

Marriage Litigation (Last Updated September 10, 2014)

Cases in Federal Court				
(Blue shading indicates cases in federal appeals court)				
(Red shading indicates cases with petitions for certiorari pending)				
<i>Cases headed to 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 that married in MA. (Note: Conde-Vidal is the lawyer and one of the two plaintiffs; the other is her spouse). On 6/25/14 plaintiffs filed an amended complaint adding four same-sex couples and Lambda Legal as counsel.
<i>Cases headed to the 3d Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>
PA	Whitewood v. Wolf	ACLU	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed in July 2013; motion to dismiss denied 11/15/13; cross-motions for summary judgment filed 4/21/14 and now fully briefed. On 5/20/14 judge issued a decision striking down marriage ban as unconstitutional. On 5/21/14 governor announced he would not appeal the decision. Side-show appeal by advocacy group that was denied intervention by district court; waiting for ruling from Circuit about whether appeal will be dismissed as frivolous or a briefing schedule will be set. Skuykill County clerk moved to intervene in the district court on 6/6/2014 in order to be able to appeal. On 6/18/2014 the district judge denied Skuykill County clerk' motion to intervene; on 6/18/14 the clerk appealed the denial of motion to intervene to 3 rd Circuit. On 7/3/14 the court denied the appeal, and the motion for a stay pending appeal was dismissed as moot. On 7/3/14 the clerk filed a motion with the Supreme Court to stay the ruling pending appeal. On 7/9/14 the Supreme Court denied the clerk's appeal. On 7/17/14, the clerk petitioned the 3rd Circuit for rehearing en banc. This petition was denied on 8/4/14.

	Palladino v. Corbett	Morgan, Lewis & Bockius LLP; Jerner & Palmer, PC	<ul style="list-style-type: none"> • Recognition 	Filed in September 2013; AG Corbett and Kane filed motions to dismiss 12/9/13; plaintiffs filed motion for summary judgment 1/13/14; state filed motion for summary judgment 2/19/14; plaintiffs replied 3/13/14. Argument on MSJ set for 5/15/14. On 5/28/14 the court ordered the plaintiffs to show cause why the case should not be dismissed in light of <i>Whitewood</i> . Plaintiffs' response due by 6/20/14.
<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. 2/24/14 judgment declaring Virginia's marriage ban unconstitutional and enjoining its enforcement, stayed pending appeal. Appeals filed by VA AG (who is no longer defending), Norfolk clerk, and intervenor Prince William County clerk (represented by Alliance Defending Freedom). 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 10 th Circuit issued a judgment affirming the district court's decision. On 8/1/14, Appellant McQuigg filed a motion to stay the mandate pending the filing of a petition for Supreme Court review and Intervenor-Appellees the Harris class filed opposition to that motion. On 8/4/14 the 4 th Circuit denied the stay. On 8/15/14 Appellant McQuigg filed an application to stay the mandate to the Supreme Court. The Supreme Court on 8/20/14 granted the stay 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.
	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 Bostic v. Schaefer. Case stayed 3/31/14 pending decision in Bostic.

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 	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 filed 4/9/14. Response filed 4/28/14 and reply on 5/5/14. Defendants filed motion to stay proceedings on 4/11/14; opposition was filed 5/5/14. Defendants filed reply on 5/22/14. On 6/2/14 the Magistrate Judge issued a recommendation to stay the case pending a decision in <i>Bostic v. Schaefer</i> . Briefing is ongoing regarding future proceedings. On 8/27/14 the judge took the recommendation of the magistrate judge and issued a stay pending the termination of the stay issued by the Supreme Court in <i>McQuigg v. Schafer</i> (Bostic case).
	Gerber v. Cooper	ACLU; Sullivan & Cromwell LLP; Ellis & Winters LLP	<ul style="list-style-type: none"> • Recognition 	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. Defendants filed motion to stay proceedings on 4/17/14; opposition was filed 5/5/14. Defendants filed motion to dismiss 5/6/14 and response to motion for stay and expedited review 5/12/14. Defendants filed reply on 5/22/14. On 6/2/14 the Magistrate Judge issued a recommendation to stay the case pending a decision in <i>Bostic v. Schaefer</i> . Briefing is ongoing regarding future proceedings. On 8/27/14 the judge took the recommendation of the magistrate judge and issued a stay pending the termination of the stay issued by the Supreme Court in <i>McQuigg v. Schafer</i> (Bostic case).
	McCrary and Clark v. North Carolina	Pro Se	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	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. Schaefer</i> .



