

(AJWx),CLOSED,DISCOVERY,PROTORD

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF  
CALIFORNIA (Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:12-cv-00887-CBM-AJW**

Tracey Cooper–Harris et al v. United States of America et al  
Assigned to: Judge Consuelo B. Marshall  
Referred to: Magistrate Judge Andrew J. Wistrich  
Related Case: 8:12-cv-01137-CBM-AJW  
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 02/01/2012  
Date Terminated: 03/12/2014  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Tracey Cooper–Harris**

represented by **Adam P Romero**  
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**Plaintiff**

**Maggie Cooper-Harris**

represented by **Adam P Romero**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Caren E Short**  
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**Christine P Sun**  
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*TERMINATED: 06/17/2013*

**Daniel S Noble**  
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*TERMINATED: 08/16/2013*

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**Matthew D Benedetto**  
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**Randall R Lee**  
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**Rubina Ali**  
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V.

**Defendant**

**United States of America**

represented by **Jean Lin**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Eric H Holder, Jr**  
*in his official capacity as Attorney  
General*

represented by **Jean Lin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Eric K Shinseki**  
*in his official capacity as Secretary of  
Veterans Affairs*

represented by **Jean Lin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Intervenor Defendant**

**Bipartisan Legal Advisory Group of  
the US House of Representatives**  
*TERMINATED: 07/23/2013*

represented by **Christine Davenport**  
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**TERMINATED: 03/06/2014**  
**PRO HAC VICE**

Date Filed	#	Docket Text
02/01/2012	<u>1</u>	COMPLAINT against defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. Case assigned to Judge Consuelo B. Marshall for all further proceedings. Discovery referred to Magistrate Judge Andrew J Wistrich.(Filing fee \$ 350 PAID), filed by plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris.(esa) (mg). (Entered: 02/02/2012)
02/01/2012		60 DAY Summons Issued re Complaint <u>1</u> as to defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. (esa) (Entered: 02/02/2012)
02/01/2012	<u>2</u>	CERTIFICATION AND NOTICE OF INTFERESTED PARTIES filed by plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (esa) (mg). (Entered: 02/02/2012)
02/01/2012	<u>6</u>	STANDING ORDER by Judge Consuelo B. Marshall. (lom) (Entered: 02/03/2012)
02/02/2012	<u>3</u>	NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to Joseph J. Levin, Jr. for Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Your Pro Hac Vice application has not been received by the court. Please return your completed Application of Non-Resident Attorney to Appear in a Specific Case, form G-64, or a copy of the Notice of Electronic Filing of your application and the \$325.00 fee and this notice immediately. Out-of-state federal government attorneys who are not employed by the U. S. Department of Justice are required to file a Pro Hac Vice application; no filing fee is required. (esa) (Entered: 02/02/2012)
02/02/2012	<u>4</u>	NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to Caren E. Short for Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Your Pro Hac Vice application has not been received by the court. Please return your completed Application of Non-Resident Attorney to Appear in a Specific Case, form G-64, or a copy of the Notice of Electronic Filing of your application and the \$325.00 fee and this notice immediately. Out-of-state federal government attorneys who are not employed by the U. S. Department of Justice are required to file a Pro Hac Vice application; no filing fee is required. (esa) (Entered: 02/02/2012)
02/02/2012	<u>5</u>	NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to Daniel S. Noble for Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Your Pro Hac Vice application has not been received by the court. Please return your completed Application of Non-Resident Attorney to Appear in a Specific Case, form G-64, or a

		copy of the Notice of Electronic Filing of your application and the \$325.00 fee and this notice immediately. Out-of-state federal government attorneys who are not employed by the U. S. Department of Justice are required to file a Pro Hac Vice application; no filing fee is required. (esa) (Entered: 02/02/2012)
02/03/2012	<u>7</u>	APPLICATION for attorney Joseph J. Levin, Jr. to Appear Pro Hac Vice. (PHV FEE PAID.) filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Lodged Application of Non Resident Attorney to Appear in a Specific Case. (lt) (Entered: 02/08/2012)
02/03/2012	<u>8</u>	APPLICATION for attorney Caren E. Short to Appear Pro Hac Vice. (PHV FEE PAID.) filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Lodged Application of Non Resident Attorney to Appear in a Specific Case. (lt) (Entered: 02/08/2012)
02/03/2012	<u>9</u>	APPLICATION for attorney Daniel S. Noble to Appear Pro Hac Vice. (PHV FEE PAID.) filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Lodged Application of Non Resident Attorney to Appear in a Specific Case. (lt) (Entered: 02/08/2012)
02/03/2012	<u>10</u>	ORDER by Judge Consuelo B. Marshall: granting <u>9</u> Application to Appear Pro Hac Vice by Attorney Daniel S. Noble on behalf of Plaintiffs, designating Randall R. Lee as local counsel. (lt) (Entered: 02/08/2012)
02/03/2012	<u>11</u>	ORDER by Judge Consuelo B. Marshall: granting <u>7</u> Application to Appear Pro Hac Vice by Attorney Joseph J. Levin, Jr. on behalf of Plaintiffs, designating Randall R. Lee as local counsel. (lt) (Entered: 02/08/2012)
02/03/2012	<u>12</u>	ORDER by Judge Consuelo B. Marshall: granting <u>8</u> Application to Appear Pro Hac Vice by Attorney Caren E. Short on behalf of Plaintiffs, designating Randall R. Lee as local counsel. (lt) (Entered: 02/08/2012)
02/22/2012	<u>13</u>	NOTICE of Appearance filed by attorney Jean Lin on behalf of Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America (Lin, Jean) (Entered: 02/22/2012)
02/23/2012	<u>14</u>	PROOF OF SERVICE Executed by Plaintiff Maggie Cooper-Harris, Tracey Cooper-Harris, upon Defendant All Defendants. Service of the Summons and Complaint were executed upon the United States Attorneys Office by delivering a copy to Pat Myles. Executed upon the Attorney Generals Office of the United States by delivering a copy to Eric Holder. Executed upon the officer agency or corporation by delivering a copy to Emily Sase, Dept. of Justice. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt attached. Original Summons returned. (Lee, Randall) (Entered: 02/23/2012)
02/23/2012	<u>15</u>	PROOF OF SERVICE filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris, <i>REGARDING STANDING ORDER</i> served on 02/03/2012. (Lee, Randall) (Entered: 02/23/2012)
02/24/2012	<u>16</u>	NOTICE to the Court regarding decision not to defend filed by Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2, # <u>3</u> Attachment 3, # <u>4</u> Attachment 4)(Lin, Jean) (Entered: 02/24/2012)
04/02/2012	<u>17</u>	NOTICE OF UNOPPOSED MOTION AND MOTION for Leave to Intervene filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. Motion set for hearing on 5/7/2012 at 10:00 AM before Judge Consuelo B. Marshall. (lom) (Entered: 04/04/2012)
04/02/2012	<u>19</u>	MEMORANDUM OF POINTS AND AUTHORITIES in Support of UNOPPOSED MOTION to Intervene <u>17</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (lom) (Entered: 04/04/2012)
04/02/2012	<u>20</u>	NOTICE of Appearance filed by attorney Kerry W Kircher on behalf of Movant Bipartisan Legal Advisory Group of the US House of Representatives. (lom) (Entered: 04/04/2012)



