

CLOSED

**U.S. District Court
Alabama Middle District (Montgomery)
CIVIL DOCKET FOR CASE #: 2:13-cv-00922-WKW-SRW**

Hard v. Strange et al
Assigned to: Chief Judge William Keith Watkins
Referred to: Honorable Judge Susan Russ Walker
Related Case: 2:12-cv-00533-MHT-SRW
Case in other court: USDC, 15-13836-C
Cause: 28:2201 Declaratory Judgement

Date Filed: 12/16/2013
Date Terminated: 07/29/2015
Jury Demand: None
Nature of Suit: 950 Constitutional – State Statute
Jurisdiction: Federal Question

Plaintiff

Paul Hard

represented by **David Carter Dinielli**
Southern Poverty Law Center
400 Washington Ave
Montgomery, AL 36104
334-956-8200
Fax: 334-956-8481
Email: david.dinielli@splcenter.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel Eugene Wolfe
Southern Poverty Law Center
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Email: sam.wolfe@splcenter.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Robert Bentley
*in his official capacity as Governor of the
State of Alabama*
TERMINATED: 03/10/2015

represented by **David Bryson Byrne , Jr.**
State of Alabama, Governor's Office
600 Dexter Avenue; Room NB-05
Montgomery, AL 36130
334-242-7120
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Email: david.byrne@governor.alabama.gov
TERMINATED: 03/10/2015
LEAD ATTORNEY
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TERMINATED: 03/10/2015
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Laura Elizabeth Howell
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334-353-1018
Fax: 334-353-8440
Email: lhowell@ago.state.al.us
TERMINATED: 03/10/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Luther Johnson Strange, III
*in his official capacity as Attorney
General of the State of Alabama*

represented by **James William Davis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laura Elizabeth Howell
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Catherine M. Donald
*in her official capacity as the State
Registrar of Vital Statistics*
TERMINATED: 03/07/2014

Defendant

Steven L. Reed
*in his official capacity as Probate Judge
for the County of Montgomery*
TERMINATED: 04/22/2014

represented by **Tyrone Carlton Means**
Means Gillis Law LLC
P.O. Box 5058
Montgomery, AL 36103-5058
334-270-1033
Fax: 334-260-9396
Email: tcmeans@meansgillislaw.com
TERMINATED: 04/22/2014
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard I. Lohr, II
*Administrator of the Estate of David
Fancher (terminated 2-13-2014); added
as Intervenor Defendant per [75] order*

represented by **Richard Duane Morrison**
Beasley Allen Law Firm
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Montgomery, AL 36104
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Email: rick.morrison@beasleyallen.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Pat Fancher

represented by **Gabriel Joseph Smith**
Foundation For Moral law
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Opelika, AL 36103
334-262-1245
Email: gabrieljoseph.smith@gmail.com
TERMINATED: 07/02/2015
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Matthew Kidd

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Montgomery, AL 36104

334-262-1245

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Email: kidd.matthew@gmail.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Intervenor Defendant**Beasley, Allen, Crow, Methvin, Portis,
& Miles, P.C.**represented by **Richard Duane Morrison**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/16/2013	<u>1</u>	COMPLAINT for declaratory and injunctive relief against Robert Bentley, Catherine M. Donald, Richard I. Lohr, II, Steven L. Reed, Luther Johnson Strange, III (Filing fee \$ 400.00 receipt number 4602029354.), filed by Paul Hard. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> fee receipt)(djy,) (Entered: 12/19/2013)
12/16/2013	<u>2</u>	Corporate/Conflict Disclosure Statement by Paul Hard. (djy,) (Entered: 12/19/2013)
12/17/2013	<u>3</u>	Summons Issued as to Robert Bentley, Catherine M. Donald, Richard I. Lohr, II, Steven L. Reed, Luther Johnson Strange, III and returned to counsel for personal service on defendants. (djy,) (Entered: 12/19/2013)
01/07/2014	<u>4</u>	Motion for David Carter Dinielli to Appear Pro Hac Vice for plaintiff (Filing fee \$ 50.00 receipt number 4602029498.) by Paul Hard. (Attachments: # <u>1</u> certificates of good standing, # <u>2</u> Text of Proposed Order, # <u>3</u> fee receipt)(djy,) (Entered: 01/08/2014)
01/09/2014	<u>5</u>	ORDER granting <u>4</u> Motion for David Carter Dinielli Leave to Appear Pro Hac Vice, as further set out in order. Signed by Chief Judge William Keith Watkins on 1/9/14. (djy,) (Entered: 01/09/2014)
02/12/2014	<u>6</u>	NOTICE by Paul Hard <i>Notice of Filing of Stipulation</i> (Attachments: # <u>1</u> Exhibit Exhibit A to Notice of Filing of Stipulation)(Wolfe, Samuel) (Entered: 02/12/2014)
02/12/2014	<u>7</u>	NOTICE by Paul Hard <i>Notice of Dismissal Without Prejudice</i> (Wolfe, Samuel) (Entered: 02/12/2014)
02/13/2014	<u>8</u>	CLERK'S NOTICE of Voluntary Dismissal of defendant Richard I. Lohr, II (Administrator of the Estate of David Fancher) dismissing this defendant without prejudice from this case. (djy,) (Entered: 02/13/2014)
02/13/2014	<u>9</u>	SUMMONS Returned Executed by Paul Hard. Robert Bentley served on 2/13/2014, answer due 3/6/2014. (Dinielli, David) (Entered: 02/13/2014)
02/13/2014	<u>10</u>	SUMMONS Returned Executed by Paul Hard. Luther Johnson Strange, III served on 2/13/2014, answer due 3/6/2014. (Dinielli, David) (Entered: 02/13/2014)
02/13/2014	<u>11</u>	SUMMONS Returned Executed by Paul Hard. Catherine M. Donald served on 2/13/2014, answer due 3/6/2014. (Dinielli, David) (Entered: 02/13/2014)
02/13/2014	<u>12</u>	SUMMONS Returned Executed by Paul Hard. Steven L. Reed served on 2/13/2014, answer due 3/6/2014. (Dinielli, David) (Entered: 02/13/2014)
02/14/2014	<u>13</u>	NOTICE of Appearance by Tyrone Carlton Means on behalf of Steven L. Reed (Means, Tyrone) (Entered: 02/14/2014)
03/06/2014	<u>14</u>	NOTICE by Paul Hard <i>of Filing of Stipulation Between Plaintiff Paul Hard and Defendant Catherine M. Donald, State Registrar of Vital Statistics</i> (Attachments: # <u>1</u> Exhibit Stipulation and Agreement)(Dinielli, David) (Entered: 03/06/2014)

