

**U.S. District Court  
Southern District of Alabama (Mobile)  
CIVIL DOCKET FOR CASE #: 1:14-cv-00208-CG-N**

Searcy et al v. Strange  
Assigned to: Senior Judge Callie V. S. Granade  
Referred to: Magistrate Judge Katherine P. Nelson  
Case in other court: 11th Cir. USCA, 14-14061, 15-12508,  
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 05/06/2014  
Date Terminated: 01/23/2015  
Jury Demand: None  
Nature of Suit: 950 Constitutional – State  
Statute  
Jurisdiction: Federal Question

**Plaintiff**

**Cari D. Searcy**  
*individually and as parent and next friend  
of K.S., a minor*

represented by **Christine Cassie Hernandez**  
P.O. Box 66174  
Mobile, AL 36660  
251-479-1477  
Email: [christine@equalizingjustice.com](mailto:christine@equalizingjustice.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**David Graham Kennedy**  
P.O. Box 556  
Mobile, AL 36601  
251-338-9805  
Email: [david@kennedylawyers.com](mailto:david@kennedylawyers.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Kimberly McKeand**

represented by **Christine Cassie Hernandez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**David Graham Kennedy**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Robert Bentley**  
*individually and in his official capacity as  
the Governor of the State of Alabama*  
**TERMINATED: 08/28/2014**

represented by **James W. Davis**  
Office of the Attorney General  
501 Washington Ave.  
Montgomery, AL 36130-0152  
334-353-1356  
Fax: 334-353-8440  
Email: [jimdavis@ago.state.al.us](mailto:jimdavis@ago.state.al.us)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Laura Elizabeth Howell**  
501 Washington Avenue  
Montgomery, AL 36104  
334-242-7432  
Email: [lhowell@ago.state.al.us](mailto:lhowell@ago.state.al.us)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Luther Strange**  
*in his capacity as the Attorney General of  
the State of Alabama*

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

**Andrew L. Brasher**  
501 Washington Ave.  
Montgomery, AL 36103  
334-242-7300  
Email: [abrasher@ago.state.al.us](mailto:abrasher@ago.state.al.us)  
**ATTORNEY TO BE NOTICED**

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

**Defendant**

**Don Davis**  
*individually and in his capacity as the  
Judge of Probate for Mobile County,  
Alabama*  
**TERMINATED: 07/25/2014**

represented by **Jason Kirk Hagmaier**  
Johnston Druhan, LLP  
P.O. Box 154  
Mobile, AL 36601  
(251) 432-0738  
Fax: 2514324874  
Email: [jkh100@bellsouth.net](mailto:jkh100@bellsouth.net)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Catherine M. Donald**  
*individually and in her official capacity  
as the State Registrar of Vital Statistics  
for the State of Alabama*  
**TERMINATED: 08/28/2014**

**Defendant**

**Nancy T. Buckner**  
*individually and in her official capacity  
as the Commissioner of the Department  
of Human Resources for the State of  
Alabama*  
**TERMINATED: 08/28/2014**

represented by **Felicia Marshea Brooks**  
State of Alabama, Department of Human  
Resources  
Legal Office  
P. O. Box 304000  
50 North Ripley  
Montgomery, AL 36130  
334-242-9330  
Fax: 334-242-0689  
Email: [felicia.brooks@dhr.alabama.gov](mailto:felicia.brooks@dhr.alabama.gov)  
**ATTORNEY TO BE NOTICED**

**Amicus**

**Alabama Probate Judges Association,  
Judge Greg Norris, President**  
Monroe County Probate Judge  
65 N. Alabama Avenue  
Monroeville, AL 36460-1809