04/02/2012	<u>21</u>	NOTICE of Appearance of Conor B Dugan at Bancroft PLLC filed by attorney Kerry W Kircher on behalf of Movant Bipartisan Legal Advisory Group of the US House of Representatives. (lom) (Entered: 04/04/2012)
04/02/2012	<u>22</u>	NOTICE of Appearance of Nicholas J Nelson filed by attorney Kerry W Kircher on behalf of Movant Bipartisan Legal Advisory Group of the US House of Representatives. (lom) (Entered: 04/04/2012)
04/02/2012	<u>23</u>	NOTICE of Appearance of Paul D Clement filed by attorney Kerry W Kircher on behalf of Movant Bipartisan Legal Advisory Group of the US House of Representatives. (lom) (Entered: 04/04/2012)
04/02/2012	<u>24</u>	NOTICE of Appearance of H. Christopher Bartolomucci filed by attorney Kerry W Kircher on behalf of Movant Bipartisan Legal Advisory Group of the US House of Representatives. (lom) (Entered: 04/04/2012)
04/04/2012	<u>18</u>	NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to attorney Kerry W Kircher re P. Clement, H. Bartolomucci, C. Dugan, N. Nelson of Bancroft PLLC, for Movant Bipartisan Legal Advisory Group of the US House of Representatives. (lom) (Entered: 04/04/2012)
04/04/2012	<u>25</u>	Joint STIPULATION to Reschedule Briefing Schedule filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Proposed Order)(Short, Caren) (Entered: 04/04/2012)
04/04/2012		Notice of Electronic Filing re Memorandum in Support of Motion <u>19</u> , Notice of Appearance <u>23</u> , Notice of Appearance <u>21</u> , Notice of Appearance <u>22</u> , Notice of Appearance <u>24</u> , MOTION to Intervene <u>17</u> , Notice of Filing Fee Due (PHV) <u>18</u> , Stipulation to Reschedule <u>25</u> , Notice of Appearance <u>20</u> e-mailed to MaryBeth Walker bounced due to invalid e-mail address. Primary e-mail address corrected. Notice of Electronic Filing resent addressed to MaryBeth.Walker@mail.house.gov. Pursuant to the General Order and Local Rules it is the attorneys obligation to maintain all personal contact information including e-mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(jj) TEXT ONLY ENTRY (Entered: 04/04/2012)
04/05/2012	<u>26</u>	NOTICE OF NON-OPPOSITION to MOTION to Intervene <u>17</u> <i>Response</i> filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Response, # <u>2</u> Exhibit Exhibit 2 to Response, # <u>3</u> Exhibit Exhibit 3 to Response)(Lee, Randall) (Entered: 04/05/2012)
04/05/2012	<u>27</u>	ORDER by Judge Consuelo B. Marshall: Plaintiffs and Defendants will file their responses to the House's motion to intervene on or before Tuesday, April 10,2012; The House will file its reply to the Plaintiffs' and Defendants' responses to the House's motion to intervene on or before Tuesday, April 17, 2012; the House will file any motion to stay proceedings by the later of Monday, April 30, 2012, or seven (7) calendar days after the Court grants the House's motion to intervene; Plaintiffs will file their response to the House's motion to stay on or before twenty-one (21) calendar days after the date the House files its motion to stay;the House will file any reply to the Plaintiffs' response to the House's motion to stay on or before fourteen (14) calendar days after the date the Plaintiffs file their response; and, if the House's motion to stay is denied in whole or in part, then within fourteen (14) calendar days of the entry of the Court's order on the House's motion to stay, the parties will: (i) meet and confer, in accordance with Federal Rule of Civil Procedure 26, regarding a discovery and dispositive motion briefing schedule; and (ii) file a Rule 26(f)(2) report. If necessary, the parties jointly will seek a scheduling conference with the Court as soon as they can be heard. <u>25</u> (jl) Modified on 4/6/2012 (lt). (Entered: 04/05/2012)
04/10/2012	<u>28</u>	NOTICE OF NON-OPPOSITION to MOTION to Intervene <u>17</u> filed by Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. (Attachments: # <u>1</u> Proposed Order)(Lin, Jean) (Entered: 04/10/2012)
04/13/2012	<u>29</u>	NOTICE OF MOTION AND MOTION for Order for Granting Motion for Cancellation of Pro Hac Vice Notice or Waiver of Local Rule 83-2.3 filed by Proposed Intervenor Bipartisan Legal Advisory Group of the US House of Representatives. Motion set for hearing on 5/14/2012 at 10:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit)(Kircher, Kerry) (Entered: 04/13/2012)