03/06/2014	<u>15</u>	NOTICE by Paul Hard of <i>Dismissal Without Prejudice of Catherine M. Donald</i> (Dinielli, David) (Entered: 03/06/2014)
03/07/2014	<u>16</u>	CLERK'S NOTICE of Voluntary Dismissal of defendant Catherine M. Donald dismissing this defendant without prejudice from this case. (djy,) (Entered: 03/07/2014)
03/07/2014	<u>17</u>	Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement sent to Steven L. Reed; Corporate Disclosures due by 3/17/2014. (Attachments: # <u>1</u> standing order & format)(djy,) (Entered: 03/07/2014)
03/10/2014	<u>18</u>	ANSWER to <u>1</u> Complaint, by Robert Bentley, Luther Johnson Strange, III.(Davis, James) (Entered: 03/10/2014)
03/10/2014		***Attorney Laura Elizabeth Howell,David Bryson Byrne, Jr for Robert Bentley,Laura Elizabeth Howell for Luther Johnson Strange, III added pursuant to <u>18</u> answer (NO PDF document attached to this notice). (djy,) (Entered: 03/11/2014)
03/11/2014	<u>19</u>	Corporate/Conflict Disclosure Statement by Robert Bentley. (Davis, James) (Entered: 03/11/2014)
03/11/2014	<u>20</u>	Corporate/Conflict Disclosure Statement by Luther Johnson Strange, III. (Davis, James) (Entered: 03/11/2014)
03/12/2014	<u>21</u>	ORDER TO SHOW CAUSE by defendant Reed why he has not responded to the complaint; Show Cause Response due by 3/21/2014. Signed by Chief Judge William Keith Watkins on 3/12/14. (djy,) (Entered: 03/12/2014)
03/12/2014	<u>22</u>	ORDER directing that the Rule 26(f) Report containing the discovery plan shall be filed as soon as practicable but not later than 4/2/2014, as further set out in order. Signed by Chief Judge William Keith Watkins on 3/12/14. (djy,) (Entered: 03/12/2014)
03/12/2014	<u>23</u>	GENERAL BRIEFING ORDER for any motions to remand, motions to dismiss, motions for judgment on the pleadings, motions for summary judgment, and Daubert motions setting briefing schedule, as further set out in order. Signed by Chief Judge William Keith Watkins on 3/12/14. (djy,) (Entered: 03/12/2014)
03/14/2014	<u>24</u>	ANSWER to Complaint by Steven L. Reed.(Means, Tyrone) (Entered: 03/14/2014)
03/19/2014	<u>25</u>	Corporate/Conflict Disclosure Statement by Steven L. Reed re <u>17</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement. (Means, Tyrone) (Entered: 03/19/2014)
03/20/2014	<u>26</u>	First MOTION to Intervene by Pat Fancher. (Smith, Gabriel) (Entered: 03/20/2014)
03/20/2014	<u>27</u>	ORDERED that on or before 3/28/2014, the parties shall show cause, if any there be, why Pat Fancher's <u>26</u> Motion to Intervene should not be granted. Signed by Chief Judge William Keith Watkins on 3/20/2014. (wcl,) (Entered: 03/20/2014)
03/20/2014		***Attorney Gabriel Joseph Smith for Pat Fancher added pursuant to the <u>26</u> motion. (No pdf attached to this entry) (wcl,) (Entered: 03/20/2014)
03/24/2014	<u>28</u>	NOTICE by Paul Hard re <u>27</u> Order to Show Cause (Dinielli, David) (Entered: 03/24/2014)
03/27/2014	<u>29</u>	RESPONSE TO ORDER TO SHOW CAUSE by Robert Bentley, Luther Johnson Strange, III re <u>27</u> Order to Show Cause. (Davis, James) (Entered: 03/27/2014)
03/28/2014	<u>30</u>	RESPONSE to Motion re <u>26</u> First MOTION to Intervene filed by Robert Bentley. (Means, Tyrone) Modified on 3/31/2014 to clarify text to reflect that this RESPONSE is filed by Steven Reed as shown in PDF document not Robert Bentley (qc/djy,). (Entered: 03/28/2014)
03/30/2014	<u>31</u>	MOTION to Continue <i>Rule 26 Filing Deadline</i> by Robert Bentley, Luther Johnson Strange, III. (Davis, James) (Entered: 03/30/2014)
03/31/2014		NOTICE of Docket Text Correction re <u>30</u> Response to Motion to clarify text to reflect that this RESPONSE is filed on behalf of Steven Reed as shown in PDF document (NO PDF Document attached to this notice). (djy,) (Entered: 03/31/2014)

