/6/14 the 6 th Circuit overturned the district court decision and ruled the marriage ban constitutional. On 11/14/14 plaintiff-appellees filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court granted cert on 1/16/15.
<i>Cases headed to the 8th Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>
AR	Jernigan v. Crane	Wagoner Law Firm, P.A.	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed in July 2013; defendants have answered and filed motion to dismiss comity claim. Amended complaint filed 1/17/14. Defendants filed motion to dismiss 1/31/14. Response filed 2/14/14. On 7/16/14 plaintiffs filed a motion for summary judgment. On 7/30/14 the AG filed an opposition to plaintiffs' motion for summary judgment. On 8/6/14 defendants filed a motion to stay. Plaintiffs responded on 8/13/14. On 11/25/14 the judge ruled declaring the marriage ban unconstitutional but staying the ruling pending appeal to the Eighth Circuit.
NE	Waters v. Heinman	ACLU	<ul style="list-style-type: none"> • Freedom to Marry • Recognition 	Filed on 22/17/14. Plaintiffs filed motion for preliminary injunction on 12/2/14. On 12/17/14 state defendants filed a motion for extension of time to respond to the motion for PI. Hearing on PI motion was rescheduled from 1/29/15 to 2/19/15.
ND	Ramsay v. Dalrymple	Joshua Newville; Thomas D. Riebiger	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 6/6/14. Defendants filed motion to dismiss 7/1/14. On 7/7/14 case was reassigned to Chief Judge Ralph R. Erickson. On 7/22/14 plaintiffs filed a response in opposition to defendants' motion to dismiss. On 7/22/14 plaintiffs filed a motion for summary judgment. On 8/22/14 defendants filed a response in opposition. On 9/5/14 plaintiffs filed a reply. Briefing is complete.

	Jorgensen v. Montplaisir	Lambda Legal	<ul style="list-style-type: none"> • Recognition 	<p>Filed 6/9/14. On 6/17/14 plaintiffs filed motion for summary judgment. On 7/2/14 the state filed a motion to dismiss. On 8/22/14 the defendants filed a response to plaintiffs' motion for summary judgment and plaintiffs filed a response to the motion to dismiss. On 9/4/14 defendants filed a reply regarding the motion to dismiss, and on 9/5/14 plaintiffs filed a reply regarding the motion for summary judgment.</p>
MO	Lawson v. Jackson County Department of Recorder of Deeds	ACLU	<ul style="list-style-type: none"> • Freedom to Marry 	<p>Filed 6/24/14 in state court; on 7/15/14 it was removed to federal court. On 9/5/14 plaintiffs filed a motion for summary judgment. On 10/21/14 the state filed its opposition to motion for summary judgment. On 10/22/14 plaintiffs filed their reply. On 11/7/14 the judge ruled that the state's marriage ban is unconstitutional; the decision is stayed "until the judgment is final." On 11/21/14 plaintiffs filed an unopposed motion to the lift the stay, and on 11/25/14 the court issued an order denying the motion. On 12/5/14 defendants appealed the ruling to the 8th Circuit. On 12/10/14 plaintiffs filed a cross-appeal and motion to vacate the stay or for an expedited appeal. On 1/22/15 the 8th Circuit denied the motion to vacate the stay and granted the motion for an expedited appeal. Appellant's Brief is due 2/17/15, appellee's brief is due 3/19/14.</p>
SD	Rosenbrahn v. Daugaard	Joshua Newville; Burd & Voigt Law office; NCLR	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 5/22/14. On 6/17/14 defendants filed a motion to dismiss. On 7/3/14 plaintiffs filed a motion for summary judgment. On 7/2/14 defendants filed a motion to dismiss. On 7/3/14 plaintiffs filed a motion for summary judgment. On 7/7/14, NCLR joined the case as co-counsel for Plaintiffs. On 7/14/14, Defendants filed a reply in support of their motion to dismiss. On 10/8/14 the judge issued an order setting a hearing on the motion to dismiss for 10/17/14. On 11/14/14 the judge issued an order denying the defendants' motion to dismiss. As of 12/1/14 motions for summary judgment are fully briefed. On 12/1/14, plaintiffs filed their reply to defendants' response. On 12/8/14 defendants, filed their reply in support of their motion for summary judgment. On 1/12/15, the court struck down South Dakota's marriage ban, but stayed its ruling.</p>

<i>Cases headed to (or in) the 11th Circuit</i>				
State	Case Name	Counsel	Type of Case	Status
AL	Hard v. Bentley	Southern Poverty Law Center	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 12/16/13, but not announced until 1/13/14. Seeks recognition of marriage of widower whose late husband died in car crash for purposes of death certificate and entitlement to proceeds of wrongful death lawsuit. On 3/20/14, mother of decedent (represented by anti-gay group) sought to intervene, to which widower filed non-opposition on 3/24/14. Intervention granted on 3/31/14. Complaint was voluntarily dismissed against only defendant Reed on 4/11/14. Answer by intervenor-defendant was filed 4/21/14. Plaintiffs' motion for summary judgment was filed on 8/29/14; Defendants' opposition and cross motion was filed on 10/1/14; Plaintiffs' reply is due 10/22/14. As of 10/29/14 motions for summary judgment are fully briefed.

AL	Searcy v. Strange (formerly Searcy v. Bentley)	Christine Cassie Hernandez and David Graham Kennedy	<ul style="list-style-type: none"> • Recognition • Second-parent adoption 	<p>Filed 5/7/14. Defendants filed several motions to dismiss. On 6/12/14 Plaintiffs filed a motion for summary judgment; on 6/13/2014 the judge ordered that it was premature and that the court will address that motion after the motions to dismiss have been adjudicated. Plaintiffs filed response to all motions to dismiss on 6/24/14; defendants replied on 6/27/14. Briefing schedule: amended pleadings are due by 9/15/14. Defendants must disclose experts and file a response to plaintiffs' motion for summary judgment by 10/17/14. Any cross-motions for summary judgment must also be filed by 10/17/14. As of 10/29/14 motions for summary judgment are fully briefed. Plaintiffs' reply brief was filed 10/31/14. Defendants' surreply was filed 11/13/14. On 1/23/15 the judge struck down Alabama's marriage ban and did not stay the ruling. On 1/23/15 defendants' filed a motion to stay the decision, and on 1/25/15 the judge granted the stay for fourteen days, during which time the Eleventh Circuit could extend or lift the stay – if the Eleventh Circuit takes no action, the stay will expire on 2/9/15. On 2/3/15 the Eleventh Circuit denied the state's motion for a stay.</p>
	Aaron-Brush v. Bentley	ACLU	<ul style="list-style-type: none"> • Recognition 	<p>Filed 6/10/14. The governor filed a motion to dismiss on 7/14/14 and the other defendants filed an answer on 7/15/14. Plaintiffs filed a response to the motion to dismiss on 7/23/14 and defendants filed their reply on 7/28/14. A scheduling conference on 9/15/14 set the following dates: discovery is due 2/4/15; dispositive motions are due 4/6/15; pre-trial conference in August 2015 and the case will be trial ready in September 2015. On 9/22/14 the joint motion to dismiss Governor Bentley was granted. As of 11/13/14 motions for summary judgment are fully briefed.</p>