represented by **Algert S. Agricola, Jr.**  
60 Commerce Street, Suite 1400  
Montgomery, AL 36104  
334-834-5290  
Fax: 334-834-5297  
Email: [aagricola@rdafirm.com](mailto:aagricola@rdafirm.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Joseph Lenn Ryals**  
60 Commerce Street, Suite 1400  
Montgomery, AL 36104  
334-834-5290  
Email: [lryals@rdafirm.com](mailto:lryals@rdafirm.com)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/07/2014	<u>1</u>	COMPLAINT <i>For Declaratory and Injunctive Relief</i> against All Defendants ( Filing fee \$400 receipt number 1128-1578041, Online Credit Card Payment), filed by Cari D. Searcy, Kimberly McKeand. (Hernandez, Christine) (Additional attachment(s) added on 6/13/2014: # <u>1</u> Civil Cover Sheet) (mab). (Entered: 05/07/2014)
05/07/2014	<u>2</u>	Notice of Assignment to Magistrate Judge for trial. (Attachments: # <u>1</u> request for reassignment) (srr) (Entered: 05/07/2014)
05/07/2014	<u>4</u>	NOTICE of Filing Proposed Summons by Kimberly McKeand, Cari D. Searcy (Hernandez, Christine) (Entered: 05/07/2014)
05/08/2014	<u>5</u>	Summons Issued as to Robert Bentley, Nancy T. Buckner, Don Davis, Catherine M. Donald, Luther Strange. Note to Counsel: The Summons have been issued. Please print copies necessary for service. (srr) (Main Document 5 replaced on 5/13/2014) (srr). (Entered: 05/08/2014)
05/13/2014	<u>6</u>	AFFIDAVIT of Service for Summons & Complaint served on Don Davis on 05/09/2014, filed by Kimberly McKeand, Cari D. Searcy. (Hernandez, Christine) (Entered: 05/13/2014)
05/13/2014	<u>7</u>	NOTICE of Appearance by David Graham Kennedy on behalf of Kimberly McKeand, Cari D. Searcy (Kennedy, David) (Entered: 05/13/2014)
05/13/2014		Answer due from Don Davis on 5/30/2014. (srr) (Entered: 05/13/2014)
05/20/2014	<u>8</u>	AFFIDAVIT of Service for Complaint & Summons served on Luther Strange, III on 05/16/2014, filed by Kimberly McKeand, Cari D. Searcy. (Hernandez, Christine) (Entered: 05/20/2014)
05/20/2014	<u>9</u>	AFFIDAVIT of Service for Complaint & Summons served on Robert Bentley on 05/16/2014, filed by Kimberly McKeand, Cari D. Searcy. (Hernandez, Christine) (Entered: 05/20/2014)
05/20/2014		Answer due from Robert Bentley on 6/6/2014; Luther Strange on 6/6/2014. (srr) (Entered: 05/20/2014)
05/30/2014	<u>10</u>	MOTION to Dismiss by Don Davis. (Attachments: # <u>1</u> Brief) (Hagmaier, Jason) (Entered: 05/30/2014)
05/31/2014	<u>11</u>	NOTICE of Appearance by Felicia Marshea Brooks on behalf of Nancy T. Buckner (Brooks, Felicia) (Entered: 05/31/2014)
05/31/2014	<u>12</u>	NOTICE by Nancy T. Buckner <i>Discloser Statement</i> (Brooks, Felicia) (Entered: 05/31/2014)
06/02/2014	<u>13</u>	Order re: <u>10</u> MOTION to Dismiss filed by Don Davis; Response to Motion due by 6/16/2014, Replies due by 6/23/2014. Signed by Magistrate Judge Katherine P. Nelson on 6/2/2014. (srr) (Entered: 06/02/2014)
06/03/2014	<u>14</u>	MOTION to Dismiss for Lack of Jurisdiction by Nancy T. Buckner. (Brooks, Felicia) (Entered: 06/03/2014)
06/03/2014	<u>15</u>	Brief filed by Nancy T. Buckner re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction . (Brooks, Felicia) (Entered: 06/03/2014)
06/04/2014	<u>16</u>	Order re: <u>14</u> MOTION to Dismiss for Lack of Jurisdiction filed by Nancy T. Buckner; Response to Motion due by 6/18/2014, Replies due by 6/25/2014. Signed by Magistrate Judge Katherine P. Nelson on 6/4/2014. (srr) (Entered: 06/04/2014)
06/06/2014	<u>17</u>	MOTION to Dismiss by Robert Bentley, Luther Strange. (Davis, James) (Entered: 06/06/2014)
06/10/2014	<u>18</u>	AFFIDAVIT of Service for Complaint served on Nancy T. Buckner on 06-05-2014, filed by Kimberly McKeand, Cari D. Searcy. (Hernandez, Christine) (Entered: 06/10/2014)