03/31/2014	<u>32</u>	TEXT ORDER GRANTING <u>31</u> MOTION for extension of time and extending the Rule 26(f) report deadline to 4/16/2014. Signed by Chief Judge William Keith Watkins on 3/31/14. (NO PDF Document attached to this notice).(djj,) (Entered: 03/31/2014)
03/31/2014	<u>33</u>	ORDER granting Pat Fancher's <u>26</u> Motion to Intervene as a defendant; directing the Clerk to add Ms. Fancher to the case as an intervenor defendant, as further set out in order. Signed by Chief Judge William Keith Watkins on 3/31/2014. (djj,) (Entered: 03/31/2014)
04/11/2014	<u>34</u>	NOTICE by Paul Hard of <i>Filing of Stipulation between Plaintiff Paul Hard and Defendant Steven L. Reed</i> (Attachments: # <u>1</u> Exhibit Executed Stipulation and Agreement)(Wolfe, Samuel) (Entered: 04/11/2014)
04/11/2014	<u>35</u>	NOTICE of Voluntary Dismissal by Paul Hard (Attachments: # <u>1</u> Exhibit Stipulation of Dismissal of Judge Reed)(Wolfe, Samuel) (Entered: 04/11/2014)
04/16/2014	<u>36</u>	REPORT of Rule 26(f) Planning Meeting. (Wolfe, Samuel) (Entered: 04/16/2014)
04/17/2014	<u>37</u>	ORDER setting on-the-record Scheduling Conference for 4/22/2014 @ 01:30 PM before Chief Judge William Keith Watkins, in Courtroom 2B, FMJ USCC, Montgomery, AL; directing the Clerk to provide a court reporter for the conference. Signed by Chief Judge William Keith Watkins on 4/17/14. Furnished to calendar group & AR.(djj,) (Entered: 04/17/2014)
04/21/2014	<u>38</u>	ANSWER to <u>1</u> Complaint, by Pat Fancher.(Smith, Gabriel) (Entered: 04/21/2014)
04/22/2014	<u>39</u>	CLERK'S NOTICE of Voluntary Dismissal of defendant Steven L. Reed; dismissing this defendant without prejudice from this case. (djj,) (Entered: 04/22/2014)
04/22/2014	<u>40</u>	Minute Entry for proceedings held before Chief Judge William Keith Watkins: Scheduling Conference held 4/22/2014 (PDF available for court use only). (Court Reporter Risa Entrekin.) (ajr,) (Entered: 04/22/2014)
04/22/2014	<u>41</u>	ORDER directing the plaintiff to file, on or before 4/28/2014, his written notice identifying other federal cases addressing state marriage laws and the scope of the issues requiring discovery in those cases; Defendants may also file a similar notice on or before April 28, 2014, if they wish to do so. Signed by Chief Judge William Keith Watkins on 4/22/14. (djj,) (Entered: 04/22/2014)
04/28/2014	<u>42</u>	NOTICE by Paul Hard re <u>41</u> Order, of <i>Plaintiff's Compilation of Post-Windsor Decisions Finding Marriage Restrictions Unconstitutional</i> (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11)(Dinielli, David) (Entered: 04/28/2014)
04/30/2014	<u>43</u>	NOTICE by Robert Bentley, Luther Johnson Strange, III re <u>42</u> Notice (Other), <i>Response to Notice</i> (Davis, James) (Entered: 04/30/2014)
05/02/2014	<u>44</u>	SCHEDULING ORDER directing plf's motion for summary judgment is due on or before 8/29/2014; defendants' opposition briefs and cross motions for summary judgment are due on or before 10/1/2014; plf's reply brief is due on or before 10/22/2014; defendants' surreply briefs are due on or before 10/29/2014, as further set out in order; Mediation Notice due by 9/14/2014; Amended Pleadings due by 5/30/2014; Discovery shall be completed on or before 8/15/2014, as further set out in order. Signed by Chief Judge William Keith Watkins on 5/2/14. (djj,) (Entered: 05/02/2014)
07/16/2014	<u>45</u>	NOTICE by Paul Hard re <u>42</u> Notice (Other), of <i>Supplement of Plaintiff's Compilation of Post-Windsor Decisions Finding Marriage Restrictions Unconstitutional</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Dinielli, David) (Entered: 07/16/2014)
07/18/2014	<u>46</u>	First MOTION to Compel <i>Defendant Bentley's and Defendant Strange's Response to Interrogatory 2 in Plaintiff's First Set of Interrogatories</i> by Paul Hard. (Dinielli, David) (Entered: 07/18/2014)
07/18/2014		MEMORANDUM of LAW in Support re <u>46</u> First MOTION to Compel <i>Defendant Bentley's and Defendant Strange's Response to Interrogatory 2 in Plaintiff's First Set</i>

