

**U.S. District Court
District of Idaho (LIVE Database)Version 6.1 (Boise – Southern)
CIVIL DOCKET FOR CASE #: 1:13-cv-00482-CWD**

Latta et al v. Otter et al
Assigned to: Judge Candy W. Dale
Case in other court: U.S. Court of Appeals for the Ninth
Circuit, 14-35420
U.S. Court of Appeals for the Ninth Circuit,
14-35421
Supreme Court of the United States,
14-00765
Supreme Court of the United States,
14-00788
Supreme Court of the United States,
14A374

Date Filed: 11/08/2013
Date Terminated: 05/14/2014
Jury Demand: None
Nature of Suit: 950 Constitutional – State
Statute
Jurisdiction: Federal Question

Cause: 42:1983 Civil Rights Act

Plaintiff

Susan Latta

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Amber Beierle

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Plaintiff

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V.

Defendant

Gov. C.L. (Butch) Otter
*as Governor of the State of Idaho, in his
official capacity*

represented by **Monte N Stewart**
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TERMINATED: 10/16/2014
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Defendant

Christopher Rich
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official capacity*

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TERMINATED: 01/02/2014

V.

Intervenor Defendant

State of Idaho

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W Scott Zanzig
(See above for address)
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ATTORNEY TO BE NOTICED

Amicus

Cornerstone Family Council of Idaho

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Date Filed	#	Docket Text
11/08/2013	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against All Defendants (Filing fee \$ 400 receipt number 0976-1082349.), filed by All Plaintiffs. (Attachments: # <u>1</u> Cover Sheet, # <u>2</u> Summons Defendant Otter, # <u>3</u> Summons Defendant Rich)(Ferguson, Deborah)
11/08/2013	<u>2</u>	MOTION FOR PRO HAC VICE APPEARANCE by Shannon P. Minter. (Filing fee \$ 225 receipt number 0976-1082369.)Deborah A Ferguson appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 12/2/2013 (Ferguson, Deborah)
11/08/2013	<u>3</u>	MOTION FOR PRO HAC VICE APPEARANCE by Christopher F. Stoll. (Filing fee \$ 225 receipt number 0976-1082372.)Deborah A Ferguson appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 12/2/2013 (Ferguson, Deborah)
11/08/2013	<u>4</u>	Corporate Disclosure Statement by Susan Latta. (Ferguson, Deborah)
11/08/2013	<u>5</u>	DOCKET ENTRY ORDER approving <u>2</u> Motion for Pro Hac Vice Appearance of attorney Shannon Minter for Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, for Lori Watsen, Sharene Watsen; approving <u>3</u> Motion for Pro Hac Vice Appearance of attorney Christopher F Stoll for Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Per General Order 206, out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
11/08/2013	<u>6</u>	Summons Issued as to C.L. (Butch) Otter, Christopher Rich. (Print attached Summons for service.) (Attachments: # <u>1</u> Summons)(cjm)
11/12/2013	<u>7</u>	SUMMONS Returned Executed by Susan Latta. C.L. (Butch) Otter served on 11/12/2013, answer due 12/3/2013. (Ferguson, Deborah)
11/12/2013	<u>8</u>	SUMMONS Returned Executed by Susan Latta. Christopher Rich served on 11/12/2013, answer due 12/3/2013. (Ferguson, Deborah)
11/12/2013		CORRECTIVE ENTRY – The entry docket number <u>7</u> Summons Returned Executed filed by Susan Latta was filed incorrectly in this case as it is a blank document. The filing party shall re-submit their correct filing using the event of "Errata" located under Other Documents and link to docket #7.(cjm)
11/13/2013	<u>9</u>	ERRATA by Plaintiff Susan Latta re <u>7</u> Summons Returned Executed C.L. (Butch) Otter served on 11/12/2013. (Ferguson, Deborah)
11/18/2013	<u>10</u>	NOTICE of Appearance by Theodore E Argyle on behalf of Christopher Rich (Argyle, Theodore)
11/19/2013	<u>11</u>	STIPULATION of the parties by Susan Latta. (Durham, Craig)
11/19/2013	<u>12</u>	ORDER ON STIPULATION re <u>11</u> Stipulation. C.L. (Butch) Otter answer due 1/13/2014; Christopher Rich answer due 1/13/2014. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
11/20/2013	<u>13</u>	NOTICE of Hearing: Telephonic Scheduling Conference set for 1/15/2014 10:30 AM MST Telephonic Hearing – Boise Courtroom 6 before Judge Candy W. Dale. (Attachments: # <u>1</u> Litigation Plan Letter, # <u>2</u> Litigation Plan) (ah)