04/13/2012	<u>30</u>	NOTICE of Change of Attorney Information for attorney Matthew D Benedetto counsel for Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. Daniel Scott Noble will no longer receive service of documents from the Clerks Office for the reason indicated in the G–06 Notice. Daniel Scott Noble is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G–06 Notice. Filed by plaintiff Tracey Cooper–Harris and Maggie Cooper–Harris (Benedetto, Matthew) (Entered: 04/13/2012)
04/17/2012	<u>31</u>	REPLY to Executive Branch Defendants in Support of MOTION to Intervene <u>17</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Kircher, Kerry) (Entered: 04/17/2012)
04/17/2012	<u>32</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: MOTION to Intervene <u>17</u> is continued to May 14, 2012 at 10:00 a.m. (jl) (Entered: 04/17/2012)
04/17/2012	<u>33</u>	REPLY MOTION to Intervene <u>17</u> <i>Reply to Plaintiffs' Response</i> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Kircher, Kerry) (Entered: 04/17/2012)
04/18/2012	<u>34</u>	APPLICATION for attorney Adam Romero to Appear Pro Hac Vice. (PHV FEE PAID.) filed by plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. Lodged Proposed Order. (ak) (Entered: 04/20/2012)
05/07/2012	<u>35</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: MOTION for Order for Granting Motion for Cancellation of Pro Hac Vice Notice or Waiver of Local Rule 83–2.3 <u>29</u> and MOTION to Intervene <u>17</u> are continued to May 15, 2012 at 10:00 a.m. before Judge Consuelo B. Marshall. (jl) (Entered: 05/07/2012)
05/10/2012	<u>36</u>	Minute Order by Judge Consuelo B. Marshall: Unopposed Motion of The Bipartisan Legal Advisory Group of The U. S. House of Representatives for Leave to Intervene <u>17</u> and Motion of Bipartisan Legal Advisory Group of the U. S. House of Representatives for an Order Granting Cancellation of Pro Hac Vice Notice or Waiver of Local Rule 83–2.3 <u>29</u> are submitted without oral argument. (jl) (Entered: 05/10/2012)
05/21/2012	<u>37</u>	NOTICE of Supplemental Authorities filed by Proposed Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Kircher, Kerry) (Entered: 05/21/2012)
05/22/2012	<u>38</u>	MINUTES (IN CHAMBERS): ORDER by Judge Consuelo B. Marshall: GRANTING Unopposed Motion for Cancellation of Pro Hac Vice Notice or Waiver of Local Rule 83–2.3 <u>29</u> GRANTING Unopposed Motion for Leave to Intervene <u>17</u> (jl) (Entered: 05/22/2012)
05/29/2012	<u>39</u>	NOTICE OF MOTION AND MOTION to Stay Case pending ruling of United States Court of Appeals for the Ninth Circuit in Golinski v. U.S. Office of Personnel Management, Case Nos. 12–15388 & 12–15079 filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. Motion set for hearing on 7/2/2012 at 11:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Memorandum in Support of Motion for Stay, # <u>2</u> Proposed Order)(Kircher, Kerry) (Entered: 05/29/2012)
06/06/2012	<u>40</u>	ORDER by Judge Consuelo B. Marshall: granting <u>34</u> Application to Appear Pro Hac Vice by Attorney Adam P. Romero on behalf of Plaintiff, designating Randall R. Lee as local counsel. (lt) (Entered: 06/07/2012)
06/13/2012	<u>41</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: MOTION to Stay Case is continued to July 23, 2012 at 10:00 A.M. Opposition Brief shall be filed on or before June 18, 2012, Reply Brief, if any, shall be filed on or before June 25, 2012. (jl) Modified on 6/13/2012 (lom). (Entered: 06/13/2012)
06/18/2012	<u>42</u>	MEMORANDUM in Opposition to MOTION to Stay Case pending ruling of United States Court of Appeals for the Ninth Circuit in Golinski v. U.S. Office of Personnel Management, Case Nos. 12–15388 & 12–15079 <u>39</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Attachments: # <u>1</u> Declaration of Tracey Cooper–Harris In Support of Plaintiffs' Opposition to Intervenor–Defendant's Motion to Stay, # <u>2</u> Declaration of Maggie Cooper–Harris In Support of Plaintiffs' Opposition to Intervenor–Defendant's Motion to Stay)(Lee, Randall) (Entered: 06/18/2012)



06/25/2012	<u>43</u>	REPLY in Support of MOTION to Stay Case pending ruling of United States Court of Appeals for the Ninth Circuit in Golinksi v. U.S. Office of Personnel Management, Case Nos. 12-15388 & 12-15079 <u>39</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit Exhibit A)(Kircher, Kerry) (Entered: 06/25/2012)
07/06/2012	<u>44</u>	NOTICE of Supplemental Authority filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Kircher, Kerry) (Entered: 07/06/2012)
07/19/2012	<u>45</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: MOTION to Stay Case <u>39</u> is submitted without oral arguments as of July 23, 2012. (jl) (Entered: 07/19/2012)
07/20/2012	<u>46</u>	NOTICE of Supplemental Authority filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit A)(Kircher, Kerry) (Entered: 07/20/2012)
07/31/2012	<u>47</u>	NOTICE of Supplemental Authority filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Kircher, Kerry) (Entered: 07/31/2012)
08/01/2012	<u>48</u>	NOTICE of Change of address by Adam P Romero attorney for Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Changing attorneys address to 7 World Trade Center, New York, NY 10007. Filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Romero, Adam) (Entered: 08/01/2012)
08/01/2012	<u>49</u>	NOTICE of Supplemental Authority filed by plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Exhibit A)(Benedetto, Matthew) (Entered: 08/01/2012)
08/03/2012	<u>50</u>	MINUTES (IN CHAMBERS): ORDER by Judge Consuelo B. Marshall: denying <u>39</u> Motion to Stay Case (jl) (Entered: 08/03/2012)
08/17/2012	<u>51</u>	JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial 5, filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris.. (Romero, Adam) (Entered: 08/17/2012)
10/02/2012	<u>52</u>	NOTICE of Change of Attorney Information for attorney H Christopher Bartolomucci counsel for Movant Bipartisan Legal Advisory Group of the US House of Representatives. Filed by movant Bipartisan Legal Advisory Group of the U.S. House of Representatives (Bartolomucci, H) (Entered: 10/02/2012)
10/10/2012	<u>57</u>	APPLICATION for attorney Rubina Ali to Appear Pro Hac Vice. (PHV FEE PAID.) filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. Lodged Application of Non Resident Attorney to Appear in a Specific Case. (It) (Entered: 11/16/2012)
10/10/2012	<u>59</u>	PROOF OF SERVICE filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris, re APPLICATION for attorney Rubina Ali to Appear Pro Hac Vice. (PHV FEE PAID.) <u>57</u> served on 10/10/12. (It) (Entered: 11/17/2012)
10/17/2012	<u>53</u>	Joint STIPULATION for Protective Order filed by plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Proposed Order)(Benedetto, Matthew) (Entered: 10/17/2012)
10/24/2012	<u>54</u>	PROTECTIVE ORDER re Stipulation <u>53</u> by Judge Consuelo B. Marshall. This Protective Order shall govern the production and use in the abovcaptioned action of "Protected Materials," produced or provided by any party in response to a discovery request or as a required disclosure. (Refer to attached document for details.) (lom) (Entered: 10/25/2012)
10/24/2012	<u>58</u>	ORDER by Judge Consuelo B. Marshall: granting <u>57</u> Application to Appear Pro Hac Vice by Attorney Rubina Ali on behalf of Plaintiffs, designating Randall R. Lee as local counsel. (It) (Entered: 11/16/2012)
11/06/2012	<u>55</u>	NOTICE OF MOTION AND MOTION IN LIMINE to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. Motion set for hearing on 12/10/2012 at 10:00 AM before Judge