		<i>of Interrogatories</i> filed by Paul Hard. (NO PDF Document attached to this notice—see as contained in Docket entry <u>46</u>). (dgy,) (Entered: 07/22/2014)
07/22/2014	<u>47</u>	ORDER directing the plaintiffs file a response to the <u>46</u> First MOTION to Compel on or before close of business on 7/28/2014. Signed by Honorable Judge Susan Russ Walker on 7/22/14. (dgy,) (Entered: 07/22/2014)
07/24/2014	<u>48</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Robert Bentley, Luther Johnson Strange, III. (Davis, James) (Entered: 07/24/2014)
07/28/2014	<u>49</u>	RESPONSE to Motion re <u>46</u> First MOTION to Compel <i>Defendant Bentley's and Defendant Strange's Response to Interrogatory 2 in Plaintiff's First Set of Interrogatories</i> filed by Robert Bentley, Luther Johnson Strange, III. (Davis, James) (Entered: 07/28/2014)
07/29/2014	<u>50</u>	ORDER directing that plaintiffs shall file a reply to the response to the <u>46</u> MOTION to Compel on or before 8/7/2014. Signed by Honorable Judge Susan Russ Walker on 7/29/14. (dgy,) (Entered: 07/29/2014)
07/30/2014	<u>51</u>	MOTION for Protective Order <i>Concerning the Requested Deposition of Governor Robert Bentley</i> by Robert Bentley, Luther Johnson Strange, III. (Attachments: # <u>1</u> Exhibit A – Bentley Deposition Notice, # <u>2</u> Exhibit B – Letter re Deposition, # <u>3</u> Exhibit C – State Defendants Responses to Plaintiffs Interrogatories, # <u>4</u> Exhibit D – Searcy Report and Recommendation)(Davis, James) (Entered: 07/30/2014)
07/31/2014	<u>52</u>	ORDER directing that plaintiff respond to the <u>51</u> MOTION for Protective Order on or before 8/7/2014. Signed by Honorable Judge Susan Russ Walker on 7/31/14. (dgy,) (Entered: 07/31/2014)
08/04/2014	<u>53</u>	RESPONSE in Opposition re <u>48</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Paul Hard. (Attachments: # <u>1</u> Declaration of David C. Dinielli in Opposition to Governor Bentley's Motion to Dismiss, # <u>2</u> Exhibit A – Robert Bentley for Governor 2010 – Family and Social Values, # <u>3</u> Exhibit B – "Alabama Man Files Federal Lawsuit Seeking Recognition of Same-Sex Marriage Performed in Massachusetts", # <u>4</u> Exhibit C – "Gov. on AL Gay Marriage Ban: 'This is How the People Feel'", # <u>5</u> Exhibit D – "'Marriage Says We Are Family': Birmingham Women Fight to Force Alabama to Recognize Their Massachusetts Marriage", # <u>6</u> Exhibit E – "How Do Robert Bentley and Parker Griffith Compare?", # <u>7</u> Exhibit F – Executive Order)(Dinielli, David) (Entered: 08/04/2014)
08/07/2014	<u>54</u>	REPLY to <u>53</u> OPPOSITION re <u>46</u> First MOTION to Compel <i>Defendant Bentley's and Defendant Strange's Response to Interrogatory 2 in Plaintiff's First Set of Interrogatories</i> filed by Paul Hard. (Attachments: # <u>1</u> Exhibit A – Bentley and Strange's Responses to Plaintiff's Interrogatories)(Wolfe, Samuel) Modified on 8/8/2014 to clarify text to reflect as a REPLY to <u>53</u> Opposition (qc/dgy,). (Entered: 08/07/2014)
08/07/2014	<u>55</u>	RESPONSE in Opposition re <u>51</u> MOTION for Protective Order <i>Concerning the Requested Deposition of Governor Robert Bentley</i> filed by Paul Hard. (Wolfe, Samuel) (Entered: 08/07/2014)
08/08/2014	<u>56</u>	BRIEF/MEMORANDUM in Support <i>Of Their Motion For A Protective Order</i> filed by Robert Bentley, Luther Johnson Strange, III. (Davis, James) (Entered: 08/08/2014)
08/14/2014	<u>57</u>	(STRICKEN pursuant to Local Rules re: Non-Filing of Civil discovery) Objection to <i>Plaintiff's Rule 45 Subpoena for Deposition and the Production of Documents</i> filed by Gerald Allen (non-party). (Ayers, Marc) Modified on 8/15/2014 to clarify text to reflect Allen as a non-party (qc/dgy,). (Entered: 08/14/2014)
08/15/2014	<u>58</u>	NOTICE of Non-Compliance re <u>57</u> Objection to Subpoena by Gerald Allen which is hereby STRICKEN pursuant to Local Rules re: Non-Filing of Civil Discovery (Attachments: # <u>1</u> Local Rule 26.3)(dgy,) (Entered: 08/15/2014)
08/29/2014	<u>59</u>	MOTION for Summary Judgment by Paul Hard. (Wolfe, Samuel) (Entered: 08/29/2014)
08/29/2014	<u>60</u>	AFFIDAVIT in Support re <u>59</u> MOTION for Summary Judgment <i>of Paul Hard</i> filed by Paul Hard. (Wolfe, Samuel) (Entered: 08/29/2014)