FL	Brenner v. Scott	Sheppard, White & Kachergus, P.A.; Bledsoe, Jackson, Schmidt, Wright, Lang & Wilkinson	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p> Filed 2/27/14 on behalf of same-sex couple married outside FL -- state employee couldn't designate his spouse in state-deferred retirement option program. 3/18/14 filed amended complaint and PI motion adding a gay couple who wishes to be married in Florida. Consolidated by consent with <i>Grimsley v. Scott</i>. Florida Family Action moved to intervene, which was opposed 4/21/14. Response to complaint and to preliminary injunction filed 4/25/14. Briefing on preliminary injunction motion complete as of 5/27/14. On 8/21/14 the judge ruled that Florida's marriage bans are unconstitutional and denied the motions to dismiss and granted the preliminary injunction. The injunction was stayed until stays are lifted in <i>Bostic, Bishop, and Kitchen</i> and for an additional 90 days thereafter. On 9/4/14 the state filed a notice of appeal with the 11th Circuit. Appellants' briefs are due on 11/14/14 and appellees' brief is due 12/15/14. After the Supreme Court's denial of cert on 10/7/14, plaintiffs filed a motion with the district court to lift the stay. On 10/24/14 the state filed its reply in the form of a motion to continue the stay and opposition to plaintiffs' motion to lift the stay. On 10/28/14 plaintiffs filed a response in opposition. On 11/5/14 the judge denied defendants' motion to extend and plaintiffs' motion to lift the stay. On 11/18/14 appellants' filed a motion with the 11th Circuit to extend the stay beyond 1/5/15. 11/26/14 appellees' filed a response in opposition to appellants' motion to extend the stay. On 12/3/14 the 11th Circuit denied the state's motion to extend the stay beyond 1/5/15. On 12/15/14 defendants-appellants filed an emergency motion with the U.S. Supreme Court to extend the stay beyond 1/5/14. On 12/18/14 plaintiff-appellees filed an opposition, and on 12/19/14 the Supreme Court denied the motion. On 12/23/14, the Washington County Clerk filed a motion to clarify the district court's order. On 1/1/15, the district court issued an order clarifying that all clerks should issue marriage licenses to all eligible applicants when the stay expires. Marriages began on 1/6/15. </p>
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	Grimsley v. Scott	ACLU; Podhurst Orseck, P.A.	<ul style="list-style-type: none"> • Recognition 	<p>Recognition case filed by 8 same-sex couples and SAVE (Florida LGBT group) 3/12/14. Florida Family Action’s motion to intervene was denied. Consolidated by consent with <i>Brenner v. Scott</i>. On 4/10/14 plaintiffs filed an amended complaint adding a widow from Ft. Meyers as a new plaintiff. Response to complaint and to preliminary injunction motion filed 4/25/14. Briefing on preliminary injunction motion complete as of 5/27/14. On 8/21/14 the judge ruled that Florida’s marriage bans are unconstitutional and denied the motions to dismiss and granted the preliminary injunction. The injunction was stayed until stays are lifted in <i>Bostic</i>, <i>Bishop</i>, and <i>Kitchen</i> and for an additional 90 days thereafter. On 9/4/14 the state filed a notice of appeal with the 11th Circuit. Appellants’ briefs are due on 11/14/14 and appellees’ brief is due 12/15/14. After the Supreme Court’s denial of cert on 10/7/14, plaintiffs filed a motion with the district court to lift the stay. On 10/24/14 the state filed its reply in the form of a motion to continue the stay and opposition to plaintiffs’ motion to lift the stay. On 10/28/14 plaintiffs filed a response in opposition. On 11/5/14 the judge denied defendants’ motion to extend and plaintiffs’ motion to lift the stay. On 11/18/14 appellants’ filed a motion with the 11th Circuit to extend the stay beyond 1/5/15. 11/26/14 appellees’ filed a response in opposition to appellants’ motion to extend the stay. On 12/3/14 the 11th Circuit denied the state’s motion to extend the stay beyond 1/5/15. On 12/15/14 defendants-appellants filed an emergency motion with the U.S. Supreme Court to extend the stay beyond 1/5/14. On 12/18/14 plaintiff-appellees filed an opposition, and on 12/19/14 the Supreme Court denied the motion. On 12/23/14, the Washington County Clerk filed a motion to clarify the district court’s order. On 1/1/15, the district court issued an order clarifying that all clerks should issue marriage licenses to all eligible applicants when the stay expires. Marriages began on 1/6/15.</p>
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GA	Inniss v. Aderhold	Lambda Legal; Bryan Cave LLP; White & Case LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 4/22/14. Putative class action on behalf of all unmarried same-sex Georgia couples and all Georgia same-sex couples with valid marriages from other jurisdictions. Defendants filed an answer on 7/21/14. On 8/1/14, the court granted Plaintiffs' motion to amend their complaint to add two additional named plaintiffs and an additional defendant. On 9/4/14 defendant Aderhold filed a motion to dismiss. On 10/22/14 defendants filed a reply in support of their motion to dismiss. On 1/8/15, the court denied defendants' motion to dismiss.
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Marriage Litigation in Circuits that have not ruled post-Windsor (note: blue shading indicates cases in federal appeals court)				
<i>Cases headed to (or in) the 4th Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>
VA	Bostic v. Schaefer	Gibson, Dunn & Crutcher LLP; Boies, Schiller & Flexner LLP; Shuttleworth, Ruloff, Swain, Haddad & Morecock, P.C. represent Bostic plaintiffs; Lambda Legal, ACLU, and Jenner & Block LLP represent Harris class	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	In Fourth Circuit. On 2/24/14 there was a district court judgment declaring Virginia's marriage ban unconstitutional and enjoining its enforcement, stayed pending appeal. Fourth Circuit allowed named plaintiffs in Harris to intervene on behalf of certified class of all same-sex couples in Virginia. Argument before 4th Circuit held 5/13/14. On 7/28/14 the 4 th Circuit issued a judgment affirming the district court's decision. The Supreme Court on 8/20/14 stayed the decision pending the timely filing and disposition of a petition for certiorari and, if review is granted, the handing down of the Court's order. In late August appellants filed petitions for certiorari with the Supreme Court and appellees responded in support of cert. On 10/6/14 the Supreme Court denied cert, the Fourth Circuit issued a mandate lifting the stay, and marriages in Virginia have begun.