		Consuelo B. Marshall. (Attachments: # <u>1</u> Proposed Order)(Kircher, Kerry) (Entered: 11/06/2012)
11/06/2012	<u>56</u>	MEMORANDUM in Support of MOTION IN LIMINE to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich MOTION IN LIMINE to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich <u>55</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (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)(Kircher, Kerry) (Entered: 11/06/2012)
11/19/2012	<u>60</u>	MEMORANDUM in Opposition to MOTION IN LIMINE to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich MOTION IN LIMINE to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich <u>55</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Attachments: # <u>1</u> Exhibit A (Korb CV), # <u>2</u> Exhibit B (Korb Bibliography), # <u>3</u> Exhibit C (Korb Studies Cited), # <u>4</u> Exhibit D (Korb Deposition Excerpts), # <u>5</u> Exhibit E (Laich CV), # <u>6</u> Exhibit F (Laich Deposition Excerpts))(Romero, Adam) (Entered: 11/19/2012)
11/21/2012	<u>61</u>	EXPARTE APPLICATION for Extension of Time to File Reply in Support of Its Motion to Exclude Expert Testimony of Dr. Lawrence J. Korb filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Proposed Order Proposed Order Extending Time)(Bartolomucci, H) (Entered: 11/21/2012)
11/26/2012	<u>62</u>	REPLY in support of MOTION IN LIMINE to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich MOTION IN LIMINE to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich <u>55</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Bartolomucci, H) (Entered: 11/26/2012)
12/04/2012	<u>63</u>	EX PARTE APPLICATION for Leave to Appear by Telephone for December 10, 2012 Hearing on Motion to Exclude filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Proposed Order)(Kircher, Kerry) (Entered: 12/04/2012)
12/07/2012	64	IN CHAMBER MINUTE ORDER/OFF THE RECORD by Judge Consuelo B. Marshall. The previously scheduled Motion to Exclude the Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich (doc #55)scheduled for hearing on 12/10/2012 at 11:00 A.M. has been rescheduled. The Motion will now be set for hearing on December 14, 2012 at 9:00 a.m. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (cs) TEXT ONLY ENTRY (Entered: 12/07/2012)
12/07/2012	<u>65</u>	ORDER by Judge Consuelo B. Marshall: denying <u>63</u> Ex Parte Application of Intervenor–Defendant for Counsel to Appear by Telephone. (lom) Modified on 12/11/2012 (lom). (Vacating Order, see document no. <u>67</u> .) (Entered: 12/10/2012)
12/10/2012	66	SCHEDULING NOTICE IN CHAMBER MINUTE ORDER/OFF THE RECORD. The Motion To Exclude Hearing scheduled to be heard on Friday, December 14, 2012 at 9:00 A.M. will be RELOCATED and heard in COURTROOM #4 (located next door to Judge Marshall's regular courtroom #2) at 9:00 a.m. by Judge Consuelo B. Marshall. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (cs) TEXT ONLY ENTRY (Entered: 12/10/2012)
12/11/2012	<u>67</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall. The matter before the hearing on Intervenor–Defendant Bipartisan Legal Advisory Group's ("BLAG") Motion to Exclude the Expert Testimony of Dr. Lawrence J. Korb and Maj. Gen. (Ret.) Dennis Laich currently scheduled for December 14, 2012 at 9:00 a.m. <u>55</u> , <u>64</u> , <u>66</u> . Multiple parties have requested either formally or informally to appear at this hearing telephonically. The Court formally denied BLAG's request to appear telephonically on December 7, 2012. The Court hereby ORDERS that any party in this case may make a telephonic appearance at this hearing on December 14, 2012 and need not appear in person. The Court VACATES its December 7, 2012 order denying BLAG's request to appear telephonically. Judge Marshall's temporary courtroom deputy clerk will arrange the call–in logistics with the parties prior to December 14, 2012. (lom) (Entered: 12/11/2012)

12/13/2012	<u>68</u>	NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction filed by defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. Motion set for hearing on 2/25/2013 at 10:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Memorandum Points and Authorities in Support of Motion to Dismiss for Lack of Jurisdiction)(Lin, Jean) (Entered: 12/13/2012)
12/13/2012	<u>69</u>	NOTICE OF MOTION AND MOTION to Stay Case pending Ruling of the United States Supreme Court in United States v. Windsor, No. 12-307 filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. Motion set for hearing on 1/28/2013 at 10:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Proposed Order)(Kircher, Kerry) (Entered: 12/13/2012)
12/13/2012	70	SCHEDULING NOTICE IN CHAMBER MINUTE ORDER/OFF THE RECORD by Judge Consuelo B. Marshall. Here is the "call-in" information the bridge line for the hearing Friday, December 14, 2012; Time: 9:00 a.m.- 11:00 a.m. PST (The lines will open 15 minutes before & 15 minutes after.) Number of lines: 30 Please dial the telephone number below during the reservation date and time. Call-in Number: 213-894-0800; Please follow the prompts and enter the codes: Meeting ID: 7002#; User Password: 6620#. If you have any problems connecting to this call, please contact our Space & Facilities Help Desk at 213.894.1400.THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (cs) TEXT ONLY ENTRY (Entered: 12/13/2012)
12/14/2012	<u>71</u>	RESPONSE IN SUPPORT of MOTION to Stay Case pending Ruling of the United States Supreme Court in United States v. Windsor, No. 12-307 <u>69</u> filed by Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. (Lin, Jean) (Entered: 12/14/2012)
12/14/2012	<u>72</u>	MINUTES of Motion to Exclude the Testimony of Dr. Lawrence J. Korb and Maj. Gen (ret.) Dennis Laich <u>55</u> Hearing held before Judge Consuelo B. Marshall. Court and counsel discuss the motion. The Court denies the motion. The Courts order will follow. The Court orders the parties to meet and confer. The parties remain on the line, the Court and staff leave to allow the parties to confer. Court Reporter: Anne Kielwasser. (lom) (Entered: 12/28/2012)
01/07/2013	<u>73</u>	MEMORANDUM in Opposition to MOTION to Stay Case pending Ruling of the United States Supreme Court in United States v. Windsor, No. 12-307 <u>69</u> filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Declaration (Declaration of Tracey Cooper-Harris))(Romero, Adam) (Entered: 01/07/2013)
01/14/2013	<u>74</u>	REPLY in Support of MOTION to Stay Case pending Ruling of the United States Supreme Court in United States v. Windsor, No. 12-307 <u>69</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Kircher, Kerry) (Entered: 01/14/2013)
01/17/2013	<u>75</u>	EX PARTE APPLICATION to Waive Oral Argument <i>or, in the Alternative</i> , EX PARTE APPLICATION for Order for Leave to Appear by Telephone at January 28, 2013 Hearing on Motion to Stay filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Proposed Order)(Kircher, Kerry) (Entered: 01/17/2013)
01/22/2013	<u>76</u>	RESPONSE IN SUPPORT of MOTION to Dismiss for Lack of Jurisdiction <u>68</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Kircher, Kerry) (Entered: 01/22/2013)
01/25/2013	<u>77</u>	ORDER by Judge Consuelo B. Marshall: granting <u>75</u> Ex Parte Application to waive oral argument. Accordingly, this Motion of Intervenor-Defendant to Stay Proceedings <u>69</u> is taken UNDER SUBMISSION and the hearing is vacated. No appearances are necessary. (lom) (Entered: 01/25/2013)
01/28/2013	<u>78</u>	NOTICE Of Supplemental Authority Relevant To Intervenor-Defendant's Motion To Stay (ECF 69) And Plaintiffs' Opposition Thereto (ECF 73) filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Exhibit A)(Romero, Adam) (Entered: 01/28/2013)