08/29/2014	<u>61</u>	AFFIDAVIT in Support re <u>59</u> MOTION for Summary Judgment of <i>David Dinielli</i> filed by Paul Hard. (Wolfe, Samuel) (Entered: 08/29/2014)
09/15/2014	<u>62</u>	Notice of Mediation and Settlement Conference by Robert Bentley, Luther Johnson Strange, III (Davis, James) (Entered: 09/15/2014)
10/01/2014	<u>63</u>	MOTION for Summary Judgment by Robert Bentley, Luther Johnson Strange, III. (Attachments: # <u>1</u> Exhibit A – Declaration of Sherif Girgis, # <u>2</u> Exhibit B – AG Opinion 83–206, # <u>3</u> Exhibit C – Election Results – Constitutional Amendment)(Davis, James) (Entered: 10/01/2014)
10/01/2014	<u>64</u>	BRIEF/MEMORANDUM in Support re <u>63</u> MOTION for Summary Judgment filed by Robert Bentley, Luther Johnson Strange, III. (Attachments: # <u>1</u> Exhibit A – Baker v. Nelson jurisdictional statement, # <u>2</u> Exhibit B – What About the Children – Kin Altruism article)(Davis, James) (Entered: 10/01/2014)
10/01/2014	<u>65</u>	MOTION for Summary Judgment on 10/3/2014 by Pat Fancher. (Attachments: # <u>1</u> Supplement Memorandum of Law in Support of Motion for Summary judgment)(Smith, Gabriel). Modified 10/3/2014 to clarify to reflect as a MOTION for summary judgment as set out in main PDF document (qc/djy,). (Entered: 10/01/2014)
10/01/2014		BRIEF/MEMORANDUM in Opposition re <u>59</u> MOTION for Summary Judgment filed by Robert Bentley, Luther Johnson Strange, III. (NO PDF Document attached to this notice–See Docket Entry <u>64</u>). (djy,) (Entered: 10/03/2014)
10/01/2014		BRIEF/MEMORANDUM in Opposition re <u>59</u> MOTION for Summary Judgment filed by Pat Fancher. (NO PDF Document attached to this notice–See docket entry <u>65</u> –attachment 1). (djy,) (Entered: 10/03/2014)
10/03/2014		NOTICE of Docket Correction regarding docketing error to reflect that docket entry <u>65</u> is a MOTION for Summary Judgment as shown in main PDF document (NO PDF Document attached to this notice). (djy,) (Entered: 10/03/2014)
10/13/2014	<u>66</u>	RESPONSE in Opposition re <u>48</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (<i>Supplement to Response ECF No. 53</i>) filed by Paul Hard. (Wolfe, Samuel) Modified on 10/14/2014 to create link to Doc. <u>53</u> . (dmn,) (Entered: 10/13/2014)
10/21/2014	<u>67</u>	REPLY BRIEF re <u>59</u> MOTION for Summary Judgment , <u>65</u> MOTION for Summary Judgment, <u>63</u> MOTION for Summary Judgment filed by Paul Hard. (Wolfe, Samuel) (Entered: 10/21/2014)
10/21/2014	<u>68</u>	AFFIDAVIT in Support re <u>59</u> MOTION for Summary Judgment <i>Wolfe Declaration</i> filed by Paul Hard. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Wolfe, Samuel) (Entered: 10/21/2014)
10/29/2014	<u>69</u>	BRIEF/MEMORANDUM in Support re <u>64</u> BRIEF/MEMORANDUM in Support, <u>63</u> MOTION for Summary Judgment (<i>Defendants' Sur–Reply in Support of Their Motion for Summary Judgment (Doc. 63, 64) and in Opposition to the Plaintiff's Motion for Summary Judgment (Doc. 59)</i>) filed by Robert Bentley, Luther Johnson Strange, III. (Davis, James) (Entered: 10/29/2014)
10/29/2014	<u>70</u>	Second MOTION for Judgment as a Matter of Law by Pat Fancher. (Smith, Gabriel) (Entered: 10/29/2014)
10/29/2014		RESPONSE in Opposition re <u>59</u> MOTION for Summary Judgment by Robert Bentley, Luther Johnson Strange, III. (NO PDF Document attached to this notice–see Docket Entry <u>69</u>). (djy,) (Entered: 10/30/2014)
10/29/2014		SUR–REPLY in Support of <u>65</u> MOTION for Summary Judgment; AND in Opposition to the plf's <u>59</u> MOTION for Summary Judgment by Pat Fancher. (NO PDF Document attached to this notice–See Docket Entry <u>70</u> , which was erroneously entered on the docket as a MOTION). (djy,) (Entered: 10/30/2014)
11/07/2014	<u>71</u>	NOTICE by Robert Bentley, Luther Johnson Strange, III (<i>Notice of Additional Authority</i>) (Davis, James) (Entered: 11/07/2014)
12/16/2014	<u>72</u>	NOTICE by Paul Hard re <u>42</u> Notice (Other), of <i>Second Supplement of Plaintiff's Compilation of Post–Windsor Marriage Decisions</i> (Dinielli, David) (Entered: 12/16/2014)