	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 	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 4 th 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.
WV	McGee v. Cole	Lambda Legal; Jenner & Block LLP; The Tinney Law Firm PLLC	<ul style="list-style-type: none"> Freedom to marry 	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. State's motion to dismiss is fully briefed. 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 4 th Circuit's decision in <i>Bostic</i> .
SC	Bradacs v. Haley	Warner, Payne & Black, LLP; Bluestein, Nichols, Thompson & Delgado, LLC; Family Law Consulting	<ul style="list-style-type: none"> Recognition 	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 4 th 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.
<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 	<p>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.</p>
	Zahrn v. Perry	Bell Nunnally & Martin, LLP; James J. Scheske PLLC; Jorgeson Pittman LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>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 5th Circuit's decision in <i>DeLeon</i>.</p>
	McNosky v. Perry	Pro se	<ul style="list-style-type: none"> • Freedom to marry 	<p>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 5th Circuit decision in <i>DeLeon</i>, but on 3/22/14 plaintiffs filed an opposition to the motion for a stay.</p>
	Nuckols v. Perry	Pro Se	<ul style="list-style-type: none"> • Freedom to marry 	<p>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.</p>
	Freeman v. Parker	Lambda Legal	<ul style="list-style-type: none"> • Recognition 	<p>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.</p>

	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.
LA	Robicheaux v. George	Scott J. Spivey	• Recognition	Consolidated with the (now-dismissed) Robicheaux v. Caldwell 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.
	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. Himes (formerly Obergefell v. Wymyslo)	ACLU; Gerhardstein & Branch Co., LPA; Newman & Meeks Co., LPA	• Recognition	In Sixth Circuit. 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 it was consolidated with <i>Henry v. Himes</i> on appeal. Oral argument took place on 8/6/14.

	Henry v. Himes (formerly Henry v. Wymyslo)	Lambda Legal; Gerhardstein & Branch Co., LPA; Newman & Meeks Co., LPA	<ul style="list-style-type: none"> • Recognition 	In Sixth Circuit. 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.
	Gibson v. Himes	Gerhardstein & Branch Co., LPA; Newman & Meeks Co., LPA	<ul style="list-style-type: none"> • Freedom to marry 	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; Defendants' Memorandum Contra due 8/14/14. Plaintiffs' Reply Memorandum due 8/28/14; oral argument to be determined.
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 	In Sixth Circuit. Marriage claims added to second parent adoption claims. Trial judge ruled MI marriage ban unconstitutional 3/21/14. 6 th Circuit stayed decision 3/22/14. State appealed to 6 th Circuit. Briefing schedule at 6 th circuit is: state's brief due 5/7/14, plaintiffs' brief due 6/9/14, amicus briefs supporting appellees due 6/16/14, optional reply brief due 6/26/14. Motion to expedite filed 3/25/14. On 4/4/14 Michigan filed a motion to have the appeal heard directly en banc. On 4/29/14 the 6 th Circuit denied initial en banc review. Oral argument took place on 8/6/14.

	Caspar v. Snyder	ACLU; Sachs Waldman PC; Julian Davis Mortenso	<ul style="list-style-type: none"> • “Window-period” recognition (between district court decision and stay) 	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.
	Blankenship v. Snyder	Alec Scott Gibbs	<ul style="list-style-type: none"> • Recognition 	Filed 6/5/14. On 7/24/14 defendants filed a motion to dismiss.
	Morgan v. Snyder	Rhoades McKee PC	<ul style="list-style-type: none"> • Recognition 	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.
KY	Bourke v. Beshear	Clay Daniel Walton & Adams PLC; Fauver Law Office PLLC	<ul style="list-style-type: none"> • Recognition 	In Sixth Circuit. 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 6 th 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.) On 3/11/14 plaintiffs’ counsel filed a motion with district court seeking \$66,000 in attorneys’ fees. Briefing schedule at 6 th circuit is: state’s brief due 5/7/14, plaintiffs’ brief due 6/9/14, amicus briefs supporting appellees due 6/16/14, optional reply brief due 6/26/14. Oral argument took place on 8/6/14.