12/02/2013	<u>14</u>	NOTICE of Appearance by Thomas C. Perry on behalf of C.L. (Butch) Otter (Perry, Thomas)
12/02/2013	<u>15</u>	NOTICE of Assignment to Magistrate Judge and Requirement for Consent sent to counsel for Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, C.L. (Butch) Otter, Christopher Rich, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen re <u>14</u> Notice of Appearance, <u>1</u> Complaint, <u>10</u> Notice of Appearance Consent/Objection to Magistrate due by 2/3/2014. (cjm)
12/02/2013	16	Docket entry only – CONSENT to Magistrate Judge filed. (cjm)
12/11/2013	17	AMENDED DOCKET ENTRY NOTICE of Hearing: Telephonic Scheduling Conference currently set for 1/15/2014 10:30 AM MST is hereby VACATED and RE–SET for 1/16/2014 02:30 PM MST Telephonic Hearing – Boise Courtroom 6 before Judge Candy W. Dale. Counsel for Plaintiff to initiate the conference call and when all parties are on the line, connect to the courtroom at 208–334–9945. Litigation Plan(s) to be filed on or before 1/9/2014. (ah)
12/11/2013	<u>18</u>	MOTION to Intervene W Scott Zanzig appearing for Intervenor Defendant State of Idaho. Responses due by 1/6/2014 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1 – Proposed Answer)(Zanzig, W)
12/12/2013	<u>19</u>	NOTICE of Assignment to Magistrate Judge and Requirement for Consent sent to counsel for State of Idaho re <u>18</u> MOTION to Intervene Consent/Objection to Magistrate due by 2/13/2014. (cjm)
12/12/2013	20	Docket entry only – CONSENT to Magistrate Judge filed. (cjm)
12/13/2013	<u>21</u>	NOTICE by Christopher Rich of <i>Non–Objection to State of Idaho's Motion to Intervene</i> (Argyle, Theodore)
12/13/2013		CORRECTIVE ENTRY – The entry docket number <u>21</u> Notice (Other) filed by Christopher Rich was filed incorrectly in this case. The filing party shall re–submit their filing using the correct event of "Response to Motion" located under Responses and Replies as this correctly terms the Response deadline.(cjm)
12/13/2013	<u>22</u>	RESPONSE to Motion re <u>18</u> MOTION to Intervene <i>Notice of Non–Objection</i> filed by Christopher Rich. Replies due by 12/30/2013.(Argyle, Theodore)
12/23/2013	23	Docket entry only – CONSENT to Magistrate Judge filed. (st) (Entered: 12/24/2013)
12/24/2013	<u>24</u>	RESPONSE to Motion re <u>18</u> MOTION to Intervene <i>Plaintiffs Response</i> filed by Susan Latta. Replies due by 1/10/2014.(Ferguson, Deborah)
12/26/2013	<u>25</u>	CERTIFICATE OF SERVICE by Susan Latta re <u>24</u> Response to Motion <i>to Intervene</i> (Ferguson, Deborah)
01/02/2014	<u>26</u>	NOTICE of Substitution – Attorney W Scott Zanzig, Steven Lamar Olsen, Clay R Smith for Christopher Rich added. Attorney Theodore E Argyle terminated. (Zanzig, W)
01/07/2014	<u>27</u>	NOTICE of Appearance by Cally Ann Younger on behalf of C.L. (Butch) Otter (Younger, Cally)
01/07/2014	<u>28</u>	SCHEDULING CONFERENCE FORM – LITIGATION PLAN by Susan Latta. (Attachments: # <u>1</u> Exhibit A to Plaintiffs' Litigation Plan)(Ferguson, Deborah)
01/08/2014	<u>29</u>	SCHEDULING CONFERENCE FORM – LITIGATION PLAN by C.L. (Butch) Otter. (Perry, Thomas)
01/09/2014	<u>30</u>	MOTION to Dismiss W Scott Zanzig appearing for Defendant Christopher Rich. Responses due by 2/3/2014 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment A (Part 1) Households and Families: 2010, 2010 Census Briefs, # <u>3</u> Attachment A (Part 2) Households and Families: 2010 Census Briefs, # <u>4</u> Attachment B Marriage Rates by State: 1990, 1995, and 1999–2011, # <u>5</u> Attachment C Births: Preliminary Data for 2012, National Vital Statistics Reports, # <u>6</u> Attachment D W. Bradford Wilson et al., Why Marriage Matters: Thirty Conclusions from Social Sciences (3d ed. 2011), # <u>7</u> Attachment E W. Kristen Anderson Moore et al., Marriage from a Child's Perspective: How Does Family Structure Affect Children, and What Can We Do About It? Child Research Brief (June 2002), # <u>8</u> Attachment F Paul R.