01/28/2013	<u>79</u>	MEMORANDUM in Opposition to MOTION to Dismiss for Lack of Jurisdiction <u>68</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Romero, Adam) (Entered: 01/28/2013)
01/31/2013	<u>80</u>	NOTICE Response to Plaintiffs' Notice of Supplemental Authority (ECF No. 78) filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Kircher, Kerry) (Entered: 01/31/2013)
02/08/2013	<u>82</u>	ORDER by Judge Consuelo B. Marshall DENYING Intervenor–Defendant's Motion to Exclude the Expert Testimony of Dr. Lawrence J Korb and Maj Gen (Ret) Dennis Laich <u>55</u> . (lom) (Entered: 02/12/2013)
02/11/2013	<u>81</u>	REPLY in support of MOTION to Dismiss for Lack of Jurisdiction <u>68</u> filed by Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. (Lin, Jean) (Entered: 02/11/2013)
02/15/2013	<u>83</u>	EX PARTE APPLICATION for Order for Leave to Appear by Telephone for February 25, 2013 Hearing on Motion to Dismiss filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Proposed Order)(Kircher, Kerry) (Entered: 02/15/2013)
02/15/2013	<u>88</u>	Notice of Electronic Filing re Declaration (Motion related), <u>87</u> , EX PARTE APPLICATION for Order for Leave to Appear by Telephone for February 25, 2013 Hearing on Motion to Dismiss <u>83</u> , Memorandum in Support of Motion <u>84</u> , Statement (Motion related) <u>86</u> , MOTION for Summary Judgment <u>85</u> e–mailed to cdugan@bancroftpllc.com bounced due to 5.1.0 – Unknown address error 550–'5.7.1 <cdugan@bancroftpllc.com>: Relay access denied.'. The primary e–mail address associated with the attorney record has been deleted. Pursuant to the General Order and Local Rules it is the attorneys obligation to maintain all personal contact information including e–mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(tyw) TEXT ONLY ENTRY (Entered: 02/20/2013)
02/20/2013	<u>84</u>	MEMORANDUM in Support of Motion for Summary Judgment. filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Benedetto, Matthew) (Entered: 02/20/2013)
02/20/2013	<u>85</u>	NOTICE OF MOTION AND MOTION for Summary Judgment filed by Plaintiff Maggie Cooper–Harris, Tracey Cooper–Harris. Motion set for hearing on 4/1/2013 at 11:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Proposed Order)(Benedetto, Matthew) (Entered: 02/20/2013)
02/20/2013	<u>86</u>	STATEMENT of Uncontroverted Facts and Conclusions of Law in Support of MOTION for Summary Judgment <u>85</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Benedetto, Matthew) (Entered: 02/20/2013)
02/20/2013	<u>87</u>	DECLARATION of Christine P. Sun in Support of MOTION for Summary Judgment <u>85</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (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)(Benedetto, Matthew) (Entered: 02/20/2013)
02/20/2013	<u>89</u>	MINUTES (IN CHAMBERS) by Judge Consuelo B. Marshall: granting <u>83</u> Unopposed Ex Parte Application of Intervenor–Defendant the Bipartisan Legal Advisory Group of the U.S. House of Representatives for permission of counsel to appear by telephone for hearing on the motions set on February 25, 2013. (lom) (Entered: 02/20/2013)
02/21/2013	<u>90</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall. On the Court's own motion, the following Motions are hereby set for oral argument on Monday, February 25, 2013 at 2:00 p.m.: (1) Motion of Federal Defendants to Dismiss for Lack of Subject Matter Jurisdiction <u>68</u> ; and (2) Motion of Intervenor–Defendant Bipartisan Legal Advisory Group of the House of Representatives to Stay Case Pending Ruling of the United States Supreme <u>69</u> . (lom) (Entered: 02/21/2013)
02/22/2013	<u>91</u>	NOTICE of Supplemental Authority filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Attachments: # <u>1</u> Exhibit A)(Romero, Adam) (Entered: 02/22/2013)
02/25/2013	<u>92</u>	MINUTES OF Motion of Federal Defendants to Dismiss <u>68</u> ; Motion of Intervenor–Defendant to Stay Case [169] held before Judge Consuelo B. Marshall. The