06/10/2014	<u>19</u>	AFFIDAVIT of Service for Complaint served on Catherine M. Donald on 06-05-2014, filed by Kimberly McKeand, Cari D. Searcy. (Hernandez, Christine) (Entered: 06/10/2014)
06/10/2014	<u>20</u>	Order that the briefing schedules entered as to the motions filed by Judge Davis and Commissioner Buckner [13,16] are VACATED; plaintiffs to file an omnibus response by 6/24/14 to all pending motions to dismiss re: <u>14</u> MOTION to Dismiss for Lack of Jurisdiction filed by Nancy T. Buckner, <u>10</u> MOTION to Dismiss filed by Don Davis, <u>17</u> MOTION to Dismiss filed by Luther Strange, Robert Bentley; replies due by 7/1/14. Clerk is directed to send a Consent to exercise jurisdiction by Magistrate Judge form; consent form due by 7/1/2014. If parties do not consent the Clerk is directed to reassign this matter to a District Judge. Signed by Magistrate Judge Katherine P. Nelson on 6/10/2014. (Attachments: # <u>1</u> consent) (srr) (Entered: 06/10/2014)
06/12/2014	<u>21</u>	MOTION for Summary Judgment by Kimberly McKeand, Cari D. Searcy. (Hernandez, Christine) (Entered: 06/12/2014)
06/12/2014	<u>22</u>	Brief filed by Kimberly McKeand, Cari D. Searcy re <u>21</u> MOTION for Summary Judgment filed by Kimberly McKeand, Cari D. Searcy. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Text of Proposed Order, # <u>11</u> Text of Proposed Order) (Hernandez, Christine) (Entered: 06/12/2014)
06/13/2014	<u>23</u>	NOTICE of Appearance by Laura Elizabeth Howell on behalf of Robert Bentley, Luther Strange (Howell, Laura) (Entered: 06/13/2014)
06/13/2014	<u>24</u>	This action has been transferred from the docket of Magistrate Judge Katherine P. Nelson and is now assigned to the docket of Judge Callie V. S. Granade. To insure that your pleadings are referred to the proper Judge and Magistrate Judge with as little delay as possible, please use the letter suffix CG-N after the case number on all future pleadings. (srr) (Entered: 06/13/2014)
06/13/2014		Answer due from Catherine M. Donald on 6/30/2014 pursuant to Doc. <u>19</u> . (mab) (Entered: 06/13/2014)
06/13/2014	<u>25</u>	Order, finding Plaintiffs' <u>21</u> MOTION for Summary Judgment to be premature. The Court will enter an appropriate response order and address this motion after it has adjudicated the pending motions to dismiss. Signed by Magistrate Judge Katherine P. Nelson on 6/13/2014. (mab) (Entered: 06/13/2014)
06/13/2014	<u>26</u>	PRELIMINARY SCHEDULING ORDER entered. Rule 26 Meeting Report due by 7/28/2014. Signed by Magistrate Judge Katherine P. Nelson on 6/13/2014. (mab) (Entered: 06/13/2014)
06/24/2014	<u>27</u>	RESPONSE in Opposition re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction , <u>10</u> MOTION to Dismiss , <u>17</u> MOTION to Dismiss filed by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) (Entered: 06/24/2014)
06/27/2014	<u>28</u>	REPLY Brief filed by Defendants Robert Bentley, Luther Strange re: <u>27</u> Response in Opposition to Motion, <u>17</u> MOTION to Dismiss filed by Robert Bentley, Luther Strange. (Davis, James) (Entered: 06/27/2014)
07/14/2014	<u>29</u>	STIPULATION of Dismissal of <i>Judge Don Davis</i> by Cari D. Searcy, Kimberly McKeand. (Kennedy, David) (Entered: 07/14/2014)
07/15/2014	<u>30</u>	NOTICE of Endorsement by Don Davis re: <u>29</u> Stipulation of Dismissal (Hagmaier, Jason) (Entered: 07/15/2014)
07/18/2014	<u>31</u>	Order re: <u>29</u> Joint Stipulation of Dismissal filed by Plf & Dft Don Davis. Unless an objection is filed on or before 7/25/2014, Plf's claims against Dft Davis will be deemed to be dismissed w/prejudice as of 7/25/14 without further order from the court. Signed by Judge Callie V. S. Granade on 7/18/2014. (tot) (Entered: 07/18/2014)
07/28/2014	<u>32</u>	REPORT of Rule 26(f) Planning Meeting . (Davis, James) (Entered: 07/28/2014)
07/30/2014	<u>33</u>	SCHEDULING ORDER: Amended Pleadings due by 9/15/2014. Discovery cutoff 10/15/2014. Dispositive Motions due from plaintiffs by 10/15/2014. Dispositive Motions due from defendants by 11/17/2014. Signed by Magistrate Judge Katherine P. Nelson on 7/30/2014. copies to parties. (sdb) (Entered: 07/30/2014)