		Amato, The Impact of Family Formation Change on the Cognitive, Social, and Emotional Well-Being of the Next Generation, 15 Future of Children No. 2 (Fall 2005), # <u>9</u> Attachment G Elizabeth Wildsmith et al., Childbearing Outside of Marriage: Estimates and Trends in the United States, Child Research Brief (Nov. 2011), # <u>10</u> Attachment H Benjamin Scafide, Principal Investigator, The Taxpayer Costs of Divorce and Unwed Childbearing: First Ever Estimate for the Nation and All Fifty States (2008))(Zanzig, W)
01/09/2014	<u>31</u>	SCHEDULING CONFERENCE FORM – LITIGATION PLAN by Christopher Rich. (Zanzig, W)
01/09/2014	<u>32</u>	REPLY to Response to Motion re <u>18</u> MOTION to Intervene filed by State of Idaho.(Zanzig, W)
01/13/2014	<u>33</u>	ANSWER to <u>1</u> Complaint, by C.L. (Butch) Otter.(Perry, Thomas)
01/13/2014	<u>34</u>	AMENDED DOCKET ENTRY NOTICE of Hearing: Telephonic Scheduling Conference currently set for 1/16/2014 02:30 PM MST is hereby rescheduled to occur in-person, Boise – Courtroom 6 before Judge Candy W. Dale. Pro hac vice counsel will be allowed to appear via telephone. (same date and time as previously set) (ah)
01/13/2014	<u>35</u>	DOCKET ENTRY NOTICE of Hearing on Motion: <u>18</u> MOTION to Intervene – Motion Hearing set for 1/16/2014 02:30 PM MST in Boise – Courtroom 6 before Judge Candy W. Dale. (ah)
01/15/2014	<u>36</u>	ERRATA by Defendant Christopher Rich re <u>30</u> MOTION to Dismiss . (Smith, Clay)
01/17/2014	<u>37</u>	CASE MANAGEMENT ORDER. Amended Pleadings due by 1/31/2014. Joinder of Parties due by 1/31/2014. Motions for Summary Judgment due by 2/18/2014. Responses to motions for summary judgment due by 3/20/2014. Replies to responses to motions for summary judgment due by 4/4/2014. A hearing before the undersigned on all pending motions is scheduled for May 5, 2014 at 9:30 a.m. in Boise Courtroom 6. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
01/17/2014		Set Deadlines as to <u>30</u> MOTION to Dismiss . Responses due by 2/18/2014. Motion Hearing set for 5/5/2014 09:30 AM in Boise – Courtroom 6 before Judge Candy W. Dale. Per Order <u>37</u> . (cjm)
01/21/2014	<u>38</u>	ORDER granting <u>18</u> Motion to Intervene. IT IS FURTHER ORDERED that the State of Idaho shall file its answer or other responsive pleading, including its planned joinder in Defendant Richs Motion to Dismiss, on or before 1/28/2014. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
01/22/2014	<u>39</u>	NOTICE of Assignment to Magistrate Judge and Requirement for Consent sent to counsel. Consent/Objection to Magistrate due by 2/11/2014. (cjm)
01/23/2014	<u>40</u>	ALL PARTIES HAVE CONSENTED TO PROCEED BEFORE A US MAGISTRATE JUDGE(cjm)
01/28/2014	<u>41</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM W Scott Zanzig appearing for Intervenor Defendant State of Idaho. Responses due by 2/21/2014 (Attachments: # <u>1</u> Memorandum in Support)(Zanzig, W)
01/29/2014	<u>42</u>	AMENDED COMPLAINT against All Defendants, filed by All Plaintiffs.(Ferguson, Deborah)
01/30/2014	<u>43</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM W Scott Zanzig appearing for Defendant Christopher Rich, Intervenor Defendant State of Idaho. Responses due by 2/24/2014 (Zanzig, W)
01/31/2014	<u>44</u>	ANSWER to <u>42</u> Amended Complaint by C.L. (Butch) Otter.(Perry, Thomas)
02/18/2014	<u>45</u>	MOTION for Summary Judgment <i>filed by</i> Deborah A Ferguson appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 3/14/2014 (Ferguson, Deborah)