		Motion of the Federal Defendants to Dismiss is denied, formal order to follow. The Motion to Stay is denied. Court Reporter: Phyllis Preston. (lom) (Entered: 02/25/2013)
02/27/2013	<u>93</u>	TRANSCRIPT ORDER as to Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives Court Reporter. Transcript portion requested: Other: February 25, 2013 Hearing on Motions. Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Walker, Mary Beth) (Entered: 02/27/2013)
02/27/2013	<u>94</u>	NOTICE OF MOTION AND MOTION of Conor B. Dugan to Withdraw as Attorney filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Dugan, Conor) (Entered: 02/27/2013)
03/01/2013	<u>95</u>	Joint STIPULATION for Order Regarding Summary Judgment Briefing filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Proposed Order)(Kircher, Kerry) (Entered: 03/01/2013)
03/04/2013	<u>96</u>	NOTICE OF MOTION AND MOTION for Summary Judgment filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. Motion set for hearing on 5/6/2013 at 11:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Proposed Order)(Romero, Adam) (Entered: 03/04/2013)
03/04/2013	<u>97</u>	MEMORANDUM in Support of MOTION for Summary Judgment <u>96</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Romero, Adam) (Entered: 03/04/2013)
03/04/2013	<u>98</u>	STATEMENT of of Uncontroverted Facts in Support of MOTION for Summary Judgment <u>96</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Romero, Adam) (Entered: 03/04/2013)
03/05/2013	<u>99</u>	DECLARATION of Christine P. Sun in Support of MOTION for Summary Judgment <u>96</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Attachments: # <u>1</u> Exhibit A – Chauncey Report, # <u>2</u> Exhibit B – Maggie Cooper–Harris Declaration, # <u>3</u> Exhibit C – Tracey Cooper–Harris Declaration, # <u>4</u> Exhibit D – Cott Report, # <u>5</u> Exhibit E – Korb Report, # <u>6</u> Exhibit F – Laich Report, # <u>7</u> Exhibit G – Lamb Report, # <u>8</u> Exhibit H – Peplau Report, # <u>9</u> Exhibit I – Segura Report)(Romero, Adam) (Entered: 03/05/2013)
03/05/2013	<u>100</u>	ORDER REGARDING SUMMARY JUDGMENT BRIEFING by Judge Consuelo B. Marshall. The Court rules as follows: 1. Plaintiffs' Notice of Motion and Motion for Summary Judgment and related documents, <u>84</u> , <u>85</u> , <u>86</u> , <u>87</u> are deemed withdrawn. 2. On March 4, 2013, Plaintiffs filed with the Court a new summary judgment motion and supporting papers that address Intervenor–Defendant's objections <u>96</u> , <u>97</u> , <u>98</u> , <u>99</u> . However, Plaintiffs did not include purported conclusions of law within that statement, in violation of Local Rule 56–1. Plaintiffs are granted leave to amend this statement and can file the amended statement no later than March 12, 2013. 3. Not later than March 18, 2013, Intervenor–Defendant will file its opposition to Plaintiffs' new summary judgment motion and will file its cross–motion for summary judgment. Argument on Plaintiffs' new motion for summary judgment and Intervenor–Defendant's cross–motion for summary judgment will be set for May 6, 2013, at 11:00 am. (See attached document for other motion–related deadlines.) (lom) (Entered: 03/06/2013)
03/06/2013	<u>101</u>	ORDER by Judge Consuelo B. Marshall: granting <u>94</u> Conor B. Dugan's motion to withdraw as an attorney in this case. (lom) (Entered: 03/06/2013)
03/12/2013	<u>102</u>	STATEMENT of Uncontroverted Facts and Conclusions of Law in Support of MOTION for Summary Judgment <u>96</u> filed by Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. (Romero, Adam) (Entered: 03/12/2013)
03/14/2013	<u>103</u>	TRANSCRIPT for proceedings held on 2/25/13. Court Reporter: Phyllis Preston, email: stenojag@aol.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 4/4/2013. Redacted

		Transcript Deadline set for 4/14/2013. Release of Transcript Restriction set for 6/12/2013. (Preston, Phyllis) (Entered: 03/14/2013)
03/14/2013	<u>104</u>	NOTICE OF FILING TRANSCRIPT filed for proceedings 2/25/13 re Transcript <u>103</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Preston, Phyllis) TEXT ONLY ENTRY (Entered: 03/14/2013)
03/18/2013	<u>105</u>	NOTICE OF MOTION AND Cross MOTION for Summary Judgment filed by Intervenor–Defendant Bipartisan Legal Advisory Group of the US House of Representatives. Motion set for hearing on 5/6/2013 at 11:00 AM before Judge Consuelo B. Marshall. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Memorandum)(Kircher, Kerry) (Entered: 03/18/2013)
03/18/2013	<u>106</u>	STATEMENT of Uncontroverted Facts and Conclusions of Law Pursuant to Local Rule 56.1 Cross MOTION for Summary Judgment <u>105</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Kircher, Kerry) (Entered: 03/18/2013)
03/18/2013	<u>107</u>	DECLARATION of Intervenor–Defendant In Support Of Cross MOTION for Summary Judgment <u>105</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (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–1, # <u>6</u> Exhibit E–2, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K)(Kircher, Kerry) (Entered: 03/18/2013)
03/18/2013	<u>108</u>	Opposition re: MOTION for Summary Judgment <u>96</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Statement of Genuine Disputes of Material Fact Pursuant to Local Rule 56.2)(Kircher, Kerry) (Entered: 03/18/2013)
04/02/2013	<u>109</u>	EX PARTE APPLICATION to Exceed Page Limitation Response to Plaintiffs' Motion for Summary Judgment and Intervenor–Defendant's Cross Motion for Summary Judgment filed by defendants Eric H Holder, Jr, Eric K Shinseki, United States of America.(Lin, Jean) (Entered: 04/02/2013)
04/03/2013	<u>110</u>	RESPONSE filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives to EX PARTE APPLICATION to Exceed Page Limitation Response to Plaintiffs' Motion for Summary Judgment and Intervenor–Defendant's Cross Motion for Summary Judgment <u>109</u> (Kircher, Kerry) (Entered: 04/03/2013)
04/04/2013	<u>111</u>	MINUTES (IN CHAMBERS) by Judge Consuelo B. Marshall: granting <u>109</u> Federal Defendants' Ex Parte Application for Leave to File Excess Pages. Defendants' Opposition to both Plaintiffs' motion for summary judgment and BLAG's cross–motion of summary judgment. The Opposition may be no more than thirty–five (35) pages in length. The Court further orders that only Plaintiffs' and BLAG's Response to Federal Defendants' Opposition are enlarged by five pages, and each response may be no more than fifteen pages (15) in length. All other responsive pleadings shall meet the page limitations consistent with the Local Rules and this Court's Standing Order. (lom) (Entered: 04/04/2013)
04/04/2013	<u>112</u>	MINUTE ORDER IN CHAMBERS RE ORDER REQUIRING CONSOLIDATED STATEMENT by Judge Consuelo B. Marshall. To assist the Court, the Court Orders all parties to meet and confer and serve on the Court a consolidated and concise document: A. Listing all uncontroverted facts and supporting evidence as alleged by Plaintiffs and Intervenor–Defendant the Bipartisan Legal Advisory Group of the U.S. House of Representatives ("BLAG") to which all parties agree, clearly labeling which party alleges that fact, and; B. Responding to each moving partys alleged uncontroverted fact for which there is a genuine dispute, with citations to supporting evidence. Each response should clearly label which party alleges that fact and which party disputes it, and; C. Listing all conclusions of law as alleged by Plaintiffs and BLAG to which all parties agree, and clearly labeling which party alleges that conclusion of law, and; D. Listing each alleged conclusion of law for which there is a dispute, and clearly labeling which party alleges that conclusion of law and which party disputes it. (lom) (Entered: 04/04/2013)
04/08/2013	<u>113</u>	STATEMENT of Federal Defendants in Response to MOTION for Summary Judgment <u>96</u> , Cross MOTION for Summary Judgment <u>105</u> filed by Defendants Eric H