02/06/2015	<u>73</u>	NOTICE by Pat Fancher of Order entered in Searcy v. Bentley (Attachments: # <u>1</u> Exhibit Searcy v. Strange Ruling, # <u>2</u> Exhibit Searcy v. Strange Clarifying Order)(Smith, Gabriel) (Entered: 02/06/2015)
02/23/2015	<u>74</u>	MOTION to Intervene <i>Motion to Intervene</i> by Richard I. Lohr, II. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Morrison, Richard) (Entered: 02/23/2015)
02/24/2015	<u>75</u>	ORDER granting <u>74</u> Motion to Intervene; Mr. Lohr and Beasley Allen are JOINED as Intervenor-defendants for the limited purpose of paying the settlement proceeds into this court's registry; further ORDERING that the Clerk is to receive from Beasley Allen the settlement proceeds in the sum of \$552,956.69 and to place these funds in an appropriate interest-bearing account until further order of the court. Signed by Chief Judge William Keith Watkins on 2/24/15. Furnished to finance & cashier. (djy,) (Entered: 02/24/2015)
03/10/2015	<u>76</u>	MEMORANDUM OPINION AND ORDER: It is ORDERED that Governor Bentley's <u>48</u> Motion to Dismiss is GRANTED and that all claims against Governor Bentley are DISMISSED with prejudice as further set out in the opinion and order. Signed by Chief Judge William Keith Watkins on 3/10/2015. (dmn,) Modified on 6/29/2015 to correct a typographical error in the docket text (wcl,). (Entered: 03/10/2015)
03/10/2015	<u>77</u>	ORDER: It is ORDERED that this case is STAYED until further order of this court as further set out in the order. Signed by Chief Judge William Keith Watkins on 3/10/2015. (dmn,) (Entered: 03/10/2015)
03/19/2015	<u>78</u>	ORDER denying plf's <u>46</u> first Motion to Compel and defendants' <u>51</u> Motion for Protective Order without prejudice, with leave to renew the motions after entry of an order by the District Judge lifting the stay. Signed by Honorable Judge Susan Russ Walker on 3/19/15. (djy,) (Entered: 03/19/2015)
06/30/2015	<u>79</u>	MOTION to Lift Stay , MOTION for Summary Judgment , MOTION for Disbursement of Funds to Plaintiff Paul Hard by Paul Hard. (Wolfe, Samuel) (Entered: 06/30/2015)
06/30/2015	<u>80</u>	AFFIDAVIT in Support re <u>79</u> MOTION to Lift Stay MOTION for Summary Judgment MOTION for Disbursement of Funds to Plaintiff Paul Hard filed by Paul Hard. (Attachments: # <u>1</u> Exhibit A – Amended Certificate of Death)(Wolfe, Samuel) (Additional attachment(s) added on 7/1/2015: # <u>2</u> Certificate of Service) (wcl,). (Additional attachment(s) added on 7/1/2015 to redact personal information contained in original filing pursuant to the E-government rules: # <u>3</u> Exhibit Amended Certificate of Death (Redacted)) (wcl,). Modified on 7/1/2015 (wcl,). (Entered: 06/30/2015)
07/01/2015	<u>81</u>	NOTICE of Appearance by Matthew Kidd on behalf of Pat Fancher (Kidd, Matthew) (Main Document 81 replaced on 7/1/2015) (wcl,). Modified on 7/1/2015 to attach a corrected PDF document of the notice of appearance to rotate the document right side up and to include a certificate of service (wcl,). (Entered: 07/01/2015)
07/01/2015	<u>82</u>	First MOTION to Substitute Attorney <i>Gabriel Smith</i> by Pat Fancher. (Attachments: # <u>1</u> Appendix Addendum to: Substitution of Counsel and Appearance of Counsel)(Kidd, Matthew) (Additional attachment(s) added on 7/1/2015 to attach the consent order as an attachment: # <u>2</u> Text of Proposed Order) (wcl,). (Main Document 82 replaced on 7/1/2015) (wcl,). Modified on 7/1/2015 to attach a correct PDF document of a motion to substitute which was previously omitted in error (wcl,). (Entered: 07/01/2015)
07/01/2015	<u>83</u>	First MOTION to Withdraw as Attorney by Pat Fancher. (Attachments: # <u>1</u> Appendix Motion to Substitute Attorney)(Smith, Gabriel) (Entered: 07/01/2015)
07/01/2015	<u>84</u>	NOTICE of Correction re <u>81</u> Notice of Appearance and <u>82</u> First MOTION to Substitute Attorney <i>Gabriel Smith</i> , to attach corrected pdf documents. (Attachments: # <u>1</u> Corrected Main PDF Document to Docket Entry <u>81</u> , # <u>2</u> Correct Main PDF Document to Docket Entry <u>82</u>)(wcl,) (Entered: 07/01/2015)
07/02/2015	85	TEXT ORDER granting <u>82</u> Motion to Substitute Attorney. Signed by Chief Judge William Keith Watkins on 7/2/2015. (No pdf attached to this entry) (wcl,) (Entered: 07/02/2015)
07/02/2015	86	TEXT ORDER granting <u>83</u> Motion to Withdraw as Attorney. Signed by Chief Judge William Keith Watkins on 7/2/2015. (No pdf attached to this entry) (wcl,) (Entered: 07/02/2015)