02/18/2014	<u>46</u>	Statement of Facts re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta.(Ferguson, Deborah)
02/18/2014	<u>47</u>	DECLARATION of Dr. Michael E. Lamb re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta . (Attachments: # <u>1</u> Exhibit A, Dr. Lamb, # <u>2</u> Exhibit B, Dr. Lamb)(Ferguson, Deborah)
02/18/2014	<u>48</u>	DECLARATION of Susan Latta re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta . (Attachments: # <u>1</u> Exhibit A, Susan Latta, # <u>2</u> Exhibit B, Susan Latta)(Ferguson, Deborah)
02/18/2014	<u>49</u>	DECLARATION of Traci Ehlers re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Ferguson, Deborah)
02/18/2014	<u>50</u>	DECLARATION of Lori Watsen re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Attachments: # <u>1</u> Exhibit A, Lori Watsen, # <u>2</u> Exhibit B, Lori Watsen)(Ferguson, Deborah)
02/18/2014	<u>51</u>	DECLARATION of Sharene Watsen re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Attachments: # <u>1</u> Exhibit A, Sharene Watsen, # <u>2</u> Exhibit B, Sharene Watsen, # <u>3</u> Exhibit C, Sharene Watsen, # <u>4</u> Exhibit D, Sharene Watsen)(Ferguson, Deborah)
02/18/2014	<u>52</u>	DECLARATION of Andrea Altmayer re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Ferguson, Deborah)
02/18/2014	<u>53</u>	DECLARATION of Shelia Robertson re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Ferguson, Deborah)
02/18/2014	<u>54</u>	DECLARATION of Amber Beierle re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Ferguson, Deborah)
02/18/2014	<u>55</u>	DECLARATION of Rachael Robertson re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Ferguson, Deborah)
02/18/2014	<u>56</u>	MOTION for Leave to File Excess Pages <i>Unopposed</i> Thomas C. Perry appearing for Defendant C.L. (Butch) Otter. Responses due by 3/14/2014 (Perry, Thomas)
02/18/2014	<u>57</u>	MOTION for Summary Judgment Thomas C. Perry appearing for Defendant C.L. (Butch) Otter. Responses due by 3/14/2014 (Attachments: # <u>1</u> Statement of Undisputed Material Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Appendix Cover sheet and TOC, # <u>4</u> Appendix Tab 1-1, # <u>5</u> Appendix Tabs 2-6, # <u>6</u> Appendix Tab 7, # <u>7</u> Appendix Tabs 8-11, # <u>8</u> Appendix Tabs 12-16, # <u>9</u> Appendix Tabs 17-24, # <u>10</u> Appendix Tabs 25-29, # <u>11</u> Appendix Tabs 30-40, # <u>12</u> Appendix Tabs 41-44)(Perry, Thomas)
02/18/2014	<u>58</u>	MOTION to Take Judicial Notice Shannon Minter appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 3/14/2014 (Minter, Shannon)
02/18/2014	<u>59</u>	MEMORANDUM in Support of Motion re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by Susan Latta <i>et al.</i> (Ferguson, Deborah) Modified on 2/19/2014 to edit event text per Corrective Entry (cjm).
02/18/2014	<u>60</u>	DECLARATION of Shannon P. Minter re <u>58</u> MOTION to Take Judicial Notice filed by Susan Latta . (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)(Minter, Shannon)
02/18/2014	<u>61</u>	RESPONSE to Motion re <u>30</u> MOTION to Dismiss , <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <u>43</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Susan Latta. Replies due by 3/7/2014.(Ferguson, Deborah)
02/19/2014		CORRECTIVE ENTRY – The entry docket number <u>59</u> Memorandum/Brief (generic) filed by Susan Latta was filed incorrectly in this case as the wrong event was used. The correct event is "Memorandum in Support of Motion" located under Responses and Replies. The filing party does not need to re-submit as the Clerk's Office will edit the entry. In future please note that Memorandum in Support, Statement of Material Facts, and Declarations are "preferred" filed as attachments to the Motion.(cjm)