	Harris v. Rainey	Lambda Legal, ACLU, and Jenner & Block LLP	<ul style="list-style-type: none">• Freedom to marry Recognition	Motion for class certification granted 1/31/14; plaintiff's motion for summary judgment fully briefed; AG filed amended answer and notice of switch in position 1/27/14. On 3/10/14 the 4th circuit granted Harris class's motion to intervene in <i>Bostic v. Schaefer</i> . Case stayed 3/31/14 pending a decision in <i>Bostic</i> . On 10/16/14 plaintiffs filed a motion to lift the stay and enter judgment. On 10/29/14, clerk defendant Roberts filed a motion to dismiss and opposition to plaintiffs' motion and state defendant Rainey also filed a motion to dismiss for lack of jurisdiction as moot. On 11/17/14, the Court granted plaintiffs consent motion to continue suspend briefing and argument. A status report was filed 12/17/14.
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NC	Fisher-Borne v. Smith	ACLU; Sullivan & Cromwell LLP; Ellis & Winters LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition Second-parent adoption 	<p>Marriage claims added in July 2013 to existing second parent adoption claims; defendants' amended motion to dismiss is fully briefed as of 11/14/13. Motion for preliminary injunction fully briefed as of 5/5/14. On 8/27/14 the judge granted defendants' motion for a stay, issuing a stay pending the termination of the stay issued by the Supreme Court in <i>McQuigg v. Schafer</i> (Bostic case). On 10/7/14 plaintiffs and the state defendants both filed their status reports. On 10/8/14 plaintiffs filed a motion for a judgment on the pleadings, and on 10/8/14 the state defendants filed an answer to plaintiffs' first amended complaint. A number of state legislators moved to intervene on 10/10/14. On 10/15/14 the district judge entered an amended order ruling that North Carolina's marriage bans unconstitutional. Marriages in North Carolina have begun. This decision was appealed on 11/12/14 by the legislators. On 11/21/14, a cross-appeal was filed by Fisher-Borne & Gerber. On 12/10/14, the General Synod appeal was consolidated on appeal with Fisher-Borne and Gerber. On 12/12/14, appellants moved to stay the proceedings pending resolution of the petitions for writ of certiorari. On 12/22/14, the Fisher-Borne appellees' filed a response in opposition to the stay, and, on 12/23/14, the General Synod appellees' filed a response in opposition to the stay. On 1/5/15, the court denied the motion to stay. Appellants' opening brief is due 3/16/15. Appellees' response and cross-appeal opening brief is due 4/20/15. Reply/response briefs are due 5/26/15. On 1/9/15, the legislators filed a petition for certiorari before judgment with the Supreme Court.</p>
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	Gerber v. Cooper	ACLU; Sullivan & Cromwell LLP; Ellis & Winters LLP	Recognition	<p>Filed 4/9/14 on behalf of three same-sex couples married in other jurisdictions, one of whom is elderly and the others of whom face medical needs to have their marriages promptly respected. Motion for Preliminary Injunction also filed 4/9/14. On 8/27/14 the judge granted defendants' motion for a stay pending the termination of the stay issued by the Supreme Court in <i>McQuigg v. Schafer</i> (Bostic case). On 10/7/14 plaintiffs and the state defendants both filed status reports. On 10/8/14 plaintiffs moved for a judgment on the pleadings, and on 10/8/14 the state defendants filed an answer to plaintiffs' first amended complaint. A number of state legislators moved to intervene on 10/10/14. On 10/15/14 the district judge entered an amended order ruling that North Carolina's marriage bans unconstitutional. Marriages in North Carolina have begun. This decision was appealed on 11/12/14 by the legislators. On 11/21/14, a cross-appeal was filed by Fisher-Borne & Gerber. On 12/10/14, the General Synod appeal was consolidated on appeal with Fisher-Borne and Gerber. On 12/12/14, appellants moved to stay the proceedings pending resolution of the petitions for writ of certiorari. On 12/22/14, the Fisher-Borne appellees' filed a response in opposition to the stay, and, on 12/23/14, the General Synod appellees' filed a response in opposition to the stay. On 1/5/15, the court denied the motion to stay. Appellants' opening brief is due 3/16/15. Appellees' response and cross-appeal opening brief is due 4/20/15. Reply/response briefs are due 5/26/15. On 1/9/15, the legislators filed a petition for certiorari before judgment with the Supreme Court.</p>
	McCrary and Clark v. North Carolina	Pro Se	<ul style="list-style-type: none"> Freedom to marry Recognition	<p>Filed 3/10/14. Defendants filed motion to stay on 4/30/14; pls' response filed 5/9/14; defs' reply filed 5/16/14. Defendants had until 6/10/14 to answer or otherwise respond to complaint, but on 5/19/14 the judge granted the defs' motion for a stay pending a ruling in <i>Bostic v. Schafer</i>. On 10/7/14 plaintiffs moved for reconsideration of prior motion to lift the stay and for summary judgment. Marriages in North Carolina have begun.</p>