		07/02/2015)
07/02/2015		***Attorney Gabriel Joseph Smith terminated pursuant to the Court's Text Order (Doc # 86). (No pdf attached to this entry) (wcl,) (Entered: 07/02/2015)
07/14/2015	<u>87</u>	MOTION to Dismiss by Luther Johnson Strange, III. (Davis, James) (Entered: 07/14/2015)
07/14/2015	<u>88</u>	RESPONSE to Motion re <u>79</u> MOTION to Lift Stay MOTION for Summary Judgment MOTION for Disbursement of Funds to <i>Plaintiff Paul Hard</i> filed by Luther Johnson Strange, III. (Davis, James) (Entered: 07/14/2015)
07/14/2015	<u>89</u>	ORDERED as followed: 1. Plaintiff's motion to lift stay and disburse funds (Doc. # <u>79</u>) is GRANTED and the stay of this case is LIFTED; 2. Attorney General Strange's motion to dismiss (Doc. # <u>87</u>) is GRANTED; 3. Plaintiff's motion for entry of summary judgment (Doc. # <u>79</u>) is DENIED, and the parties' cross-motions for summary judgment (Docs. # <u>59</u> , <u>63</u> , <u>65</u>) are DENIED; 4. Counsel for Plaintiff and for the Estate of David Fancher are DIRECTED to file a statement on or before July 20, 2015, advising the court how the Clerk of the Court should disburse the funds. Signed by Chief Judge William Keith Watkins on 7/14/2015. (kh,) (Entered: 07/14/2015)
07/15/2015	<u>90</u>	First MOTION to Set Aside <i>Order of Dismissal</i> by Pat Fancher. (Kidd, Matthew) (Entered: 07/15/2015)
07/20/2015	<u>91</u>	Response to Order re <u>89</u> Order on Motion for Summary Judgment,, Order on Motion for Miscellaneous Relief,, Order on Motion for Disbursement of Funds, Order on Motion to Dismiss,,,,,, <i>Statement Regarding Disbursement of Funds</i> by Beasley, Allen, Crow, Methvin, Portis, & Miles, P.C., Paul Hard. (Wolfe, Samuel) (Entered: 07/20/2015)
07/20/2015	<u>92</u>	ORDERED that on or before July 24, 2015, Plaintiff shall file a response to Intervenor Defendant Pat Fancher's <u>90</u> motion to set aside the order of dismissal. Defendant Attorney General Luther Strange is not required to respond to the motion, but he may file a response if he chooses. Signed by Chief Judge William Keith Watkins on 7/20/2015. (kh,) (Entered: 07/20/2015)
07/20/2015	<u>93</u>	RESPONSE in Opposition re <u>90</u> First MOTION to Set Aside <i>Order of Dismissal</i> filed by Paul Hard. (Wolfe, Samuel) (Entered: 07/20/2015)
07/27/2015	<u>94</u>	BRIEF/MEMORANDUM in Support re <u>90</u> First MOTION to Set Aside <i>Order of Dismissal</i> filed by Pat Fancher. (Kidd, Matthew) (Entered: 07/27/2015)
07/29/2015	<u>95</u>	ORDERED that the <u>90</u> motion to set aside is DENIED. Signed by Chief Judge William Keith Watkins on 7/29/2015. (kh,) (Entered: 07/29/2015)
07/29/2015	<u>96</u>	ORDERED that: 1. The Clerk of the Court is DIRECTED to issue a check drawn on ServisFirst Bank where the funds are deposited in a money market account for the principal amount of \$552,956.69, plus ninety percent of all interest earned to date that is due for distribution to Plaintiff Paul Hard, as further set out in order; 2. The Clerk of the Court is DIRECTED to pay into the U.S. Treasury an amount equal to ten percent of the earned interest as a fee for handling the funds, as further set out in order; 3. The Clerk of the Court is DIRECTED to mail the check via Certified Mail, with a return receipt, to Samuel Wolfe, Esq., Southern Poverty Law Center,as further set out in order. Signed by Chief Judge William Keith Watkins on 7/29/2015.(furn: Finance) (kh) (Entered: 07/29/2015)
07/29/2015	<u>97</u>	FINAL JUDGMENT: ORDERED that this case is DISMISSED with prejudice. Costs are TAXED against Defendant Attorney General Luther Strange, for which let execution issue. The Clerk of the Court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the FRCP. Signed by Chief Judge William Keith Watkins on 7/29/2015. (Attachments: # <u>1</u> Civil Appeals Checklist)(kh,) (Entered: 07/29/2015)
08/26/2015	<u>98</u>	NOTICE OF APPEAL as to <u>92</u> Order, <u>97</u> Judgment, <u>96</u> Order,,, <u>89</u> Order on Motion for Summary Judgment,,, Order on Motion for Miscellaneous Relief,, Order on Motion for Disbursement of Funds, Order on Motion to Dismiss,,,,,, <u>95</u> Order on Motion to Set Aside by Pat Fancher (Kidd, Matthew) (Entered: 08/26/2015)