02/19/2014	62	DOCKET ENTRY ORDER – Having reviewed the record and Defendant Governor Otter's Unopposed Motion for Leave to File Overlength Memorandum in Support of Motion for Summary Judgment (Dkt. <u>56</u>), and good cause appearing therefor, the Court hereby GRANTS the motion. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by mcb)
02/20/2014	63	DOCKET ENTRY NOTICE – The parties are hereby advised that the response and reply deadlines generated by CM/ECF shall govern filings in connection with Plaintiffs' Request for Judicial Notice (Dkt. <u>58</u>). Signed by Judge Candy W. Dale. (mcb)
02/25/2014	<u>64</u>	MOTION FOR PRO HAC VICE APPEARANCE by Kenneth J. Connelly. (Filing fee \$ 225 receipt number 0976–1125555.) Matthew C Williams appearing for Amicus Cornerstone Family Council of Idaho. Responses due by 3/21/2014 (Williams, Matthew) Modified on 2/26/2014 to edit filing party in the docket text at the attorney's request (st).
02/25/2014	<u>65</u>	MOTION for Leave to File <i>Brief of Proposed Amicus Curiae Cornerstone Family Council of Idaho in Support of Defendant Governor C.L. "Butch" Otter's Motion for Summary Judgment</i> Matthew C Williams appearing for Amicus Cornerstone Family Council of Idaho. Responses due by 3/21/2014 (Williams, Matthew)
02/25/2014	<u>66</u>	MEMORANDUM in Support re <u>65</u> MOTION for Leave to File <i>Brief of Proposed Amicus Curiae Cornerstone Family Council of Idaho in Support of Defendant Governor C.L. "Butch" Otter's Motion for Summary Judgment</i> filed by Cornerstone Family Council of Idaho.(Williams, Matthew)
02/26/2014	67	DOCKET ENTRY ORDER approving <u>64</u> Motion for Pro Hac Vice Appearance of attorney Kenneth J Connelly for Amicus Cornerstone Family Council of Idaho. Per General Order 206, out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (st)
02/26/2014	<u>68</u>	ORDER granting <u>65</u> Motion for Leave to File <i>Brief of Proposed Amicus Curiae Cornerstone Family Council of Idaho</i> . The proposed brief at Docket No. <u>66</u> shall stand as the brief of amicus curiae Cornerstone Family Council of Idaho. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (st)
02/27/2014		CORRECTIVE ENTRY – The entry docket number <u>66</u> Memorandum in Support of Motion, filed by Cornerstone Family Council of Idaho, <u>65</u> MOTION for Leave to File <i>Brief of Proposed Amicus Curiae Cornerstone Family Council of Idaho in Support of Defendant Governor C.L. "Butch" Otter's Motion for Summary Judgment</i> filed by Cornerstone Family Council of Idaho were filed incorrectly in this case as it pertains to the Certificate of Service only. The filing party shall refer to ECF Procedure #8 and re-submit their correct certificate of service using the event of "Certificate of Service" located under Service of Process and link to dockets 65 and 66. (cjm)
02/28/2014	<u>69</u>	CERTIFICATE OF SERVICE by Cornerstone Family Council of Idaho re <u>66</u> Memorandum in Support of Motion, <u>65</u> MOTION for Leave to File <i>Brief of Proposed Amicus Curiae Cornerstone Family Council of Idaho in Support of Defendant Governor C.L. "Butch" Otter's Motion for Summary Judgment</i> (Williams, Matthew)
03/17/2014	<u>70</u>	RESPONSE to Motion re <u>58</u> MOTION to Take Judicial Notice filed by Christopher Rich, State of Idaho. Replies due by 4/3/2014.(Smith, Clay)
03/17/2014	<u>71</u>	RESPONSE to Motion re <u>58</u> MOTION to Take Judicial Notice filed by C.L. (Butch) Otter. Replies due by 4/3/2014.(Perry, Thomas)
03/18/2014	72	DOCKET ENTRY ORDER – Having reviewed Plaintiffs' Motion for Judicial Notice (Dkt. <u>58</u>) and Defendants' notices of non-opposition (Dkt. <u>70</u> , <u>71</u>), and finding the materials attached to the motion comport with FRE 201, the Court hereby GRANTS Plaintiffs' motion. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (mcb)

03/20/2014	<u>73</u>	RESPONSE to Motion re <u>30</u> MOTION to Dismiss , <u>45</u> MOTION for Summary Judgment <i>filed by</i> , <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Defendant Rich and Defendant–Intervenor Idaho's Combined Response to Plaintiffs' Motion for Summary Judgment and Reply in Support of Motions to Dismiss</i> filed by Christopher Rich, State of Idaho. Replies due by 4/7/2014. (Attachments: # <u>1</u> Defendant Rich and Defendant–Intervenor Idaho's Statement of Material Facts re Plaintiffs' Motion for Summary Judgment)(Smith, Clay)
03/20/2014	<u>74</u>	MOTION Judicial Notice re <u>30</u> MOTION to Dismiss , <u>45</u> MOTION for Summary Judgment <i>filed by</i> , <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM Clay R Smith appearing for Defendant Christopher Rich, Intervenor Defendant State of Idaho. Responses due by 4/14/2014 (Smith, Clay)
03/20/2014	<u>75</u>	RESPONSE to Motion re <u>57</u> MOTION for Summary Judgment filed by Christopher Rich, State of Idaho. Replies due by 4/7/2014.(Smith, Clay)
03/20/2014	<u>76</u>	MEMORANDUM in Opposition re <u>57</u> MOTION for Summary Judgment filed by Susan Latta. Replies due by 4/7/2014. (Attachments: # <u>1</u> Plaintiffs' Response to Governor's Statement of Facts, # <u>2</u> Dr. Lamb's Supplemental Declaration)(Ferguson, Deborah)
03/20/2014	<u>77</u>	MOTION to Take Judicial Notice Deborah A Ferguson appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 4/14/2014 (Attachments: # <u>1</u> Declaration of Deborah A. Ferguson in Support of Request to Take Judicial Notice, # <u>2</u> Exhibit A to Declaration, # <u>3</u> Exhibit B to Declaration)(Ferguson, Deborah)
03/20/2014	<u>78</u>	MOTION for Leave to File Excess Pages Deborah A Ferguson appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 4/14/2014 (Ferguson, Deborah)
03/20/2014	<u>79</u>	MOTION for Leave to File <i>Overlenth Brief</i> Thomas C. Perry appearing for Defendant C.L. (Butch) Otter. Responses due by 4/14/2014 (Perry, Thomas)
03/20/2014	<u>80</u>	CERTIFICATE OF SERVICE by Susan Latta re <u>76</u> Memorandum in Opposition to Motion, (Ferguson, Deborah)
03/20/2014	<u>81</u>	RESPONSE to Motion re <u>45</u> MOTION for Summary Judgment <i>filed by</i> filed by C.L. (Butch) Otter. Replies due by 4/7/2014. (Attachments: # <u>1</u> Appendix Supplemental, # <u>2</u> Objection to Plaintiffs' Statement of Facts)(Perry, Thomas)
03/24/2014	<u>82</u>	DOCKET ENTRY ORDER – Good cause appearing, the Court hereby GRANTS Plaintiffs' unopposed Motion to File Excess Pages (Dkt. <u>78</u>) and Defendant Governor Otters Unopposed Motion for Leave to File Overlength Memorandum (Dkt. <u>79</u>). And, finding good cause for expedited briefing, the Court directs the parties to file responses, if any, to the requests for judicial notice at Docket Nos. <u>74</u> and <u>77</u> on or before April 4, 2014. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (mcb)
03/31/2014	<u>83</u>	RESPONSE to Motion re <u>77</u> MOTION to Take Judicial Notice filed by Christopher Rich, State of Idaho. Replies due by 4/17/2014.(Smith, Clay)
03/31/2014		Reset Deadlines as to <u>77</u> MOTION to Take Judicial Notice , <u>74</u> MOTION Judicial Notice. Responses due by 4/4/2014. Per Order dkt #82. (cjm)
04/04/2014	<u>84</u>	RESPONSE to Motion re <u>74</u> MOTION Judicial Notice re <u>30</u> MOTION to Dismiss , <u>45</u> MOTION for Summary Judgment <i>filed by</i> , <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Susan Latta. Replies due by 4/21/2014.(Ferguson, Deborah)
04/04/2014	<u>85</u>	RESPONSE <i>Plaintiffs' Response to Defendant Rich and Defendant– Intervenor's Statement of Material Facts <u>73</u> –1</i> filed by Susan Latta. (Ferguson, Deborah) Modified on 4/7/2014 per Corrective Entry (cjm).