	Love v. Beshear	Clay Daniel Walton & Adams PLC; Fauver Law Office PLLC	<ul style="list-style-type: none"> • Freedom to marry 	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, using the last name of one of the men who is part of one of the same-sex couples. 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 AG 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 4/1/14 District Judge ruled the ban on same sex marriage unconstitutional and immediately stayed the decision. Oral argument took place on 8/6/14.
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 Sixth Circuit. 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. Briefing schedule at 6 th circuit is: state's brief due 5/7/14, plaintiffs' brief due 6/9/14, amicus briefs supporting appellees due 6/16/14, optional reply brief due 6/26/14. Oral argument took place on 8/6/14.
<i>Cases headed to the 7th Circuit</i>				
<u>State</u>	<u>Case Name</u>	<u>Counsel</u>	<u>Type of Case</u>	<u>Status</u>
IN	Love v. Pence	Clay Daniel Walton & Adams PLC; Fauver Law Office PLLC	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 3/7/12. Motion for preliminary and permanent injunction filed 3/31/14. On 4/4/14, the Governor filed a motion to dismiss. On 4/14/14, plaintiffs filed a motion for summary judgment and immediate injunctive relief. On 4/25/14 defendant filed opposition to plaintiffs' motion for preliminary and permanent injunction. Fully briefed as of 5/8/14. On 6/25/14, this case was dismissed on the ground that the Governor was not a proper defendant.

	Baskin v. Bogan	Lambda Legal	<ul style="list-style-type: none"> • Freedom to marry 	<p>In Seventh Circuit on the propriety of a preliminary injunction. Filed 3/10/12. Assigned to same judge hearing <i>Love v. Pence</i>. TRO granted 4/10/14, with a written opinion issued 4/18/14. On 4/3/10, plaintiffs filed a motion for preliminary injunction hearing with final trial on the merits and a motion for summary judgment. Argument on the preliminary injunction and on summary judgment was held on 5/2/14. On 4/8/14 the court issued a preliminary injunction, which the state has appealed to the 7th Circuit. On 6/18/14 the office of the attorney general filed a brief in the 7th Circuit in response to the injunction. On 6/25/14 the district judge struck down the marriage ban as unconstitutional. The decision was not stayed. On 6/25/14 the state filed a notice of appeal and a motion for a stay. On 6/27/14 the 7th Circuit granted an emergency stay. Consolidated for purposes of briefing and disposition with <i>Fuji v. Governor</i> and <i>Lee v. Abbott</i>. Argument took place on 8/26/14. On 9/4/14, the 7th Circuit ruled that Wisconsin's marriage laws violate the constitution. On 9/9/14 the state filed a petition for cert to the Supreme Court and respondents filed a response in support of cert.</p>
	Fujii et al. v. Governor	ACLU; Lemieux Law	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed 3/14/2012. Assigned to same judge hearing <i>Love v. Pence</i>. Motion for preliminary injunction and to advance trial to date of preliminary hearing filed 4/3/14. Cross-motions for summary judgment are fully briefed as of 5/8/14. State filed answer to amended complaint on 6/3/14. On 6/25/14 the district judge struck down the marriage ban as unconstitutional. The decision was not stayed. On 6/25/14 the state filed a notice of appeal and a motion for a stay. On 6/26/14 plaintiffs filed an opposition to the state's motion to stay pending appeal. On 6/27/14 the 7th Circuit granted an emergency stay. Consolidated for purposes of briefing and disposition with <i>Baskin v. Bogan</i> and <i>Lee v. Abbott</i>. Argument took place on 8/26/14. On 9/4/14, the 7th Circuit ruled that Wisconsin's marriage laws violate the constitution. On 9/9/14 the state filed a petition for cert to the Supreme Court and respondents filed a response in support of cert.</p>