NC	General Synod of the United Church of Christ vs. Cooper	Arnold & Porter, LLP; Tin Fulton Walker & Owen	<ul style="list-style-type: none"> • Freedom to marry 	<p> Filed 4/28/14 on behalf of UCC as a national denomination, clergy from across faith traditions and same-sex couples. On 5/27/14, Defendants filed a motion to stay pending the 4th Circuit's decision in <i>Bostic</i>. Amended complaint filed 6/3/14. On 6/23/2014 plaintiffs filed a request for oral argument on the motions to stay and on the motion for a preliminary injunction. On 6/26/14 the motion to stay and the motion for a preliminary injunction were denied. On 10/7/14 plaintiffs filed a motion to lift the stay; on 10/8/14 defendants responded. On 10/9/14 Defendant Cooper filed an answer to the amended complaint, and the case was reassigned to District Judge. Coghurn. On 10/10/14 the judge struck down North Carolina's marriage ban as unconstitutional. Marriages in North Carolina have begun. On 12/10/14, this appeal was consolidated on appeal with Fisher-Borne and Gerber. On 12/12/14, appellants moved to stay the proceedings pending resolution of the petitions for writ of certiorari. On 12/22/14, the Fisher-Borne appellees' filed a response in opposition to the stay, and, on 12/23/14, the General Synod appellees' filed a response in opposition to the stay. On 1/5/15, the court denied the motion to stay. Appellants' opening brief is due 3/16/15. Appellees' response and cross-appeal opening brief is due 4/20/15. Reply/response briefs are due 5/26/15. On 1/9/15, the legislators filed a petition for certiorari before judgment with the Supreme Court. </p>
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WV	McGee v. Cole	Lambda Legal; Jenner & Block LLP; The Tinney Law Firm PLLC	<ul style="list-style-type: none"> • Freedom to marry 	<p>Filed in October 2013; Plaintiffs moved for summary judgment 12/23/13; Court issued order 1/29/14 denying motion to dismiss marriage claims, but dismissing recognition claims with leave to amend, and asking for briefing on effect of decision on non-named clerks, which was submitted 2/12/14. Defendants' opposition to summary judgment filed 3/14/14. All motions are now fully briefed. On 6/10/14, the judge stayed the case pending the 4th Circuit's decision in <i>Bostic</i>. On 10/6/14 plaintiffs filed a motion to lift the stay. On 10/7/14 the judge issued an order directing defendants to respond to plaintiffs' motion by 10/10/14. NOTE: On 10/9/14 the governor and attorney general issued statements that recent rulings in federal courts and the Supreme Court's refusal to hear the issue has made clear that laws banning marriage for same-sex couples are unconstitutional. Marriages in West Virginia have begun. On 11/7/14, the Court granted plaintiffs' motion for summary judgment.</p>
SC	Bradacs v. Wilson (formerly Bradacs v. Haley)	Warner, Payne & Black, LLP; Bluestein, Nichols, Thompson & Delgado, LLC; Family Law Consulting	<ul style="list-style-type: none"> • Recognition 	<p>Filed 8/28/13; amended complaint filed 2/21/14. Cross motions for summary judgment were due 4/14/14. On 4/3/14, defendants filed a motion to stay pending resolution of 4th Circuit appeal in <i>Bostic v. Schaefer</i>, which was granted 4/22/14. That date, defendants filed a motion to have the now-passed deadline for summary judgment motions held in abeyance until after <i>Bostic</i> is decided. On 4/23/14 the court issued an order staying all case deadlines. On 10/7/14 the judge issued an order lifting the stay. On 11/18/14 the judge granted summary judgment in favor of plaintiffs against the defendants. Appeal docketed 12/9/14. The opening brief is due 1/26/15; the response brief is due 2/26/15; the optional reply brief is due 3/12/15. On 12/15/14, the 4th Circuit consolidated this appeal with <i>Condon v. Haley</i>, and stayed the appeals in both cases pending resolution of the cert. petitions.</p>

	Condon v. Wilson (formerly Condon v. Haley)	Lambda Legal	•	Filed 10/15/14. On 11/12/14 the court issued an order granting plaintiffs’ motion for summary judgment. The ruling was not stayed. The 4 th Circuit and the U.S. Supreme Court both denied defendants’ motion to stay the ruling. Marriages in South Carolina have begun The opening brief is due 1/26/15; the response brief is due 2/26/15; the optional reply brief is due 3/12/15. On 12/15/14, the 4th Circuit consolidated this appeal with Bradacs v. Wilson, and stayed the appeals in both cases pending resolution of the cert. petitions.
<i>Cases headed to (or in) the 9th Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>• Type of Case</u>	<u>Status</u>
NV	Sevcik v. Sandoval	Lambda Legal; O’Melveny & Myers LLP; Snell & Wilmer LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	In Ninth Circuit. Loss in trial court. Fully briefed before Circuit. Defendants Carson City clerk and Governor have withdrawn their briefs and are no longer opposing appeal (although intervenor—proponent of ban—is). Motion to expedite oral argument has been granted. Oral argument took place 9/8/14. On 10/7/14 the 9 th Circuit reversed the lower court decision and declared the marriage ban unconstitutional. On 10/8/14 Intervenor-Defendant-Appellee Coalition for the Protection of Marriage filed a motion to stay the 9 th Circuit’s mandate with the 9 th Circuit and with the Supreme Court; on 10/9/14 they recalled their motion to stay the mandate. On 10/9/14 the 9 th Circuit issued an order that the 10/7/14 mandate remains in full force and effect, and marriages in Nevada have begun. On 10/13/14, the intervenor (the Coalition for the Protection of Marriage) filed a petition for rehearing en banc with the 9th Circuit. Plaintiffs’ and the state defendants’ filed their responses on 11/12/14. On 1/9/15, the 9th Circuit denied the petition for rehearing.

HI	Jackson v. Fuddy (formerly Jackson v. Abercrombie)	D'Amato & Maloney LLP; Alston Hunt Floyd & Ing	<ul style="list-style-type: none"> • Freedom to marry 	In Ninth Circuit. Loss in trial court; briefing before the Circuit; Plaintiffs ordered on 11/26/13 to show cause why appeal should not be dismissed as moot. They and the Governor responded, asking that the district court decision be vacated. On 3/19/14, the Ninth Circuit issued an order vacating the order to show cause, ruling that the issue was not susceptible to summary resolution, and setting briefing schedule. Defendant Fuddy has declined to file an answering brief. Oral argument took place 9/8/14. On 10/10/14 in an unpublished opinion the 9 th Circuit remanded <i>Jackson v. Abercrombie</i> to the district court for dismissal as moot, and vacated the lower court decision that had upheld the marriage ban.
OR	Geiger v. Kitzhaber	Law Works LLC; Dorsay & Easton LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed in 10/15/13; amended complaint filed 12/4/13; 1/13/14 consolidated with Rummell v. Kitzhaber. State AG declined to defend law and filed a brief 3/18/14 arguing that state's marriage ban is unconstitutional and state would comply with a decision so ruling. Oral argument on plaintiffs' summary judgment motion held on 4/23/14. National Organization for Marriage (NOM) moved to intervene, which district court denied on 5/14/14. On 5/19/14 judge issued decision striking down marriage ban as unconstitutional, effective immediately. On 5/19/14 NOM filed emergency motion for stay pending a decision by the 9 th Circuit on their motion to intervene; motion for stay was denied. On 5/19/14 the district judge issued decision striking down marriage ban as unconstitutional, effective immediately. On 5/20/14 the state moved to dismiss NOM's motion to intervene as moot. The 9 th Circuit denied NOM's motion for a stay. On 5/27/14 NOM asked the Supreme Court for an emergency stay. On 6/4/2014 the Supreme Court denied NOM's motion for a stay. 9 th Circuit granted motion to dismiss appeal as moot. On 11/24/14 the 9 th Circuit denied NOM's motion for rehearing en banc. On 12/3/14 the court issued a mandate that its 8/27/14 judgment takes effect.

