

Marriage Litigation (Last Updated June 12, 2014)

Cases in Federal Court				
(Blue shading indicates cases in federal appeals court)				
<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	<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)
<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. Plaintiffs have until 6/13/14 to respond.
	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.
	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 stay pending a decision in <i>Bostic v. Schaefer</i> .

	Gerber v. Cooper	ACLU; Sullivan & Cromwell LLP; Ellis & Winters LLP	<ul style="list-style-type: none"> • 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. 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 stay pending a decision in <i>Bostic v. Schaefer</i>.</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. Schaefer</i>.</p>
	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.</p>
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. 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 4th Circuit's decision in <i>Bostic</i>.</p>
SC	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.</p>

<i>Cases headed to (or in) the 5th Circuit</i>				
State	Case Name	Counsel	Type of Case	Status
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: opening briefs due 7/9/14, response due 30 days after opening briefs submitted. Date for oral argument not yet set.
	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> .
	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.
	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.
	Freeman v. Parker	Lambda Legal	<ul style="list-style-type: none"> • 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.
	Pidgeon v. Parker	Woodfell Law Firm, P.C.; Texas Values; The Olson Firm, PLLC	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Freedom to marry • 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.
	Forum for Equality Louisiana v. Barfield	Stone Pigman Walther Wittmann LLC	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.
	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.

	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.
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.
	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.
	Blankenship v. Snyder	Alec Scott Gibbs	<ul style="list-style-type: none"> • Recognition 	Filed 6/5/14.
	Morgan v. Snyder	Rhoades McKee PC	<ul style="list-style-type: none"> • Recognition 	Filed 6/11/14.

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.
	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.
TN	Tanco v. Haslam	NCLR; Rubenfeld 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.

<i>Cases headed to the 7th Circuit</i>				
State	Case Name	Counsel	Type of Case	Status
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.
	Baskin v. Bogan	Lambda Legal	<ul style="list-style-type: none"> • Freedom to marry 	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 7 th Circuit.
	Fujii et al. v. Governor	ACLU; Lemieux Law	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	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.
	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.

	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.
WI	Wolf and Schumacher v. Walker	ACLU; Mayer Brown, LLP	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	In 7 th 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 judge ruled the marriage ban unconstitutional. Plaintiffs have until 6/16/14 to submit proposed injunction; defendants response due one week thereafter; plaintiffs reply due one week thereafter. State filed emergency motion to stay with district court 6/6/2014. State filed appeal and emergency motion to stay with 7 th Circuit 6/9/2014. Briefing on plaintiffs' injunction is complete as of 6/11/14, and hearing originally scheduled for 6/19/14 has been 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; he plans to appeal her ruling when it is issued.

<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.
ND	Ramsay v. Dalrymple	Joshua Newville; Thomas D. Riebiger	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 6/6/14.
	Jorgensen v. Montplaisir	Lambda Legal	<ul style="list-style-type: none"> • Recognition 	Filed 6/9/14.
SD	Rosenbrahn v. Daugaard	Joshua Newville; Burd & Voigt Law office	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 5/22/14.
<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; argument set for September 2014.
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 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 indicated that she will not be filing an answering brief.

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 is pending before Circuit.</p>
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	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 is pending before 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 has been scheduled for the week of 9/8/14.</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 	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; response and cross motion due 6/10/14; reply and response to cross motion due 6/30/14; reply on cross-motion due 7/21/14.
	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.
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).
AK	Hamby v. Parnell	Heather Gardner, Caitlin Shortell, Allison Mendell	<ul style="list-style-type: none"> • Freedom to marry • Recognition 	Filed 5/12/14.
<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.

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.
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, which the Circuit extended without end date. On 6/6/2014 plaintiffs filed opposition to state’s motion to extend the stay.

<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.
	Aaron-Brush v. Bentley	ACLU	<ul style="list-style-type: none"> • Recognition 	Filed 6/10/14.
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.



	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> . Response to complaint and to preliminary injunction motion due 4/25/14. Briefing on preliminary injunction motion complete as of 5/27/14; awaiting a ruling.
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. The defendants sought an extension of time to respond.

<i>Cases in State Court (all include federal claims except where noted)</i>				
<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 	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.

CO	Brinkman v. Long	Wilcox & Ogden, P.C.; Thomas Russell	<ul style="list-style-type: none"> • Freedom to marry 	Filed 10/30/13; 12/9/13 clerk filed a motion to dismiss; 12/13/13 On 12/23/13 court granted AG's motion for state of CO to intervene as a party; clerk answered complaint 1/2/14; motion to excuse defendant clerk and recorder filed 1/29/14; hearing on the motion to dismiss was scheduled for week of 3/3/14, but was not heard then. Hearing set for 6/12/14.
	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. The case was transferred to a multi-district litigation panel in Adams county. Hearing on consolidation with <i>Brinkman v. Long</i> case scheduled for 6/16/14.
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. A hearing on that motion is scheduled for 7/2/14.
	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 	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; hearing set for 7/7/14.
	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.

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.
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.
	Hardee v. Beshear	O'Hara, Ruberg, Taylor, Sloan & Sergeant	<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.
	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.
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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.
TX	In re Marriage of J.B. and H.B.	James J. Scheske; Jason Stead	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • 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, Texas Court of Appeals vacates trial court's ruling because court and parties failed to notify Texas AG of constitutional challenge to Texas law, remanded to trial court.
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.



Total Number of Cases: 85

Cases in Federal Court: 56

Cases in State Court: 29

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