		Holder, Jr, Eric K Shinseki, United States of America. (Lin, Jean) (Entered: 04/08/2013)
04/08/2013	<u>114</u>	REPLY in support of MOTION for Summary Judgment <u>96</u> and <i>OPPOSITION to Cross MOTION for Summary Judgment <u>105</u></i> filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Romero, Adam) (Entered: 04/08/2013)
04/08/2013	<u>115</u>	STATEMENT of Plaintiffs in Response to BLAG's Statement of Uncontroverted Facts and Conclusions of Law re: Cross MOTION for Summary Judgment <u>105</u> filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Romero, Adam) (Entered: 04/08/2013)
04/08/2013	<u>116</u>	DECLARATION of Adam P. Romero in support of MOTION for Summary Judgment <u>96</u> and in <i>Opposition to Cross MOTION for Summary Judgment <u>105</u></i> filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (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)(Romero, Adam) (Entered: 04/08/2013)
04/11/2013	<u>117</u>	EX PARTE APPLICATION for Order for Clarification of this Court's Minute Order of April 4, 2013 Regarding Consolidated Statement filed by Federal Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. (Attachments: # <u>1</u> Proposed Order)(Lin, Jean) (Entered: 04/11/2013)
04/11/2013	<u>118</u>	NOTICE filed by Federal Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. <i>Notice of Errata and Corrected Version of Fed Defs' Brief Filed on April 8, 3013 (ECF No. 113)</i> (Attachments: # <u>1</u> Corrected Version of Fed Defs' Brief Filed On April 8, 2013 (ECF No. 113))(Lin, Jean) (Entered: 04/11/2013)
04/12/2013	<u>119</u>	JOINT STATEMENT of Uncontroverted and Disputed Facts and Disputed Conclusions of Law re: MOTION for Summary Judgment <u>96</u> , Cross MOTION for Summary Judgment <u>105</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives, Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Romero, Adam) (Entered: 04/12/2013)
04/12/2013	<u>120</u>	ORDER by Judge Consuelo B. Marshall Clarifying that the Use of "Parties" in this Court's April 4, 2013 Order Refers to Plaintiffs, BLAG & Federal Defendants <u>112</u> (jl) (Entered: 04/12/2013)
04/17/2013	<u>121</u>	NOTICE OF FILING SUPPLEMENTAL DECLARATION OF PLAINTIFF TRACEY COOPER-HARRIS re MOTION for Summary Judgment <u>96</u> filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Exhibit A (Supplemental Declaration of Tracey Cooper-Harris))(Romero, Adam) (Entered: 04/17/2013)
04/17/2013	<u>122</u>	EX PARTE APPLICATION for Leave to File Table Setting Forth Federal Defendants' Position With Respect to Plaintiffs' and BLAG's Joint Consolidated Statement of Uncontroverted and Disputed Facts and Disputed Conclusions of Law (ECF No. 119) filed by Federal Defendants Eric H Holder, Jr, Eric K Shinseki, United States of America. (Attachments: # <u>1</u> Federal Defendants' Table-Part 1, # <u>2</u> Federal Defendants' Table-Part 2, # <u>3</u> Proposed Order)(Lin, Jean) (Entered: 04/17/2013)
04/18/2013	<u>123</u>	RESPONSE filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives to EX PARTE APPLICATION for Leave to File Table Setting Forth Federal Defendants' Position With Respect to Plaintiffs' and BLAG's Joint Consolidated Statement of Uncontroverted and Disputed Facts and Disputed Conclusions of Law (ECF No. 11 <u>122</u> (Kircher, Kerry) (Entered: 04/18/2013)
04/22/2013	<u>124</u>	REPLY in Support of Cross MOTION for Summary Judgment <u>105</u> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Kircher, Kerry) (Entered: 04/22/2013)
04/22/2013	<u>125</u>	REPLY Cross MOTION for Summary Judgment <u>105</u> to <i>Federal Defendants' Response to Cross Motions</i> filed by Movant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Kircher, Kerry) (Entered: 04/22/2013)
04/25/2013	<u>126</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: MOTION for Summary Judgment <u>96</u> , Cross MOTION for Summary Judgment <u>105</u> are continued to