08/26/2015	<u>99</u>	First MOTION for Bond <i>or other relief</i> by Pat Fancher. (Kidd, Matthew) (Entered: 08/26/2015)
08/26/2015	<u>102</u>	USCA Appeal Fees received \$ 505.00 receipt number 4602038102 re <u>98</u> Notice of Appeal, filed by Pat Fancher. (ydw,) (Entered: 08/27/2015)
08/26/2015		MOTION Injunction, Restraining Order, Equitable Relief, or Extraordinary Relief re <u>98</u> Notice of Appeal. No PDF with this document. See document <u>99</u> First MOTION for Bond by Pat Fancher for PDF. (ydw,) (Entered: 08/28/2015)
08/27/2015	<u>100</u>	Appeal Instructions sent to Attorney Matthew Kidd counsel for Intervening Defendant Patricia Fancher re <u>98</u> Notice of Appeal. A copy of the Transcript Information Form must be mailed to each court reporter from whom you are requesting a transcript. (ydw) (Entered: 08/27/2015)
08/27/2015	<u>101</u>	Transmission of Notice of Appeal, <u>79</u> MOTION to Lift Stay, MOTION for Summary Judgment, MOTION for Disbursement of Funds, <u>87</u> MOTION to Dismiss, <u>96</u> Order, <u>97</u> Judgment, and Docket Sheet to US Court of Appeals re <u>98</u> Notice of Appeal. (Attachments: # <u>1</u> APPEAL PACKAGE) (ydw) (Entered: 08/27/2015)
08/28/2015	<u>103</u>	ORDER Upon consideration of Intervening Defendant/Appellants Request for Injunction, Restraining Order, Equitable Relief, or Extraordinary Relief Pending Appeal, (Doc. # 99), it is ORDERED that Plaintiff and Defendants file a response to the request on or before September 2, 2015. Signed by Chief Judge William Keith Watkins on 08/28/2015. (ydw,) (Entered: 08/28/2015)
08/31/2015	<u>104</u>	USCA Case Number 15-13836-C for <u>98</u> Notice of Appeal, filed by Pat Fancher. (ydw,) (Entered: 08/31/2015)
09/01/2015	<u>105</u>	RESPONSE in Opposition re <u>99</u> First MOTION for Bond <i>or other relief</i> filed by Paul Hard. (Wolfe, Samuel) (Entered: 09/01/2015)
09/01/2015	<u>106</u>	RESPONSE to Motion re <u>99</u> First MOTION for Bond <i>or other relief</i> (<i>Intervenor's Request for Injunction, Etc.</i>) filed by Luther Johnson Strange, III. (Davis, James) (Entered: 09/01/2015)
09/03/2015	<u>107</u>	REPLY to Response to Motion re MOTION Injunction, Restraining Order, Equitable Relief, or Extraordinary Relief re <u>98</u> Notice of Appeal, <u>99</u> First MOTION for Bond <i>or other relief</i> , <u>99</u> First MOTION for Bond <i>or other relief</i> filed by Pat Fancher. (Kidd, Matthew) (Entered: 09/03/2015)
09/04/2015	<u>108</u>	TRANSCRIPT INFORMATION FORM by Pat Fancher (Kidd, Matthew) (Main Document 108 replaced on 9/8/2015, to make correction – document need to be flatten) (ydw,). Modified on 9/8/2015, to advise that document was not flatten and if you don't flatten a form, you lose the information. (Entered: 09/04/2015)
09/22/2015		Pursuant to F.R.A.P. 11(c), the Clerk of the District Court for the Middle District of Alabama certifies that the record is complete for purposes of this appeal re: <u>98</u> Notice of Appeal,, Appeal No. 15-13836-C. The entire record on appeal is available electronically.(ydw,) (Entered: 09/22/2015)
11/17/2015	<u>109</u>	MEMORANDUM OPINION AND ORDER: it is ORDERED that the Request for Injunction, Restraining Order, Equitable Relief, or Extraordinary Relief Pending Appeal (Doc. # <u>99</u>) is DENIED. Signed by Chief Judge William Keith Watkins on 1/17/2015. (kh,) (Entered: 11/17/2015)
04/11/2016	<u>110</u>	MOTION to Substitute Attorney by Paul Hard. (Dinielli, David) (Entered: 04/11/2016)
04/19/2016	<u>111</u>	ORDER that Plf's <u>110</u> Motion to Substitute Attorneys of Record is DENIED for lack of jurisdiction. Signed by Chief Judge William Keith Watkins on 4/19/2016. (wcl,) (Entered: 04/19/2016)
04/20/2016	<u>112</u>	Per Curiam Opinion received from USCA Eleventh Circuit of Opinion Entered on 11th Circuit Appeal No. 15-13836-CC; Opinion issued by court as to Appellant Pat Fancher. Decision: Affirmed. Opinion type: Non-Published. Opinion method: Per Curiam. The opinion is also available through the Court's Opinions page at this link http://www.ca11.uscourts.gov/opinions . (ydw,) (Entered: 04/20/2016)

06/29/2016	<u>113</u>	JUDGMENT ISSUED AS MANDATE 06/29/2016 of USCA as to <u>98</u> Notice of Appeal, filed by Pat Fancher, 11th Circuit Appeal No. 15-13836-CC; We affirm the district courts final judgment and orders dismissing the case, denying the motion to set aside the dismissal, and directing the disbursement offunds. AFFIRMED. See <u>112</u> USCA Per Curiam Opinion entered on 04/20/2016. (ydw,) (Entered: 06/29/2016)
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