07/30/2014	<u>34</u>	REPORT AND RECOMMENDATIONS: It is RECOMMENDED that Commissioner Buckner's motion to dismiss (Doc. <u>14</u> ) and Governor Bentley and Attorney General Strange's motion to dismiss (Doc. <u>17</u> ) be GRANTED; and that Judge Davis's motion to dismiss (Doc. <u>10</u> ) be DENIED as MOOT. Accordingly, it is RECOMMENDED that this case proceed solely against Attorney General Strange in his official capacity. Objections to R&R due by 8/13/2014. Signed by Magistrate Judge Katherine P. Nelson on 7/30/2014. copies to parties. (sdb) (Entered: 07/30/2014)
08/13/2014	<u>35</u>	Unopposed MOTION to Stay Scheduling Order by Nancy T. Buckner. (Brooks, Felicia) Modified on 8/14/2014 (tot). (Entered: 08/13/2014)
08/14/2014		MOTIONS REFERRED: <u>35</u> Unopposed MOTION to Stay Scheduling Order referred to Judge Katherine P. Nelson. (tot) (Entered: 08/14/2014)
08/14/2014	<u>36</u>	ENDORSED ORDER granting <u>35</u> motion to stay scheduling order obligations as to Defendant Nancy Buckner. Although Defendant Buckner's motion to dismiss remains pending, plaintiffs have agreed to voluntarily dismiss all claims against her; the undersigned has, accordingly, recommended that her motion to dismiss be granted; and no timely objections have been filed regarding that recommendation. Should the Court not adopt the report and recommendation, to the extent the claims against Defendant Buckner are not dismissed, she is ordered to provide Rule 26(a)(1) initial disclosures within 7 days of the Court's final order as to her motion to dismiss. Signed by Magistrate Judge Katherine P. Nelson on 8/14/2014. (tmm) (Entered: 08/14/2014)
08/15/2014	<u>37</u>	MOTION for Disclosure <i>Initial Disclosure</i> by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) (Entered: 08/15/2014)
08/15/2014	<u>38</u>	MOTION for Extension of Time to File <i>Expert Disclosures</i> by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) (Entered: 08/15/2014)
08/15/2014	<u>39</u>	ENDORSED ORDER finding as moot <u>37</u> Plaintiffs' motion for disclosure (which is not a motion, but simply Plaintiffs' Rule 26(a)(1) initial disclosures); and granting <u>38</u> unopposed motion to extend the deadline to disclose expert testimony. All deadlines as to expert testimony in paragraph 4 of the Rule 16(b) scheduling order are extended by one week; accordingly, Rule 26(a)(2)(B) and (C) expert testimony shall be disclosed by Plaintiffs no later than 8/22/2014 and by Defendants no later than 9/22/2014. Signed by Magistrate Judge Katherine P. Nelson on 8/15/2014. (tmm) (Entered: 08/15/2014)
08/20/2014	<u>40</u>	ORDER ADOPTING <u>34</u> REPORT AND RECOMMENDATION as the opinion of this Court. Signed by Judge Callie V. S. Granade on 8/19/2014. (mab) (Entered: 08/20/2014)
08/22/2014	<u>41</u>	Notice of Filing Expert Disclosure filed by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) (Entered: 08/22/2014)
08/28/2014		MOTIONS REFERRED: <u>21</u> MOTION for Summary Judgment Referred to Judge Callie V. S. Granade. (see doc. 25) (srr) (Entered: 08/28/2014)
08/28/2014	<u>42</u>	Order, in accordance w/ <u>40</u> Order Adopting Report and Recommendation, Plfs' claims against Dfts Bentley, Donald & Buckner in their individual & official capacities are DISMISSED w/prejudice as set out, & Plfs' claims against Luther Strange, III, in his individual capacity are DISMISSED w/prejudice as set out. The parties are directed to use style as set out. Signed by Judge Callie V. S. Granade on 8/28/2014. (tot) (Entered: 08/28/2014)
08/28/2014	<u>43</u>	Order re: <u>21</u> MOTION for Summary Judgment setting response time as follows: Response to S/J due by 9/18/2014; Replies to Response to S/J due by 10/2/2014. Motion to be taken under submission on 10/3/2014. The court will allow Plfs' brief to exceed the page limitation by 5 pages as set out. Counsel for Dft may exceed the page limitation in his responsive brief by 5 pages. Signed by Judge Callie V. S. Granade on 8/28/2014. (tot) (Entered: 08/28/2014)
09/04/2014	<u>44</u>	Joint MOTION to Amend Scheduling Order <u>43</u> Order on Summary Judgment (Response Time), and to Amend the Deadlines for Disclosure of Expert Witnesses by Luther Strange. (Davis, James) (Entered: 09/04/2014)

