

1 Tara L. Borelli (*Pro Hac Vice*)
2 LAMBDA LEGAL DEFENSE AND
3 EDUCATION FUND, INC.
4 3325 Wilshire Boulevard, Suite 1300
5 Los Angeles, California 90010
6 tborelli@lambdalegal.org
7 Telephone: 213.382.7600

8 Daniel C. Barr (#010149)
9 Kirstin T. Eidenbach (#027341)
10 PERKINS COIE LLP
11 2901 North Central Avenue, Suite 2000
12 Phoenix, Arizona 85012-2788
13 DBarr@perkinscoie.com
14 KEidenbach@perkinscoie.com
15 Telephone: 602.351.8000

16 Attorneys for Plaintiffs Tracy Collins, Keith B.
17 Humphrey, Joseph R. Diaz, Beverly Seckinger, Stephen
18 Russell, Deanna Pflieger, Corey Seemiller, Carrie
19 Sperling and Leslie Kemp

20 UNITED STATES DISTRICT COURT
21 DISTRICT OF ARIZONA

22 Tracy Collins, et al.,

23 Plaintiffs,

24 v.

25 Janice K. Brewer, in her official capacity as
26 Governor of the State of Arizona, et al.,

27 Defendants.

No. 2:09-cv-02402 JWS

**STATUS REPORT ON PETITION
FOR WRIT OF CERTIORARI**

1 On December 11, 2012 this Court requested that Defendants file a report by
2 January 15, 2013 describing the status of the petition for a writ certiorari (“Petition”)
3 Defendants filed with the United States Supreme Court on July 2, 2012. Dkt. 67.
4 Because it appears that no report has yet been filed, Plaintiffs respectfully submit this
5 report to assist the Court.

6 Defendants’ Petition was originally distributed for consideration at the Supreme
7 Court’s September 24, 2012 conference. The Supreme Court subsequently deferred the
8 Petition for consideration until December 7, 2012, so that the Petition could be reviewed
9 with others raising constitutional challenges to (i) California’s exclusion of same-sex
10 couples from civil marriage or to (ii) Section 3 of the federal “Defense of Marriage Act.”
11 *Hollingsworth v. Perry*, No. 12-144 (filed July 30, 2012); *Bipartisan Legal Advisory*
12 *Group of the House of Representatives v. Gill*, No. 12-13 (filed June 29, 2012); *Office of*
13 *Personnel Management v. Golinski*, No. 12-16, (filed July 3, 2012); *Windsor v. United*
14 *States*, No. 12-63 (filed July 16, 2012); *Pedersen v. Office of Personnel Management*, No.
15 12-302 (filed Aug. 21, 2012). On December 7, 2012, the Supreme Court granted
16 certiorari in *Hollingsworth* and *Windsor*, but took no action on the Petition in this case.
17 *Hollingsworth*, cert. granted, 81 U.S.L.W. 3324 (U.S. Dec. 7, 2012) (No. 12-144);
18 *Windsor*, cert. granted, 81 U.S.L.W. 3324 (U.S. Dec. 7, 2012) (No. 12-307). The Petition
19 in this case is therefore still pending before the U.S. Supreme Court and the Supreme
20 Court is not anticipated to take further action on the Petition in this matter until decisions
21 are issued in *Hollingsworth* and *Windsor*, which are expected to be issued by the end of
22 the Supreme Court’s term in June of 2013.

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1 Dated: January 22, 2013

2 **LAMBDA LEGAL DEFENSE**
3 **AND EDUCATION FUND, INC.**

4 Tara L. Borelli
5 3325 Wilshire Blvd., Ste. 1300
6 Los Angeles, California 90010

7 By: s/ Tara L. Borelli

PERKINS COIE LLP

Daniel C. Barr
Kirstin T. Eidenbach
2901 North Central Avenue, Ste. 2000
Phoenix, Arizona 85012-2788

Attorneys for Plaintiffs Tracy Collins,
Keith B. Humphrey, Joseph R. Diaz,
Beverly Seckinger, Stephen Russell,
Deanna Pflieger, Corey Seemiller, Carrie
Sperling and Leslie Kemp

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CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2013 I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Tara L. Borelli
tborelli@lambdalegal.org
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
3325 Wilshire Boulevard, Suite 1300
Los Angeles, California 90010
Attorneys for Plaintiffs

Daniel C. Barr
DBarr@perkinscoie.com
PERKINS COIE LLP
2901 North Central Avenue, Suite 200
Phoenix, AZ 85012-2788
Attorneys for Plaintiffs

Charles A. Grube
charles.grube@azag.gov
Alisa Blandford
alisa.blandford@azag.gov
Kathryn J. Winters
kathryn.winters@azag.gov
OFFICE OF THE ATTORNEY GENERAL
1275 West Washington
Phoenix, AZ 85007
Attorneys for Defendants

s/ Tara L. Borelli