04/04/2014	<u>86</u>	RESPONSE to Motion re <u>74</u> MOTION Judicial Notice re <u>30</u> MOTION to Dismiss , <u>45</u> MOTION for Summary Judgment <i>filed by</i> , <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by C.L. (Butch) Otter. Replies due by 4/21/2014.(Perry, Thomas)
04/04/2014	<u>87</u>	RESPONSE to Motion re <u>77</u> MOTION to Take Judicial Notice filed by C.L. (Butch) Otter. Replies due by 4/21/2014.(Perry, Thomas)
04/04/2014	<u>88</u>	REPLY to Response to Motion re <u>45</u> MOTION for Summary Judgment <i>filed by Plaintiffs' Motion for Summary Judgment</i> filed by Susan Latta.(Ferguson, Deborah)
04/04/2014	<u>89</u>	MOTION for Leave to File Excess Pages Thomas C. Perry appearing for Defendant C.L. (Butch) Otter. Responses due by 4/28/2014 (Perry, Thomas)
04/04/2014	<u>90</u>	REPLY to Response to Motion re <u>57</u> MOTION for Summary Judgment filed by C.L. (Butch) Otter.(Perry, Thomas)
04/07/2014		CORRECTIVE ENTRY – The entry docket number <u>85</u> Response to Motion, filed by Susan Latta was filed incorrectly in this case as it is not a Response to Motion. The correct event to use is "Response {generic}" located under Other Documents. No action is needed by the filing party as the Clerk's Office will edit the entry.(cjm)
04/08/2014	<u>91</u>	DOCKET ENRTY ORDER – Having reviewed both Plaintiffs' and Defendant Rich and Defendant–Intervenor Idaho's unopposed Motions for Judicial Notice (respectively, Dkt. <u>77</u> and <u>74</u>), and finding the materials attached to each comport with FRE 201, the Court hereby GRANTS both motions. In addition, Defendant Governor Otter's Unopposed Motion for Leave to File Overlength Reply (Dkt. <u>89</u>) is GRANTED. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by mcb)
04/25/2014	<u>92</u>	NOTICE by Susan Latta <i>et al. of additional authority</i> (Attachments: # <u>1</u> Henry v. Himes, # <u>2</u> Baskin v. Bogan)(Durham, Craig)
04/29/2014	<u>93</u>	NOTICE by C.L. (Butch) Otter <i>of additional authority</i> (Attachments: # <u>1</u> Schuette v. BAMN)(Perry, Thomas)
05/02/2014	<u>94</u>	RESPONSE re <u>92</u> Notice (Other) filed by C.L. (Butch) Otter <i>Response to Plaintiffs' Notice of Additional Authority.</i> (Perry, Thomas)
05/02/2014	<u>95</u>	AMENDED DOCKET ENTRY NOTICE of Hearing on Motions: <u>30</u> MOTION to Dismiss, <u>45</u> MOTION for Summary Judgment, <u>57</u> MOTION for Summary Judgment – Motion Hearing set for 5/5/2014 09:30 AM in Boise – Courtroom 3 before Judge Candy W. Dale. (same date/time as previously set, change in courtroom only) (ah)
05/05/2014	<u>96</u>	Docket Text Minute Entry for proceedings held before Judge Candy W. Dale: Appearance by Deborah Ferguson, Craig Durham, Shannon Minter, and Christopher Stoll for the Plaintiffs; Thomas Perry and Cally Younger for Defendant Gov. C.L. (Butch) Otter; W. Scott Zanzig and Clay Smith for Defendant Christopher Rich. Motion Hearing held on 5/5/2014 re <u>30</u> MOTION to Dismiss, <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, <u>43</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, <u>45</u> MOTION for Summary Judgment, <u>57</u> MOTION for Summary Judgment. Oral argument heard. Motions taken UNDER ADVISEMENT. Order forthcoming. Time in Court 1 hour 52 mins. (ah)
05/12/2014	<u>97</u>	MOTION to Stay <i>Contingent</i> Thomas C. Perry appearing for Defendant C.L. (Butch) Otter. Responses due by 6/5/2014 (Attachments: # <u>1</u> Affidavit Stewart Affidavit)(Perry, Thomas)
05/13/2014	<u>98</u>	MEMORANDUM DECISION AND ORDER, The Court GRANTS Plaintiffs' Motion for Summary Judgment (Dkt. <u>45</u>). Defendant Governor Otter's Motion for Summary Judgment (Dkt. <u>57</u>) and Defendant Recorder Rich and Defendant–Intervenor Idaho's Motions to Dismiss (Dkt. <u>30</u> , <u>41</u> , <u>43</u>) are DENIED. The Court hereby DECLARES that Idaho's Marriage Laws are unconstitutional because they violate Plaintiffs' rights under the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the United States Constitution. The Court PERMANENTLY ENJOINS the State of Idaho and its officers, employees, agents, and political subdivisions from enforcing Article III, § 28 of the Idaho Constitution; Idaho Code Sections 32–201 and 32–209; and any other laws or regulations to the extent they do not recognize same–sex