09/04/2014		REFERRAL OF <u>44</u> Joint MOTION to Amend Summary Judgment Briefing Schedule and to Amend the Deadlines for Disclosure of Expert Witnesses to Judge Granade. (tot) (Entered: 09/04/2014)
09/05/2014	<u>45</u>	Endorsed Order GRANTING parties' <u>44</u> Joint MOTION to Amend Summary Judgment Briefing Schedule and to Amend Deadlines for Disclosure of Expert Witnesses. Plfs shall submit any amended expert report to Dft by 9/17/14. Dft shall disclose experts to Plfs by 10/17/14. Dft shall file a response to Plfs' <u>21</u> Motion for Summary Judgment by 10/17/2014. Any cross-motion for summary judgment should be filed by Dft by 10/17/2014. Plfs shall file a reply brief addressing both Plfs' motion & Dft's motion by 10/31/2014. Dft shall file a surreply addressing both motions by 11/14/2014. Signed by Judge Callie V. S. Granade on 9/5/2014. (tot) (Entered: 09/05/2014)
09/08/2014	<u>46</u>	NOTICE of Endorsement by Cari D. Searcy, Kimberly McKeand <i>re Doc. 44</i> (Hernandez, Christine) (Entered: 09/08/2014)
10/17/2014	<u>47</u>	MOTION for Summary Judgment by Luther Strange. (Davis, James) (Entered: 10/17/2014)
10/17/2014	<u>48</u>	Memorandum in Support of <u>47</u> MOTION for Summary Judgment & Opposition to <u>21</u> MOTION for Summary Judgment filed by Luther Strange. (Attachments: # <u>1</u> Exhibit A – Baker v. Nelson, Jurisdictional Statement No. 71–1027 (Oct. Term 1972), # <u>2</u> Exhibit B – What About the Children? Liberal Cautions on Same–Sex Marriage,) (Davis, James) Modified on 10/20/2014 (tot). (Entered: 10/17/2014)
10/17/2014	<u>49</u>	NOTICE of Filing Exhibits <i>referenced in Defendant's Motion for Summary Judgment</i> by Luther Strange re: <u>47</u> MOTION for Summary Judgment , <u>48</u> Memorandum in Support, filed by Luther Strange. (Attachments: # <u>1</u> Exhibit B – Attorney General Opinion 83–206, # <u>2</u> Exhibit C – Voting results for referendum adopting Ala. Const. (1901) Art. I, Section 36.03) (Davis, James) (Entered: 10/17/2014)
10/17/2014	<u>50</u>	NOTICE of Filing Proposed Order by Luther Strange <i>Notice of Filing of Proposed Order and Proposed Findings of Facts and Conclusions of Law</i> (Davis, James) (Entered: 10/17/2014)
10/31/2014	<u>51</u>	RESPONSE in Opposition to <u>47</u> MOTION for Summary Judgment and REPLY in support of <u>21</u> MOTION for Summary Judgment, filed by Kimberly McKeand, Cari D. Searcy. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E) (Kennedy, David) (Entered: 10/31/2014)
11/13/2014	<u>52</u>	SUR–REPLY in Support of <u>47</u> MOTION for Summary Judgment, and in Opposition to the Plaintiffs' <u>21</u> Motion for Summary Judgment filed by Luther Strange. (Attachments: # <u>1</u> Exhibit A – Declaration of Loren Marks, Ph.D.) (Davis, James) (Entered: 11/13/2014)
11/20/2014		REFERRAL OF <u>21</u> MOTION for Summary Judgment, and <u>22</u> Brief in Support; and <u>47</u> MOTION for Summary Judgment, <u>48</u> Memorandum in Support, <u>51</u> Response in Opposition to Motion, <u>50</u> Notice of filing Proposed Order, <u>49</u> Notice of Filing Exhibits, <u>52</u> Sur–Reply in Support of <u>47</u> M/SJ and in Opposition to <u>21</u> M/SJ to Judge Callie V. S. Granade. (mab) (Entered: 11/20/2014)
01/23/2015	<u>53</u>	MEMORANDUM OPINION AND ORDER, GRANTING Plaintiffs' <u>21</u> Motion for Summary Judgment; DENYING Defendant's <u>21</u> Motion for Summary Judgment; finding that Ala. Const. Art. I Section 36.03 (2006) and Ala. Code 1975 Section 30–1–19 to be unconstitutional; and enjoining defendant from enforcing those laws. Signed by Judge Callie V. S. Granade on 1/23/2015. (mab) (Entered: 01/23/2015)
01/23/2015	<u>54</u>	JUDGMENT entered in favor of plaintiffs, Cari D. Searcy and Kimberly McKeand and against defendant, Luther Strange, in his capacity as Attorney General for the State of Alabama. ALA. CONST. ART. I, § 36.03 (2006) and ALA. CODE 1975 § 30–1–19 are hereby DECLARED to be unconstitutional, and defendant is hereby ENJOINED from enforcing those laws. Costs are to be taxed against the defendant. Signed by Judge Callie V. S. Granade on 1/23/2015. (mab) (Entered: 01/23/2015)
01/23/2015	<u>55</u>	MOTION to Stay re <u>54</u> Judgment, <u>53</u> Order on Motion for Summary Judgment,, by Luther Strange. (Davis, James) (Entered: 01/23/2015)