OR	Rummell v. Kitzhaber	ACLU; Perkins Coie LLP; Johnson Johnson & Schaller PC	<ul style="list-style-type: none"> • Freedom to marry 	<p>Complaint filed 12/19/13; 1/13/14 consolidated with Geiger v. Kitzhaber. Motion for summary judgment filed 2/18/14. State AG is no longer defending law and filed a brief 3/18/14 arguing that state's marriage ban is unconstitutional and state would comply with a decision so ruling. Oral argument set for 4/23/14. National Organization for Marriage (NOM) moved to intervene, which district court denied on 5/14/14. On 5/16/14 judge announced that he would issue a decision on 5/19/14. On 5/19/14 NOM filed emergency motion for stay pending appeal to the 9th Circuit; it was denied. On 5/19/14 judge issued decision striking down marriage ban as unconstitutional, effective immediately. On 5/20/14 the state moved to dismiss NOM's motion to intervene as moot. The 9th Circuit denied NOM's motion for a stay. On 5/27/14 NOM appealed to the Supreme Court to issue a stay; response motion filed 6/2/14. On 6/4/2014 the Supreme Court denied NOM's motion for a stay. On 11/24/14 the 9th Circuit denied NOM's motion for rehearing en banc. On 12/3/14 the court issued a mandate that its 8/27/14 judgment takes effect.</p>
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ID	Latta v. Otter	NCLR; Law Office of Deborah A. Ferguson, PLLC; Durham Law Office, PLLC	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 11/8/13; Amended complaint filed 1/29/14; answer filed 1/31/14. State intervened and filed motion to dismiss 1/28/14. Plaintiffs filed motion for preliminary injunction and opposition to motion to dismiss 2/18/14. Cross-motions for summary judgment also filed 2/18/14. Oral argument took place 5/5/14. On 5/13/14 judge issued a decision striking down marriage bans with injunction set to go into effect on 5/16/14 at 9am. State requested a stay and was denied by the magistrate judge; state appealed to the 9th Cir. to ask for a stay, and on 5/15/14 9th Cir. granted temporary stay. Briefing schedule is: Opening brief due 6/19/14; answering brief is due 7/18/14; reply brief is due within 14 days after service of the answering brief. Argument took place on 9/8/14. On 10/7/14 the 9th Circuit upheld the lower court decision and declared the marriage ban unconstitutional. On 10/7/14 Idaho asked the Supreme Court to stay the Mandate and on 10/8/14 Justice Kennedy did so. On 10/8/14 the 9th Circuit recalled its mandate. On 10/10/14 the Supreme Court denied the state's petition for a stay. On 10/21/14 the governor filed a petition for a rehearing en banc. On 11/10/14 Plaintiffs-appellees' filed a response to the petition for rehearing en banc. On 12/30/14, Gov. Otter filed a petition for certiorari. On 1/2/15, the State of Idaho filed a separate petition for certiorari. Respondent Otter filed a brief in response on 1/8/15.</p>
	Taylor v. Brasuell	NCLR; Law Offices of Deborah A. Ferguson, PLLS; Durham Law Office, PLLC	<ul style="list-style-type: none"> • Recognition 	<p>Filed on 7/7/14. Seeks recognition of a marriage of same-sex couple entered in California for purposes of joint burial in state-run veteran's cemetery. Status conference set for 9/10/14. On 9/11/14 plaintiffs filed an amended complaint. A status conference took place on 10/28/14. On 10/29/14, defendants filed a motion to dismiss and plaintiffs filed a motion for summary judgment. On 12/11/14, the parties filed their replies to responses. On 12/16/14, the court ordered the parties to file briefs by 1/9/15 addressing why the case should not be stayed pending resolution of the Latta appeal before the 9th Circuit. Parties filed their briefs on 1/9/15.</p>

AZ	Connolly v. Roche (formerly v. Brewer)	Shawn Aiken; Griffen & Stevens Law Firm, PLLC; Mikkel Jordahl, P.C.; Dillon Law Office	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 1/6/14. Amended complaint filed 2/10/14 dropping class action allegations, state defendants, and Full Faith & Credit claim. Remaining defendants answered 2/24/14. Plaintiff's motion for summary judgment was filed 4/21/14. On 6/27/14, Plaintiffs filed their response to Defendants' motion for judgment as to Plaintiffs' nominal damages claim, their response to Defendants' cross-motion for summary judgment and their reply in support of their own motion for summary judgment. Briefing on cross-motions for summary judgment complete as of 7/23/14. On 10/9/14 Judge Sedgwick issued a docket order asking for supplemental briefing, due on 10/16/14. On 10/17/14 the judge ruled Arizona's marriage ban unconstitutional and did not stay the ruling. Marriages in Arizona have begun. The state appealed on 11/18/14. On 12/1/14, appellants filed a motion to stay proceedings until the Supreme Court acts on the cert. petitions from the 6th Circuit DeBoer decision. On 12/2/14 the court stayed the case until 3/25/15.</p>
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	<p>Majors v. Jeane (formerly Majors v. Horne)</p>	<p>Lambda Legal; Perkins Coie LLP</p>	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 3/12/14. 4/16/14 transferred to same judge as <i>Connolly</i> but motion to consolidate denied. Plaintiffs filed amended complaint on 4/10/14 adding Equality Arizona as a plaintiff and modifying defendants. Defendants filed answer on 4/18/14. The parties filed status report with court on 7/7/14, indicating that cross-motions for summary judgment will be filed. On 8/5/14, plaintiffs filed their second amended complaint. On 8/8/14 Defendants filed their answer. On 8/20/14, plaintiffs filed their motion for summary judgment and a motion for preliminary injunction for plaintiffs Martinez & McQuire, based on Martinez's terminal cancer. On 9/2/14 McQuire filed a motion for temporary restraining order seeking issuance of an accurate death certificate for Martinez, who passed away prior to the hearing on the preliminary injunction. The court granted the temporary restraining order on 9/12/14. On 9/16/14 defendants filed their opposition to the motion for a preliminary injunction. On 9/18/14 defendants filed a cross-motion for summary judgment and a response to plaintiffs' motion for summary judgment. On 10/14/14 plaintiffs filed a reply regarding their motion for summary judgment. Marriages in Arizona have begun. The state appealed on 11/18/14. On 12/1/14, appellants filed a motion to stay proceedings until the Supreme Court acts on the cert. petitions from the 6th Circuit DeBoer decision. On 12/2/14 the court stayed the case until 3/25/15.</p>
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MT	Rolando v. Fox	ACLU	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 5/21/14. Governor Bullock announced he will not defend the ban (though the AG will). On 7/17/14, the AG filed an answer. Defendants' response was filed 7/17/14. Preliminary pretrial statements, a joint discovery plan, and a statement of stipulated facts were filed on 8/13/14. Pretrial conference took place on 8/20/14. A status conference is set for 6/29/14. Amended pleadings are due by 10/31/14, discovery is due by 2/27/15, and joinder of parties is due by 10/31/14. Plaintiffs filed a motion for summary judgment on 10/15/14. Hearing on the motion for summary judgment is set for 11/20/14. On 11/20/14 the judge ruled in favor of plaintiffs. Marriages have begun in Montana.</p>
AK	Hamby v. Parnell	Heather Gardner, Caitlin Shortell, Allison Mendell	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 5/12/14. On 6/19/14, defendants' filed an answer to complaint. Briefing schedule is the following: Plaintiffs' Motion for Summary Judgment due 8/22/2014; Responses due by 9/19/2014; Replies due by 9/26/2014. Oral Argument on Motion for Summary Judgment held 10/10/2014. On 10/12/14 the court found both due process and equal protection violations and ruled the state's marriage ban unconstitutional. On 10/13/14 the state moved to stay the ruling and filed a notice of appeal. On 10/14/14 the district judge denied the state's motion to stay pending appeal but granting a temporary stay until 12pm PDT on 10/17/14 to afford appellants an opportunity to seek a stay from the United States Supreme Court. On 10/17/14 the Supreme Court denied Alaska's motion for a stay. Marriages have begun in Alaska. On 10/22/14, the state petitioned the 9th Circuit for initial en banc review. The request was denied. The State's opening brief on appeal is due 1/21/15.</p>
<i>Cases headed to (or in) the 10th Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>