	Bowling, Bowling, and Bruner v. Pence	Richard A. Mann, P.C.	<ul style="list-style-type: none"> • Recognition 	Filed 3/14/14 on behalf of a couple who was married in Iowa. Assigned to same judge hearing <i>Love v. Pence</i> . On 4/21/14 plaintiffs filed motion for summary judgment. Defendants filed motion for summary judgment on 5/29/14. On 7/14/14 defendants filed a motion to stay judgment pending appeal. On 7/24/14 defendants filed a reply in support of their motion for summary judgment. On 7/24/14 plaintiffs filed a response in opposition to a motion to stay judgment pending appeal. On 8/19/14 the judge ruled that IN must recognize out-of-state marriages; the ruling was stayed pending appeal.
	Lee v. Abbott (formerly Lee v. Pence)	Austin & Jones, P.C.; Fillenwarth Dennerline Groth & Towe, LLP; Sniderman Nguyen, LLP; Sweeney Law Group, LLC	<ul style="list-style-type: none"> • Recognition 	Filed 3/14/14 on behalf of 4 lesbian couples (and the children of one couple) married in other states, where one member of each couple is either a local law enforcement officer or a retired fire department officer. Assigned to same judge hearing <i>Love v. Pence</i> . On 5/16/14 Defendants filed answer to complaint. On 6/5/14 Plaintiffs filed a reply in support of their motion for summary judgment, and a motion for leave to file an amended complaint. On 6/25/14 the district judge struck down the marriage ban as unconstitutional. The decision was not stayed. On 6/25/14 the state filed a notice of appeal and a motion for a stay. On 6/26/14 the state filed a notice of appeal to the 7 th Circuit. On 6/27/14 the 7 th Circuit granted an emergency stay. Consolidated for purposes of briefing and disposition with <i>Baskin v. Bogan</i> and <i>Fujii v. Governor</i> . Argument took place on 8/26/14. On 9/4/14, the 7 th Circuit ruled that Wisconsin's marriage laws violate the constitution. On 9/9/14 the state filed a petition for cert to the Supreme Court and respondents filed a response in support of cert.

WI	Wolf and Schumacher v. Walker	ACLU; Mayer Brown, LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>In 7th Circuit and District Court (sorting out jurisdiction). Complaint filed 2/3/14. Motion for preliminary injunction filed 2/27/14 but withdrawn on 3/11/14. Expedited briefing schedule on motion for summary judgment: plaintiffs filed motion for summary judgment 3/24/14; state's opposition filed 5/9/14; reply due 5/19/14. On 3/14/14, defendants filed motion to stay pending the state supreme court's decision in <i>Appling v. Doyle</i> or abstain, which was denied 3/24/14. Defendants moved to dismiss 3/20/14 and plaintiffs opposed on 4/10/14. On 5/2/14 judge dismissed district atty plaintiffs. On 5/23/14 the state filed a motion to stay if the court rules in favor of the plaintiffs. On 5/30/14 plaintiffs filed an opposition to the motion to stay. On 6/6/14, the district court granted judgment in favor of Plaintiffs, concluding that the state's marriage bans violate both the fundamental right to marry and equal protection. The court gave Plaintiffs until 6/16/14 to submit a proposed injunction, gave Defendants until one week after Plaintiffs' filing to file objections to that proposed injunction, and gave Plaintiffs until one week thereafter to file a reply. On 6/6/14 the state filed an emergency motion to stay with district court. The state then filed appeal and emergency motion to stay with 7th Circuit 6/9/2014. The hearing originally scheduled for 6/19/14 was moved up to 6/13/14. On 6/11/14 Wisconsin Gov. Scott Walker's office began processing marriage certificates of same-sex couples married in the state. Also on 6/11/14 Wisconsin AG Van Hollen asked the district judge for an expedited ruling without further hearings. On 6/13/14, the district court entered its final judgment and injunction, but stayed the injunction pending appeal. Certain of the defendants sought to appeal to the 7th Circuit on 6/9/14, but, after briefing, the 7th Circuit dismissed that appeal as improper on 6/16/14, because no final judgment had been issued at the time of that appeal. The state has until 7/13/14 to file an appeal. On 7/10/2014, the AG appealed the ruling so the case will head to the 7th Circuit in Chicago. Consolidated with the Indiana marriage cases on 7/11/14. Argument set for 9/13/14. AG Van Hollen filed a request 7/14/14 for the 7th Circuit to hear the case en banc with <i>Fujii v. Governor</i>. On 7/15/14 the court rejected his request. Argument took place on 8/26/14. On 9/4/14, the 7th Circuit ruled that Wisconsin's marriage laws violate the constitution. On 9/9/14 the state filed a petition for cert to the Supreme Court and respondents filed a response in support of cert.</p>
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<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.
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.
	Jorgensen v. Montplaisir	Lambda Legal	<ul style="list-style-type: none"> • Recognition 	Filed 6/9/14. On 6/17/14 plaintiffs filed motion for summary judgment.
SD	Rosenbrahn v. Daugaard	Joshua Newville; Burd & Voigt Law office	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	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.
<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.

