

In the United States District Court
For the Western District of Virginia
Harrisonburg Division

JOANNE HARRIS and JESSICA DUFF, and
CHRISTY BERGHOFF and VICTORIA KIDD,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

ROBERT F. MCDONNELL, in his official
capacity as Governor of Virginia; JANET M.
RAINEY, in her official capacity as State Registrar
of Vital Records; THOMAS E. ROBERTS, in his
official capacity as Staunton Circuit Court Clerk,

Defendants.

No. 5:13-cv-00077

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs, by and through their counsel, respectfully move this Court to enter an Order certifying this case as a class action pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure.

WHEREFORE, for the reasons stated in the accompanying Brief in Support of Plaintiffs' Motion for Class Certification and corresponding exhibits, Plaintiffs hereby move the Court to enter an Order certifying this case as a class action.

Dated: August 16, 2013

Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION
OF VIRGINIA FOUNDATION, INC.

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of August 2013, I effected service upon counsel for Defendants Robert F. McDonnell and Janet M. Rainey by electronically filing the foregoing with the Clerk of the Court using the CM/ECF system, and that I also sent a filed courtesy copy of the same by U.S. Mail, postage prepaid. I also certify that I served the foregoing by U.S. Mail, postage prepaid, to Defendant Thomas Roberts, Staunton Circuit Court Clerk.

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August 16, 2013

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