OK	Bishop v. Smith (formerly Bishop v. Oklahoma)	Holladay & Chilton PLLC; Joseph T. Thai	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	In Tenth Circuit. Filed in 2004; Summary judgment granted for plaintiffs on 1/14/14 on freedom to marry claim, but recognition claim denied. State appealed; Ordered to be heard by same panel as <i>Kitchen</i> . Argument was held on 4/17/14. On 7/18/14, the Tenth Circuit ruled that Oklahoma’s ban on marriage is unconstitutional. On 8/6/14 the Alliance Defending Freedom, representing the state defendants, filed a petition for a writ of certiorari to the U.S. Supreme Court. . On 10/6/14 the Supreme Court denied cert, the Tenth Circuit issued a mandate lifting the stay, and marriages in Oklahoma have begun.
KS	Marie v. Moser	ACLU	<ul style="list-style-type: none"> • Freedom to marry 	Filed 10/10/14. On 10/13/14 plaintiffs filed a motion for a preliminary injunction and temporary restraining order. On 10/23/14 defendants filed responses to the plaintiffs’ motion for a PI/TRO. On 10/26/14 the Westboro Baptist Church, Inc. moved to intervene. On 10/27/14 plaintiffs filed a reply to the defendants’ response to their motion for a preliminary injunction and temporary restraining order. On 11/4/14 the judge granted a preliminary injunction of the marriage ban, set to go into effect on 11/11/14 at. On 11/5/14 the state filed a notice of appeal to the Tenth Circuit Court of Appeals. On 11/7/14 the Tenth Circuit denied the state’s application for a stay. The state petitioned the U.S. Supreme Court for a stay, which was denied on 11/12/14. On 11/7/14 appellants’ moved for an initial hearing en banc. On 12/2/14 the Tenth Circuit denied the motion. On 11/26/14 plaintiffs filed an amended complaint adding recognition claims, and on 12/8/14 plaintiffs filed a motion for a preliminary injunction on the recognition claims. On 12/10/14 defendants filed a motion to dismiss the amended complaint, on 12/22/14 plaintiffs filed a response, and on 1/5/2015 defendants filed their reply. Currently pending at the 10th Circuit are appeals by the Westboro Baptist Church and an opposite-sex couple on the district court's denial of their motions to intervene as defendants.

UT	Kitchen v. Herbert	NCLR; Magleby & Greenwood, P.C.	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>In Tenth Circuit. Filed in March 2013; Permanent injunction granted 12/20/13, requiring state to allow same-sex couples to marry and to recognize marriages same-sex couples have entered in other states; Supreme Court stayed injunction pending appeal on 1/6/14; briefing complete as of 3/11/14. Motion by three same-sex couples (represented by Roberta Kaplan) to intervene on appeal and present argument denied 2/3/14. Subsequent motion by same parties (who filed amicus brief) for leave to participate in oral argument denied 3/3/14. Argument was held on 4/10/14. On 6/25/14, in a 2-1 decision, the court affirmed the district court’s decision that Utah’s marriage bans are unconstitutional. On 8/5/14 the governor and other defendants filed a petition for a writ of certiorari to the U.S. Supreme Court. . On 10/6/14 the Supreme Court denied cert, the Tenth Circuit issued a mandate lifting the stay, and marriages in Utah have begun.</p>
UT	Evans v. Utah	ACLU; Strindberg & Scholnick, LLC	<ul style="list-style-type: none"> • “Window-period” recognition (between district court decision and stay) 	<p>Filed 1/21/14 in state court; removed to federal court. State has filed motion to dismiss 3 of 4 claims. Motion for preliminary injunction and to certify questions to Utah Supreme Court filed 2/4/14; argued 3/12/14. Awaiting decision. On 5/19/14 the judge issued an order denying the state’s motion for certification of the issue to the state supreme court and granting the motion for preliminary injunction. Court stayed order temporarily (until 5/9/14) to allow the State to seek an emergency stay pending appeal from the Tenth Circuit. On 6/5/14 the State appealed to the 10th Circuit and moved to extend the stay and court granted a temporary extension while it considered motion for stay pending appeal. On 7/18/14 the Supreme Court granted the state's emergency motion for a stay pending appeal. Opening briefs at the Tenth Circuit are set to be filed by both sides on 9/22/14. After the Supreme Court's 10/6/14 denial of cert in <i>Kitchen v. Herbert</i>, the state dismissed its appeal to the 10th Circuit.</p>

WY	Guzzo v. Meade	NCLR; Wyoming Equality	<ul style="list-style-type: none"> • Freedom to marry 	Filed 10/7/14. Plaintiffs sought a temporary restraining order. Case is fully briefed. On 10/17/14 the district court granted a preliminary injunction. The decision is stayed until 10/23/14 at 5pm MT OR until the defendants all formally confirm they don't plan to appeal to 10 th Circuit. On 10/21/14 the defendants filed a notice that they would not appeal the decision to the 10 th Circuit. On 10/21/14 the court lifted the temporary stay. Marriages in Wyoming have begun. On 10/24/14, the Laramie County Clerk filed an answer. On 10/31/14, the state defendants filed an answer. On 11/10/14, the state defendants filed a motion for judgment on the pleadings. On 11/17/14, plaintiffs responded to that motion and on 11/24/14, plaintiffs filed a motion for judgment on the pleadings. Defendants filed their response to motion for judgment on 12/8/14. On 12/12/14, plaintiffs filed their reply. On 1/14/15, plaintiffs filed a motion for a hearing on the parties' motions for judgment on pleadings. The motion for a hearing was denied on 1/15/15. On 1/29/15 the judge granted judgment on the pleadings and a permanent injunction.
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Cases in State Court (all include federal claims except where noted)

<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>
AL	Richmond v. Richmond	E. Patrick Hill	<ul style="list-style-type: none"> • Divorce 	Divorce action filed by Alabama lesbian couple married in Iowa, filed week of 3/3/11. Divorce petition dismissed 3/12/14. Couple's attorney has stated that he plans to petition for rehearing and/or appeal, and may file federal district court action.