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 	<p>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 opening brief (including on mootness issue) deadline of 4/25/14, answering brief deadline of 5/27/14, and reply briefs are due 6/27/14. Defendant Fuddy has declined to file an answering brief. Oral argument took place 9/8/14.</p>
OR	Geiger v. Kitzhaber	Law Works LLC; Dorsay & Easton LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	<p>Filed in 10/15/13; amended complaint filed 12/4/13; 1/13/14 consolidated with Rummell v. Kitzhaber. 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 held on 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 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 9th 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 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. Appeal of denial of intervention motion was denied by 9th Circuit.</p>

	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. Appeal of denial of intervention motion was denied by 9th Circuit.</p>
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.</p>

ID	Taylor v. Brasuell	National Center for Lesbian Rights; Law Offices of Deborah A. Ferguson, PLLS; Durham Law Office, PLLC	<ul style="list-style-type: none"> • Recognition 	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.
AZ	Connolly v. Roche (formerly v. Brewer)	Shawn Aiken; Griffen & Stevens Law Firm, PLLC; Mikkell Jordahl, P.C.; Dillon Law Office	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	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.
	Majors v. Horne	Lambda Legal; Perkins Coie LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	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. Briefing schedule is the following: Plaintiffs' motion for summary judgment is due 8/1/14 and Defendants' opposition and cross-motion are due 9/5/14. Plaintiffs' opposition to Defendants' motion and reply on their motion is due 10/6/14, and Defendants' reply on their motion is due 10/27/14.
MT	Rolando v. Fox	ACLU	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 5/21/14. Governor Bullock announced he will not defend the ban (though the AG will do so). 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 set for 8/20/14.



AK	Hamby v. Parnell	Heather Gardner, Caitlin Shortell, Allison Mendell	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	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 set for 10/10/2014.
<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> and that amicus briefs filed in either case be treated as filed in both. 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.
UT	Kitchen v. Herbert	NCLR; Magleby & Greenwood, P.C.	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	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.

UT	Evans v. Utah	ACLU; Strindberg & Scholnick, LLC	<ul style="list-style-type: none"> • “Window-period” recognition (between district court decision and stay) 	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.
CO	Burns v. Hickenlooper	Killer, Lane & Newman, LLP; Mari Newman, David A. Lane, Darren M. Jankord, Danielle C. Jefferis	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Complaint and motion for preliminary injunction filed in U.S. District Court for the District of Colorado on 7/1/14. On 7/2/14 AG Suthers filed a motion to stay proceedings and non-opposition to proposed preliminary injunction. On 7/23/14 Judge Raymond Moore ruled Colorado’s marriage ban unconstitutional, but stayed his ruling until 7/25/14. On 7/23/14 AG Suthers appealed the ruling to the 10 th Circuit Court of Appeals.