01/25/2015	<u>56</u>	Plaintiffs' Objection and Response to Defendants' <u>55</u> Motion to Stay and MOTION for Clarification re <u>54</u> Judgment, <u>53</u> Order on Motion for Summary Judgment, filed by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) Modified on 1/28/2015 (mab). (Entered: 01/25/2015)
01/25/2015	<u>57</u>	NOTICE of Appearance by Andrew L. Brasher on behalf of Luther Strange (Brasher, Andrew) (Entered: 01/25/2015)
01/25/2015	<u>58</u>	MOTION for Leave to Appear Amicus Curiae by Alabama Probate Judges Association, Judge Greg Norris, President. (Ryals, Joseph) (Entered: 01/25/2015)
01/25/2015	<u>59</u>	ORDER entered re: <u>55</u> Motion to Stay. IT IS HEREBY ORDERED that the Courts Order of Injunction and Judgment (Docs. <u>53</u> & <u>54</u> ) are STAYED FOR 14 DAYS. If no action is taken by the Eleventh Circuit Court of Appeals to extend or lift the stay within that time period, this courts stay will be lifted on February 9, 2105 as further set out. Signed by Judge Callie V. S. Granade on 1/25/2015. (jlr) (Entered: 01/25/2015)
01/26/2015	<u>60</u>	NOTICE OF APPEAL as to <u>54</u> Judgment, <u>53</u> Order on Motion for Summary Judgment,, by Luther Strange. (Brasher, Andrew) (Entered: 01/26/2015)
01/26/2015	<u>61</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re: <u>60</u> Notice of Appeal, <u>59</u> Order on Motion to Stay, <u>54</u> Judgment, <u>53</u> Order on Motion for Summary Judgment, Judge Appealed:,Granade Court Reporter: No Hearings, Fee Paid: Pending (e-mailed to USCA) (jal) (Entered: 01/26/2015)
01/26/2015		REFERRAL OF <u>58</u> MOTION for Leave to Appear Amicus Curiae to Judge Granade. (tot) (Entered: 01/26/2015)
01/26/2015	<u>62</u>	NOTICE of Docketing Record on Appeal from USCA re <u>60</u> Notice of Appeal filed by Luther Strange. USCA Case Number 15-10295 (jal) (Entered: 01/26/2015)
01/27/2015	<u>63</u>	USCA Appeal Fees received \$ 505 receipt number 33953 re <u>60</u> Notice of Appeal filed by Luther Strange ; USCA Case Number 15-10295 (jal) (Entered: 01/27/2015)
01/28/2015	64	ENDORSED ORDER, GRANTING <u>58</u> Motion of Alabama Probate Judges Association for Leave to Appear as Amicus Curiae in Support of Motion for Entry of Stay of Order Entered January 23, 2015 (Doc. <u>53</u> ). Signed by Judge Callie V. S. Granade on 1/28/2015. (mab) (Entered: 01/28/2015)
01/28/2015		MOTIONS REFERRED: <u>56</u> Plaintiffs' MOTION for Clarification Referred to Judge Callie V. S. Granade. (mab) (Entered: 01/28/2015)
01/28/2015	<u>65</u>	ORDER, GRANTING <u>56</u> Request for Clarification contained in <u>56</u> Objection and Response, and clarifying judgment as set forth in Order. Signed by Judge Callie V. S. Granade on 1/28/2015. (mab) (Entered: 01/28/2015)
01/29/2015	<u>66</u>	TRANSCRIPT INFORMATION FORM filed by Luther Strange re: <u>60</u> Notice of Appeal. (Davis, James) (Entered: 01/29/2015)
02/03/2015	<u>67</u>	MOTION to Lift Stay by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) (Entered: 02/03/2015)
02/03/2015		REFERRAL OF <u>67</u> MOTION to Lift Stay to Judge Granade. (tot) (Entered: 02/03/2015)
02/03/2015	<u>68</u>	RESPONSE in Opposition re <u>67</u> MOTION to Lift Stay filed by Luther Strange. (Davis, James) (Entered: 02/03/2015)
02/03/2015		REFERRAL OF <u>68</u> Response in Opposition to Motion to Lift Stay to Judge Granade. (tot) Modified on 2/3/2015 (tot). (Entered: 02/03/2015)
02/03/2015	<u>69</u>	ORDER DENYING Plfs' <u>67</u> Motion to Lift Stay as set out. Signed by Judge Callie V. S. Granade on 2/3/2015. (tot) (Entered: 02/03/2015)
02/03/2015	<u>70</u>	ORDER of USCA as to <u>60</u> Notice of Appeal filed by Luther Strange, USCA consolidate the appeals 15-10295 and 15-10313. Motion of the Alabama Probate Judges Association and Robert J. Bentley, Governor of Alabama, "for Leave to Appear as Amicus Curiae in Support of Motions of Attorney General Luther Strange for Stay" are Granted, The Attorney General of the State of Alabama's Motions for stay pending appeal are DENIED. (jal) (Entered: 02/03/2015)