		May 13, 2013 at 2:30 P.M. for oral arguments. (jl) (Entered: 04/25/2013)
04/30/2013	<u>127</u>	MINUTES (IN CHAMBERS): ORDER DENYING EX PARTE APPLICATION FOR LEAVE TO FILE TABLE <u>122</u> by Judge Consuelo B. Marshall. On April 4, 2013, the Court issued a Minute Order <u>112</u> , that required the filing of a consolidated statement regarding uncontroverted facts and conclusions of law and disputes thereto from all parties. In its April 12, 2013 Minute Order, <u>120</u> , the Court inadvertently defined "parties" to include Federal Defendants. Federal Defendants are not required to file a consolidated statement regarding their position as to each uncontroverted fact and conclusion of law since they are not a moving party. The Ex Parte Motion is DENIED. (lom) (Entered: 04/30/2013)
05/08/2013	<u>128</u>	MINUTE ORDER IN CHAMBERS by Judge Consuelo B. Marshall: MOTION for Summary Judgment <u>96</u> and Cross MOTION for Summary Judgment <u>105</u> are continued to May 17, 2013 at 8:00 A.M. (jl) (Entered: 05/08/2013)
05/14/2013	<u>129</u>	NOTICE OF MOTION AND MOTION of Christine P. Sun to Withdraw as Attorney filed by plaintiff Maggie Cooper-Harris, Tracey Cooper-Harris. (Short, Caren) (Entered: 05/14/2013)
05/14/2013	<u>130</u>	NOTICE OF MOTION AND Corrected MOTION of Christine P. Sun to Withdraw as Attorney filed by plaintiff Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Proposed Order)(Short, Caren) (Entered: 05/14/2013)
05/17/2013	<u>131</u>	MINUTES OF Plaintiff's Motion for Summary Judgment <u>96</u> ; Intervenor-Defendant's Cross Motion for Summary Judgment <u>105</u> hearing held before Judge Consuelo B. Marshall. Plaintiff's Motion for Summary Judgment and Intervenor-Defendant's Cross Motion for Summary Judgment are submitted without further oral arguments. Court Reporter: Anne Kielwasser. (lom) (Entered: 05/21/2013)
05/17/2013	<u>132</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: MOTION of Christine P. Sun to Withdraw as Attorney <u>129</u> , Corrected MOTION of Christine P. Sun to Withdraw as Attorney <u>130</u> . The following error(s) was found: Incorrect event selected. The correct event is: 130 - Amendment (Motion related). To find the correct event, see Civil Events; Motions and Related Filings; for Responses/Replies/Other Motion Related Documents; event: Amendment (Motion related). Also, hearing information is missing, incorrect, or not timely. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lom) (Entered: 05/28/2013)
06/14/2013	<u>133</u>	NOTICE OF MOTION AND MOTION of Nicholas J. Nelson to Withdraw as Attorney filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Nelson, Nicholas) (Entered: 06/14/2013)
06/17/2013	<u>134</u>	MINUTES (IN CHAMBERS) by Judge Consuelo B. Marshall: granting <u>129</u> Christine P. Sun's Motion to Withdraw as Counsel. (lom) (Entered: 06/17/2013)
07/08/2013	<u>135</u>	NOTICE of Supplemental Authority re Cross Motions for Summary Judgment filed by Plaintiffs Maggie Cooper-Harris, Tracey Cooper-Harris. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Romero, Adam) (Entered: 07/08/2013)
07/22/2013	<u>136</u>	EX PARTE APPLICATION to Withdraw as Intervenor-Defendant filed by Intervenor-Defendant Bipartisan Legal Advisory Group of the US House of Representatives. (Attachments: # <u>1</u> Declaration of Kerry W. Kircher, # <u>2</u> Proposed Order)(Kircher, Kerry) (Entered: 07/22/2013)
07/23/2013	<u>137</u>	ORDER by Judge Consuelo B. Marshall: It is ORDERED that the Unopposed Ex Parte Application of the Bipartisan Legal Advisory Group of the U.S. House of Representatives to Withdraw as Intervenor-Defendant <u>136</u> is GRANTED. It is further ORDERED that Intervenor-Defendant's Cross-Motion for Summary Judgment <u>105</u> and its Opposition to Plaintiffs' Motion for Summary Judgment <u>108</u> are deemed withdrawn. (gk) (Entered: 07/24/2013)
07/24/2013	<u>138</u>	MINUTES (IN CHAMBERS) ORDER AND NOTICE TO ALL PARTIES by Judge Consuelo B. Marshall: Before the Court is Plaintiff's corrected Motion for withdrawal of counsel Christine P. Sun <u>130</u> and Motion of Nicholas J. Nelson, counsel for

		Intervenor–Defendant, to withdraw as counsel <u>133</u> . The Court hereby GRANTS both of these motions. Court Reporter: N/A. (gk) (Entered: 07/24/2013)
08/16/2013	<u>139</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Matthew D Benedetto counsel for Plaintiffs Maggie Cooper–Harris, Tracey Cooper–Harris. Eugene Marder is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G–123 Notice. Filed by plaintiff Tracey Cooper–Harris. (Attachments: # <u>1</u> Affidavit of Service)(Benedetto, Matthew) (Entered: 08/16/2013)
08/29/2013	<u>140</u>	ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT by Judge Consuelo B. Marshall: The Court GRANTS Plaintiffs' Motion for Summary Judgment <u>96</u> . The Court permanently enjoins Defendants from relying on 38 U.S.C. Sections 101(3), (31) or Section 3 of 1 U.S.C. Section 7 to deny recognition of Plaintiffs' marriage recognized by the state of California. (gk) (Entered: 08/29/2013)
08/29/2013	<u>141</u>	ORDER DENYING MOTION TO DISMISS by Judge Consuelo B. Marshall: The Court DENIES Defendant United States of America's Motion to Dismiss <u>68</u> pursuant to Fed. R. Civ. P. 12(b)(1). (gk) (Entered: 08/29/2013)
03/05/2014	<u>142</u>	NOTICE OF LODGING filed by <i>All Parties</i> re Order on Motion for Summary Judgment, <u>140</u> , Order <u>141</u> (Attachments: # <u>1</u> Proposed Judgment)(Romero, Adam) (Entered: 03/05/2014)
03/06/2014	<u>143</u>	Notice of Appearance or Withdrawal of Counsel: for attorney William B Pittard, IV counsel for Intervenor Defendant Bipartisan Legal Advisory Group of the US House of Representatives. Christine M. Davenport is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G–123 Notice. Filed by Intervenor–Defendant the Bipartisan Legal Advisory Group of the U.S. House of Representatives. (Pittard, William) (Entered: 03/06/2014)
03/12/2014	<u>144</u>	JUDGMENT by Judge Consuelo B. Marshall: It is ORDERED AND ADJUDGED that: (1) Section 3 of DOMA, 1 U.S.C. Section 7, is unconstitutional under the equal protection component of the Due Process Clause of the Fifth Amendment as applied to Plaintiffs; (2) Section 101(3) of Title 38 of the United States Code, 38 U.S.C. Section 101(3), is unconstitutional under the equal protection component of the Due Process Clause of the Fifth Amendment to the extent that this provision requires a "surviving spouse" to be a person of the opposite sex; (3) Section 101(31) of Title 38 of the United States Code, 38 U.S.C. Section 101(31), is unconstitutional under the equal protection component of the Due Process Clause of the Fifth Amendment to the extent that this provision requires a "spouse" to be a person of the opposite sex; (4) Defendants are permanently enjoined from applying Section 3 of DOMA to deny recognition of Plaintiffs' marriage recognized by the State of California; and (5) Defendants are permanently enjoined from applying section 101(3) of Title 38, or Section 101(31) of Title 38, to the extent that these provisions require a "spouse" or a "surviving spouse" to be a person of the opposite sex, to deny recognition of Plaintiffs' marriage recognized by the State of California. (MD JS–6, Case Terminated). (gk) (Entered: 03/12/2014)
03/13/2014	145	Notice of Electronic Filing re Judgment <u>144</u> e–mailed to Attorney Christine P Sun bounced due to invalid email. Primary e–mail address corrected. Notice of Electronic Filing resent addressed to csun@aclu.org. Pursuant to Local Rules it is the attorneys obligation to maintain all personal contact information including e–mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (ir) TEXT ONLY ENTRY (Entered: 03/13/2014)