AR	Wright v. Arkansas	Wagoner Law Firm, P.A.; Cheryl K. Maples	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 8/9/13. Both defendants' motion to dismiss and plaintiffs' motion for preliminary injunction denied 12/19/13. State has filed answer to 3rd amended complaint. Cross motions for summary judgment were filed 2/26/14 and responded to 3/19/14. Hearing took place 4/17/14. On 5/9/14 judge issued order granting summary judgment in favor of the plaintiffs and finding the state marriage bans unconstitutional. On 5/16/14 Arkansas Supreme Court ordered a stay of the trial court decision. Appellant's brief is due 9/8/14. On 10/23/14 the Supreme Court granted the motion to expedite; oral argument is set for 11/20/14.</p>
FL	Pareto v. Ruvin	NCLR; Carlton Fields Jordan Burt, P.A.; Elizabeth F. Schwartz, P.A.; Mary Meeks, P.A.	<ul style="list-style-type: none"> • Freedom to marry 	<p>Filed 1/21/2014. Liberty Counsel and three other conservative groups sought to intervene as defendants. Plaintiffs filed a motion for summary judgment 5/1/14. AG filed a response in opposition on 6/24/14. A hearing on that motion was held 7/2/14. The judge issued an order granting plaintiffs' motion for summary judgment on 7/25/14.</p>
	Shaw v. Shaw	The Ware Law Group; Brett Rahall, P.A.	<ul style="list-style-type: none"> • Divorce 	<p>Petition for dissolution of marriage filed 3/17/14. Argument was heard on 4/22/14. On 5/9/14 the district court judge dismissed the divorce petition. A notice of appeal to the second district court of appeals was filed on 5/16/2014. A notice of cross appeal was filed on 5/21/14.</p>
	Huntsman and Jones v. Heavlin	Restivio, Reilly & Vigil-Farinas	<ul style="list-style-type: none"> • Freedom to marry 	<p>Filed 4/1/14. Amended complaint filed 4/11/14. Answer and affirmative defenses filed 4/22/14. Reply filed 4/30/14. On 5/20/14 a motion for summary judgment was filed; AG filed a response in opposition on 6/24/14. A hearing was held on 7/7/14, during which the judge said he needed "a short period of time" to determine whether the case should go to trial. On 7/17/14 the judge struck down ban. The AG filed a notice of appeal, which, under state rules, automatically stays the trial court decision pending appellate review. The intermediate appeals court refused to overturn the trial court judge's refusal to lift the automatic stay.</p>

	Dousset v. Florida Atlantic University	NCLR	<ul style="list-style-type: none"> • Recognition 	Filed 5/14/14 by Dousset, who was denied in-state tuition because state doesn't recognize his marriage. The denial of administrative decision by the agency is directly appealable to the Florida Court of Appeals. On 5/14/14 appellees' filed their opening brief and notice of constitutional question to the AG; defendants must respond by 6/3/14; optional reply brief due 6/23/14.
	Simpson v. Bondi	Minerley Fein, P.A.	<ul style="list-style-type: none"> • Recognition 	Filed 5/13/14 seeking recognition so he can qualify as a "Personal Representative" in the estate proceedings of his deceased spouse.
	Trepanier v. Heavilin	Wayne LaRue Smith	<ul style="list-style-type: none"> • Freedom to marry 	Filed 5/21/14 by same-sex couple who alleged that they are particularly concerned about the impact of not being able to marry upon their children.
	Brassner v. Lade		<ul style="list-style-type: none"> • Divorce 	Filed on 7/26/14 seeking recognition of a Vermont civil union for the purpose of dissolution. On 8/4/14 the judge ruled Florida's marriage ban unconstitutional. For now, the ruling applies to Broward County, FL.
KS	Nelson v. Kansas Dept. of Revenue	Law Office of David J. Brown	<ul style="list-style-type: none"> • Recognition 	Filed 12/31/13 seeking recognition of out-of-state marriages for tax purposes. Conference to assign or dismiss was scheduled for 4/4/14. On 5/2/14 Kansas filed a motion in support summary judgment. Hearing scheduled for 7/11/14. On 7/7/14 plaintiffs filed their opposition and a cross-motion for summary judgment. On 7/31/14 defendants filed their response. Oral argument was held 11/14/14.
KY	Kentucky Equality Federation v. Beshear	Harbinger & Associates	<ul style="list-style-type: none"> • Recognition 	Filed 9/10/13; motion to hold in abeyance denied 2/21/14. Consolidated with <i>Hardee v. Beshear</i> on 4/10/14. Plaintiffs and Defendants filed cross-motions for summary judgment on 7/2/14. Opposition briefs were filed 8/1/14. Oral argument was held 8/18/14.
	Hardee v. Beshear	O'Hara, Ruberg, Taylor, Sloan & Sergent	<ul style="list-style-type: none"> • Freedom to marry 	Filed 3/20/14. Consolidated with <i>Kentucky Equality Federation v. Beshear</i> on 4/10/14. Plaintiffs and Defendants filed cross-motions for summary judgment on 7/2/14. Opposition briefs were filed 8/1/14. Oral argument was held 8/18/14.
	Romero v. Romero	Louis I. Waterman, PLLC	<ul style="list-style-type: none"> • Divorce 	Filed 10/25/13 on behalf of lesbian couple married in MA. Response filed 11/15/13. The couple's lawyer has announced she plans to appeal if divorce petition is dismissed.