<i>Cases headed to 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 is due 8/29/14; Defendants' opposition and cross motion are due 10/1/14; Plaintiffs' reply is due 10/22/14; Defendants' reply is due 10/29/14.
	Searcy v. Bentley	Christine Cassie Hernandez and David Graham Kennedy	<ul style="list-style-type: none"> • Recognition • Second-parent adoption 	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; discovery cutoff is set for 10/15/14; dispositive motions due from plaintiffs by 10/15/14; dispositive motions due from defendants by 11/17/14.
	Aaron-Brush v. Bentley	ACLU	<ul style="list-style-type: none"> • Recognition 	Filed 6/10/14. The governor filed a motion to dismiss on 7/14/14 and the other defendants filed on 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.

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 	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; awaiting a ruling. On 8/21/14 the judge ruled that Florida's marriage bans are unconstitutional.
	Grimsley v. Scott	ACLU; Podhurst Orseck, P.A.	<ul style="list-style-type: none"> • Recognition 	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; awaiting a ruling. On 8/21/14 the judge ruled that Florida's marriage bans are unconstitutional.
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 residents 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 plaintiffs and an additional defendant.

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>
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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 	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.
CO	Brinkman v. Long	Wilcox & Ogden, P.C.; Thomas Russell	<ul style="list-style-type: none"> • Freedom to marry 	Filed 10/30/13 in Adams County District Court. On 12/23 court granted AG's motion to intervene. Consolidated with <i>McDaniel-Miccio v. Colorado</i> at AG's request. Plaintiffs and AG cross-moved for summary judgment in May and argument was held on 6/16/14. On 7/9 Judge Scott Crabtree struck down Colorado's marriage ban as violating both due process and equal protection guarantees. The ruling was "stayed pending a resolution of the issue on appeal." Nonetheless, Denver Clerk Johnson began issuing marriage licenses to same-sex couples. On 7/10 the AG filed an emergency motion as part of this case to stop the issuance of licenses in Denver. Judge Crabtree denied that motion on 7/14. Also on 7/14, AG Suthers filed a notice of appeal of the merits of these cases to the Colorado Supreme Court, and sought a stay (of the issuance of licenses in Denver and Adams County) pending appeal via emergency motion. On 7/18/14, the Colorado Supreme Court <i>en banc</i> granted the state's emergency motion for a stay pending appeal, "in light of the stay entered by the Trial Court."

	McDaniel-Miccio v. Colorado	Reilly Pozner LLP; Law of the Rockies; Gutterman Griffiths PC	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 2/19/14. Defendants answered 4/2/14. Cross-motions for summary judgment were filed on 5/2/14. Consolidated with <i>Brinkman v. Long</i> (see <i>Brinkman</i> entry for rest of history).
	People of the State of Colorado ex rel Suthers v. Hall		<ul style="list-style-type: none"> • Cessation of freedom to marry 	Filed 7/3/14 by AG John Suthers to stop Boulder County from issuing marriage licenses (which it began doing 6/25 in response to the [stayed] 10 th Circuit decision in <i>Kitchen v. Herbert</i>). On 7/7 Hall filed a response. Hearing on motion for preliminary injunction and request temporary restraining order held 7/9/14. On 7/10, Judge Hartman denied the motion, but ordered Hall to identify all marriages of same-sex couples thus far, relay that data to the state, and notify all same-sex couples allowed to marry previously or in future that the validity of their marriage is dependent on future determinations as to whether Hall had authority to grant them marriage license at the time of issuance. As of 7/21 Boulder was still marrying same-sex couples. Pueblo Co. stopped doing so 7/21 after Suthers sent a demand letter threatening a similar lawsuit.
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 	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.
	Shaw v. Shaw	The Ware Law Group; Brett Rahall, P.A.	<ul style="list-style-type: none"> • Divorce 	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.