02/09/2015	<u>71</u>	MOTION for Contempt <i>and Request for Immediate Relief</i> by Kimberly McKeand, Cari D. Searcy. (Hernandez, Christine) (Entered: 02/09/2015)
02/09/2015		REFERRAL OF <u>71</u> MOTION for Contempt & Request for Immediate Relief to Judge Granade. (tot) (Entered: 02/09/2015)
02/09/2015	<u>72</u>	ORDER DENYING Plfs' <u>71</u> Motion for Contempt & Immediate Relief as set out. Signed by Judge Callie V. S. Granade on 2/9/2015. (tot) (Entered: 02/09/2015)
02/11/2015	<u>73</u>	MOTION for Extension of Time <i>to file Petition for Attorneys fees and costs</i> by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) (Entered: 02/11/2015)
02/12/2015	74	ENDORSED ORDER granting <u>73</u> Motion to Extend Deadline to Petition for Attorneys' Fees and Costs. Signed by Judge Callie V. S. Granade on 2/12/2015. (tot) (Entered: 02/12/2015)
08/20/2015	<u>75</u>	ORDER (MANDATE): In light of the United States Supreme Court's decision in <i>Obergefell v. Hodges</i> , we hereby SUMMARILY AFFIRM the January 23, 2015, order and final judgment that are the subject of appeal. no. 15-10295. In appeal no. 15-10295, the "Motion to Transfer Consideration of Attorneys' Fees and Costs on Appeal to the District Court" is GRANTED. In appeal no. 15-10313, we construe Appellant's July 17, 2015, "Response to this Court's Order of February 4, 2015" as a voluntary motion to dismiss appeal no. 15-10313 without prejudice. The construed motion to dismiss the appeal without prejudice is GRANTED. Any questions of mootness and attorneys' fees should be addressed by the district court in the first instance subject to final judgment appeal. [15-10295, 15-10313, MANDATE of USCA re: <u>60</u> Notice of Appeal filed by Luther Strange, Mandate issued 8/20/15 ; USCA Case Number 15-10295-CC (jal) (Entered: 08/20/2015)
08/20/2015		Appeal Remark re <u>60</u> Notice of Appeal : USCA Case Number 15-12508, 15-90014, The Appeal will remain open pending these additional appeals. (jal) (Entered: 08/20/2015)
08/31/2015	<u>76</u>	MOTION for Attorney Fees by Kimberly McKeand, Cari D. Searcy. (Attachments: # <u>1</u> Brief in support of fees, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D, # <u>6</u> Exhibit Exhibit E, # <u>7</u> Exhibit Exhibit F) (Kennedy, David) (Entered: 08/31/2015)
08/31/2015		REFERRAL OF <u>76</u> MOTION for Attorney Fees to Judge Granade. (tot) (Entered: 08/31/2015)
09/30/2015	<u>77</u>	Order re: Plf's <u>76</u> MOTION for Reasonable Attorney Fees. Any response in opposition should be filed on or before 10/14/2015. Plfs may file a reply NLT 10/21/2015. Signed by Judge Callie V. S. Granade on 9/30/2015. (tot) (Entered: 10/01/2015)
10/09/2015	<u>78</u>	Unopposed MOTION to Continue <i>Briefing Schedule for Seven Days</i> by Luther Strange. (Davis, James) (Entered: 10/09/2015)
10/09/2015		REFERRAL OF <u>78</u> Unopposed MOTION to Continue Briefing Schedule for Seven Days to Judge Granade. (tot) (Entered: 10/09/2015)
10/13/2015	79	ENDORSED ORDER, GRANTING <u>78</u> Unopposed MOTION to Continue <i>Briefing Schedule for Seven Days</i> . Response to <u>76</u> Plaintiffs' Motion for Reasonable Attorneys Fees and Expenses due by 10/21/2015. Reply due by 10/28/2015. Signed by Judge Callie V. S. Granade on 10/13/2015. (mab) (Entered: 10/13/2015)
10/21/2015	<u>80</u>	RESPONSE to Motion re: <u>76</u> MOTION for Attorney Fees filed by Luther Strange. (Attachments: # <u>1</u> Exhibit A - List of Hour Reductions by date, # <u>2</u> Exhibit B - List of Hour Reductions by category) (Davis, James) (Entered: 10/21/2015)
10/22/2015		REFERRAL OF <u>80</u> Response to Motion for Attorneys' Fees to Judge Granade. (tot) (Entered: 10/22/2015)
10/28/2015	<u>81</u>	REPLY Brief filed by Plaintiffs Kimberly McKeand, Cari D. Searcy re: <u>77</u> Order Setting Motion Deadline/Hearing, <u>80</u> Response to Motion <i>Motion for Reasonable Attorneys Fee and Costs</i> filed by Kimberly McKeand, Cari D. Searcy. (Kennedy, David) (Entered: 10/28/2015)