LA	In re Costanza and Brewer	Paul R. Baier; Joshua S. Gillory	<ul style="list-style-type: none"> • Recognition • Second-parent adoption 	Filed opening brief with intermediate court of appeals on 9/25/13 after trial court denied joint adoption to same-sex couple married in CA. Kyle Duncan of Becket Fund representing state. Hearing held 4/30/14. On 6/4/14 the appellate court remanded the case to trial court to allow filing of an amended petition. On 9/22/14 the district court issued a ruling granting plaintiffs' second parent adoption and declaring the the Louisiana ban is unconstitutional. On 9/25/14, defendants filed a motion for a suspensive appeal. Briefing is complete and oral argument was set for 1/29/15.
MO	Barrier and Schild v. Vasterling	ACLU	<ul style="list-style-type: none"> • Recognition 	Filed complaint 2/12/14. Petitioner filed motion for summary judgment, argument of which is scheduled for 9/25/14. On 4/25/14, defendant filed a motion to transfer the case. On 5/9/14 petitioner filed a motion to file an amended petition which was granted on 5/21/14. Plaintiffs filed a motion for summary judgment on 5/30/14. On 6/2/14, Defendant City answered the amended petition. On 6/10/14, the court denied the motion for change of venue. On 10/3/14, Judge Young ruled that Missouri's ban on recognition of the marriages of same-sex couples from other states is unconstitutional. On 10/7/14 the state announced that it would not be appealing the ruling.
	Messer v. Nixon	Whitehood Law Firm, L.L.C. (challenging recognition of marriages of same-sex couples)	<ul style="list-style-type: none"> • Recognition 	Challenge to governor's Executive Order permitting same-sex couples married in other states can file state taxes jointly, filed 1/9/14. Amended motion/petition filed 2/7/14. Motion for TRO and PI filed 3/26/14. Hearing held 4/3/14 and TRO denied 4/4/14. Hearing scheduled for 6/27/14.
	In re marriage of M.S. and D.S.	Private lawyers	<ul style="list-style-type: none"> • Divorce 	Divorce action filed by couple married in Iowa. Dismissed in trial court. Filed a direct appeal to Missouri Supreme Court on 3/13/14. The ACLU of Missouri has filed an amicus brief, joined by Lambda Legal and others. Oral argument was heard on 12/3/14.

	State of Missouri v. Jennifer Florida	State lawyers	<ul style="list-style-type: none"> Freedom to marry 	<p>On 6/26/14 the state brought a declaratory judgment action to stop St. Louis from issuing marriage licenses. The city said they would stop issuing marriage licenses, and on that basis the court denied the AG's motion for a temporary restraining order. On 8/5/14 the defendants filed an answer and a motion for judgment on the pleadings. On 9/9/14 the state filed an opposition to that motion. On 11/5/14 a state court judge in Missouri held that the state's marriage ban is unconstitutional. On 11/6/14, the State appealed.</p>
MS	Czekala-Chatham v. Melancon	Holland Law, P.C.	<ul style="list-style-type: none"> Divorce 	<p>Divorce petition filed 9/11/13; Judge denied divorce on 12/2/13. Appeal was filed on 12/23/13; the state filed a notice of appearance in the appeal. On 5/23/14 the appellant's brief was filed on behalf of Czekala-Chatham. Appellee's response due 30 days after that; appellant's reply brief due 14 days after appellee's brief. Appellee's response was filed on 8/25/14. Appellant's reply was filed on 9/29/14. On 11/14/14, Mississippi filed a supplemental brief in response to an amicus brief filed by the ACLU and ACLU of Mississippi.</p>
NE	Nichols v. Nichols	Domina Law Group	<ul style="list-style-type: none"> Divorce 	<p>Lesbian couple who married in Iowa in 2009 sought divorce in Nebraska. Trial court dismissed their action based on state constitutional amendment. They appealed. ACLU of Nebraska filed amicus brief 3/27/14. Oral argument before Nebraska Supreme Court took place 5/28/14. On 6/13/14 the NE Supreme Court dismissed the case without addressing constitutional issues, saying that because Nichols had appealed from a conditional order and not a final judgment, it lacks jurisdiction over the appeal.</p>
SC	Swicegood v. Thompson	John G. Reckenbeil, LLC	<ul style="list-style-type: none"> Divorce 	<p>Divorce case involving same-sex couple who allege they were in a common law marriage filed 3/13/14. Plaintiff's attorney has said he expects case to be dismissed, and he then will file federal case challenging state's marriage ban.</p>



TN	Borman v. Pyles-Borman	Mark Foster	• Divorce	Couple married in Iowa now seeking divorce in Tennessee. Filed a divorce action on 3/7/2014 challenging the recognition part of Tennessee's constitutional ban on same sex marriage. 5/1/2014 AG filed motion to intervene. 5/6/2014 Court granted motion and set briefing schedule. Oral argument was held 6/27/2014. On 8/6/14, the judge denied their request for a divorce and upheld Tennessee's marriage ban. Plaintiff appealed on 9/16/14. Appellant's brief was filed on 12/19/14.
TX	In re Marriage of J.B. and H.B.	James J. Scheske; Jason Stead	• Divorce	Argued before Texas Supreme Court 11/5/13; awaiting decision.
TX	Texas v. Naylor and Daly	Akin Gump Strauss Hauever & Feld LLP; Law Offices of Robert B. Luther, P.C.	• Divorce	Argued before Texas Supreme Court 11/5/13; awaiting decision.

	In the matter of the marriage of A.L.F.L v. K.L.L.	Judith K. Wemmert Law Offices	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Divorce case in which K.L.L. moved to dismiss divorce and custody petitions of A.L.F., arguing that TX doesn't recognize their marriage from D.C. On 4/22/14 Judge Nellermoe ruled TX's ban on recognizing their marriage unconstitutional. On 4/24/14 a Texas appeals court (the 4th Court of Appeals) granted TX Attorney General Abbott's request for a stay in the ruling while the case is appealed. On 5/28/2014, the Texas Court of Appeals vacated the trial court's ruling because court and parties failed to notify Texas AG of constitutional challenge to Texas law; remanded to trial court. The appeal of that order is pending in the 4th court of appeals. On 6/13/14 a motion for involuntary dismissal was filed by the Appellees. On 7/23/14, an amended notice of appeal was filed. On 8/11/14, appellants filed a motion for emergency relief, and appellees filed a response. The motion was granted on 8/13/14. On 8/18/14, appellees filed a motion for reconsideration; Appellants responded on 8/20/14. On 9/9/14, Appellees filed a reply in support of their motion for reconsideration. On 9/12/14, the motion was denied.</p>
WY	Courage v. Wyoming	NCLR; Arnold & Porter LLP; Zabrod Law Office, PC; Rathod Mohamedbhai LLC	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 3/5/14. This case has only state constitutional claims. Plaintiffs filed motion for summary judgment 7/1/14. State filed motion to stay pending resolution of Kitchen v. Herbert. On 7/29/14 the judge granted the state's request for 90 days of discovery as to whether plaintiffs have standing and deferred resolution of plaintiffs' summary judgment motion pending that (but also denied defendants' motion for a stay pending resolution of 10th Circuit federal cases). On 10/6/14 plaintiffs filed a motion for a temporary restraining order.</p>