	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 	<p>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.</p>
	Simpson v. Bondi	Minerley Fein, P.A.	<ul style="list-style-type: none"> • Recognition 	<p>Filed 5/13/14 seeking recognition so he can qualify as a “Personal Representative” in the estate proceedings of his deceased spouse.</p>
	Trepanier v. Heavilin	Wayne LaRue Smith	<ul style="list-style-type: none"> • Freedom to marry 	<p>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.</p>
	Brassner v. Lade		<ul style="list-style-type: none"> • Divorce 	<p>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.</p>
KS	Nelson v. Kansas Dept. of Revenue	Law Office of David J. Brown	<ul style="list-style-type: none"> • Recognition 	<p>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.</p>
KY	Kentucky Equality Federation v. Beshear	Harbinger & Associates	<ul style="list-style-type: none"> • Recognition 	<p>Filed 9/10/13; motion to hold in abeyance denied 2/21/14. Consolidated with <i>Hardee v. Beshear</i> on 4/10/14.</p>

	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.
	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"> • Freedom to marry • 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.
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.
	Lawson v. Jackson County Department of Recorder of Deeds	ACLU	<ul style="list-style-type: none"> • Freedom to Marry 	Filed 6/24/14.
	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.

MS	Czekala-Chatham v. Melancon	Holland Law, P.C.	<ul style="list-style-type: none"> • Divorce 	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.
NE	Nichols v. Nichols	Domina Law Group	<ul style="list-style-type: none"> • Divorce 	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.
PA	Dep't of Health v. Hanes	Montgomery County Solicitor's Office; Rudolf, Clarke & Kirk, LLC; Lowey Dannenberg Cohen & Hart, P.C.	<ul style="list-style-type: none"> • Freedom to marry • Only state claims 	Commonwealth court ordered Montgomery County Register of Wills to stop issuing marriage licenses to same-sex couples. Appeal filed 10/1/13. Now fully briefed at PA Supreme Court; awaiting order re: oral argument. On 5/27/14, the Pennsylvania Supreme Court granted an unopposed motion by the clerk to allow him to resume marrying same-sex couples in light of the federal <i>Whitewood</i> decision.
	Cuccinotta v. Corbett	Lyman & Ash	<ul style="list-style-type: none"> • Freedom to marry • Only state claims 	Filed in September 2013. Briefing is complete on Respondents' preliminary objections (motion to dismiss), and oral argument on them is set for 6/18/14. On 5/23/14, Respondents filed an application to dismiss for mootness as a result of the federal <i>Whitewood</i> decision.
	Ballen v. Corbett	Dechert LLP; David S. Cohen	<ul style="list-style-type: none"> • Freedom to marry • Only state claims 	Filed in September 2013 on behalf of 21 couples; Preliminary objections (motion to dismiss) filed. Claims against Governor and Attorney General have been dismissed. Respondents' preliminary objections set for oral argument on 6/18/14. On 5/23/14, Respondents filed an application to dismiss for mootness as a result of the federal <i>Whitewood</i> decision.

	In re Estate of Catherine C. Burgi-Rios	Jenner & Palmer, P.C.; Leonore F. Carpenter; Alexander & Pelli, LLC	• Divorce	A claim for recognition for the limited purpose of estate taxes filed 9/25/13. State filed preliminary objections 11/22/13. Brief responding to preliminary objections is due 4/24/14; oral argument on preliminary objections was held on 4/29/14.
SC	Swicegood v. Thompson	John G. Reckenbeil, LLC	• Divorce	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.
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.
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.
	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 	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 4 th court of appeals. On 6/13/14 a motion for involuntary dismissal was filed by the Appellees.
WI	Halopka-Ivery v. Walker	Midwest Green Card LLC	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 4/16/14 directly to the Wisconsin Supreme Court. On 5/27/14, the Wisconsin Supreme Court declined to hear this case invoking its discretionary original jurisdiction.
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 	Filed 3/5/14. 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 10 th Circuit federal cases).

Total Number of Cases: 92

Cases in Federal Court: 59

Cases in State Court: 33

Number of States with a lawsuit: 34 (AL, AK, AR, AZ, CO, FL, GA, HI, ID, IN, KS, KY, LA, MI, MO, MS, MT, NC, ND, NE, NV, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WI, WV, WY) + PR