10/28/2015		REFERRAL OF <u>81</u> Reply Brief in Support of Motion for Reasonable Attorneys' Fee to Judge Granade. (tot) (Entered: 10/28/2015)
05/27/2016	<u>82</u>	ORDER GRANTING in part & DENYING in part Plfs' <u>76</u> Motion for Attorney Fees & Costs as set out. Plfs are awarded attorneys' fees in the amount of \$126,206.66. Plfs are to file, on or before 6/10/16, an accounting of the costs claimed w/sufficient detail to permit meaningful review. Any response from Dft due NLT 6/17/16. Signed by Senior Judge Callie V. S. Granade on 5/27/2016. (tot) (Entered: 05/27/2016)
06/10/2016	<u>83</u>	Response to Court's Order Requesting Expense Detail, by Cari D. Searcy. (Attachments: # <u>1</u> Exhibit) (Hernandez, Christine) Modified on 6/10/2016 (mab). (Entered: 06/10/2016)
06/10/2016		REFERRAL OF <u>83</u> Response to Court's <u>82</u> Order Requesting Expense Detail to Senior Judge Granade. (mab) (Entered: 06/10/2016)
06/17/2016	<u>84</u>	RESPONSE to <u>83</u> Bill of Costs filed by Luther Strange. (Davis, James) (Entered: 06/17/2016)
06/20/2016		REFERRAL OF <u>84</u> Response to Plf's Brief Regarding Plf's Bill of Costs to Judge Granade. (tot) (Entered: 06/20/2016)
06/28/2016	<u>85</u>	Order GRANTING in part & DENYING in part Plf's <u>76</u> <u>83</u> MOTION for Costs to the extent that Plfs are awarded \$500.98 in costs as set out. Signed by Senior Judge Callie V. S. Granade on 6/28/2016. (tot) (Entered: 06/29/2016)