		marriages validly contracted outside Idaho or prohibit otherwise qualified same-sex couples from marrying in Idaho. This injunction shall take effect at 9:00 a.m. MDT on May 16, 2014. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jp)
05/13/2014	<u>99</u>	MOTION for Hearing re <u>97</u> MOTION to Stay <i>Governor Otter's Emergency Request for an Immediate Hearing</i> Thomas C. Perry appearing for Defendant C.L. (Butch) Otter. Responses due by 6/6/2014 (Perry, Thomas) Modified on 5/14/2014 to edit text per Corrective Entry (cjm).
05/14/2014		CORRECTIVE ENTRY – The entry docket number <u>99</u> MOTION to Stay re <u>97</u> MOTION to Stay <i>Contingent (Emergency Request for Hearing)</i> filed by C.L. (Butch) Otter was filed incorrectly in this case as the wrong motion event was used. the correct motion event is "Hearing". No action is needed by the filing party as the Clerks Office will edit the entry. (cjm)
05/14/2014	<u>100</u>	ORDER denying <u>97</u> Motion to Stay; denying <u>99</u> Motion for Hearing. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
05/14/2014	<u>101</u>	JUDGMENT is entered in favor of Plaintiffs. The State of Idaho and its officers, employees, agents, and political subdivisions are permanently enjoined from enforcing Article III, § 28 of the Idaho Constitution, Idaho Code §§ 32-201 and 32-209, and any other laws or regulations to the extent they do not recognize same-sex marriages validly contracted outside Idaho or prohibit otherwise qualified same-sex couples from marrying in Idaho. This injunction shall take effect at 9:00 a.m. MDT on 5/16/2014. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
05/14/2014	<u>102</u>	NOTICE of Appearance by Monte N Stewart on behalf of C.L. (Butch) Otter (Stewart, Monte)
05/14/2014	<u>103</u>	NOTICE OF APPEAL as to <u>98</u> Memorandum Decision and Order, by C.L. (Butch) Otter. Filing fee \$ 505, receipt number 0976-1159543. (Notice sent to Court Reporter & 9th Cir) (Perry, Thomas) Modified on 5/14/2014 to edit text for linked document (cjm).(14-35420)
05/14/2014	<u>104</u>	NOTICE OF APPEAL as to <u>101</u> Judgment, by Christopher Rich, State of Idaho. Filing fee \$ 505, receipt number 0976-1159571. (Notice sent to Court Reporter & 9th Cir) (Attachments: # <u>1</u> Representation Statement)(Zanzig, W)(14-35421)
05/14/2014	<u>105</u>	USCA Case Number 14-35420 for <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter. (cjm)
05/14/2014	<u>106</u>	USCA Scheduling Order as to <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter. (Notice sent by e-mail to Court Reporter) (cjm)
05/14/2014	<u>107</u>	USCA Case Number 14-35421 for <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. (cjm)
05/14/2014	<u>108</u>	USCA Scheduling Order as to <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. (Notice sent by e-mail to Court Reporter) (cjm)
05/15/2014	<u>109</u>	ORDER of USCA as to <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. The district courts May 13, 2014 order is temporarily stayed pending this courts disposition of appellants emergency motions for a stay pending appeal. (cjm)
05/19/2014	<u>110</u>	AMENDED NOTICE OF APPEAL by C.L. (Butch) Otter. (Notice sent to Court Reporter & 9th Cir) (Stewart, Monte)
05/20/2014	<u>111</u>	BILL OF COSTS by Susan Latta. Taxation of Costs due by 5/27/2014 (Stoll, Christopher)
05/20/2014	<u>112</u>	ORDER of USCA as to <u>110</u> Amended Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho Appellants motions to stay the district courts 5/13/2014 order pending appeal are granted. The court sua sponte expedites the

		briefing and calendaring of these appeals. (cjm) (Entered: 05/21/2014)
05/27/2014	<u>113</u>	MOTION for Attorney Fees <i>and Expenses</i> , Craig Durham appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 6/20/2014 (Attachments: # <u>1</u> Memorandum in Support of Motion Reasonable Attorneys' Fees and Expenses, # <u>2</u> Summary of Attorneys' Fees and Costs, # <u>3</u> Declaration of Deborah A. Ferguson, # <u>4</u> Exhibit A to Declaration of Deborah A. Ferguson, # <u>5</u> Exhibit B to Declaration of Deborah A. Ferguson, # <u>6</u> Exhibit C to Declaration of Deborah A. Ferguson, # <u>7</u> Declaration of Shannon P. Minter, # <u>8</u> Exhibit A to Declaration of Shannon P. Minter, # <u>9</u> Exhibit B to Declaration of Shannon P. Minter, # <u>10</u> Exhibit C to Declaration of Shannon P. Minter, # <u>11</u> Exhibit D to Declaration of Shannon P. Minter, # <u>12</u> Declaration of Craig H. Durham, # <u>13</u> Exhibit A to Declaration of Craig H. Durham, # <u>14</u> Declaration of Debora K. Kristensen, # <u>15</u> Declaration of Lauren I. Scholnick)(Durham, Craig)
06/03/2014	<u>114</u>	TRANSCRIPT REQUEST by Susan Latta for proceedings held on 5/5/2014 before Judge Dale.. (Stoll, Christopher)
06/04/2014	<u>115</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>113</u> MOTION for Attorney Fees <i>and Expenses</i> , W Scott Zanzig appearing for Defendant Christopher Rich, Intervenor Defendant State of Idaho. Responses due by 6/30/2014 (Zanzig, W)
06/04/2014	<u>116</u>	ORDER GRANTING CONSENT MOTION FOR EXTENSION OF TIME granting <u>115</u> Motion for Extension of Time to File Response/Reply re <u>113</u> MOTION for Attorney Fees <i>and Expenses</i> .. Responses due by 7/2/2014. Replies due by 8/1/2014. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
06/11/2014	<u>117</u>	Transcript filed for dates of 5/5/2014 (Motion Hearing) before Judge Candy W. Dale, re <u>103</u> Notice of Appeal, Court Reporter/Transcriber Tamara I. Hohenleitner, Telephone number 208-334-1500. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/7/2014. Redacted Transcript Deadline set for 7/17/2014. Release of Transcript Restriction set for 9/12/2014. (jp) (Entered: 06/12/2014)
06/12/2014	<u>118</u>	Notice of Filing of Official Transcript (jp)
07/02/2014	<u>119</u>	RESPONSE to Motion re <u>113</u> MOTION for Attorney Fees <i>and Expenses</i> , filed by Christopher Rich, State of Idaho. Replies due by 7/21/2014. (Attachments: # <u>1</u> Declaration of W. Scott Zanzig, # <u>2</u> Exhibit A - Declaration of W. Scott Zanzig, # <u>3</u> Exhibit B - Declaration of W. Scott Zanzig, # <u>4</u> Exhibit C - Declaration of W. Scott Zanzig, # <u>5</u> Exhibit D - Declaration of W. Scott Zanzig, # <u>6</u> Exhibit E - Declaration of W. Scott Zanzig, # <u>7</u> Exhibit F - Declaration of W. Scott Zanzig, # <u>8</u> Exhibit G - Declaration of W. Scott Zanzig, # <u>9</u> Exhibit H - Declaration of W. Scott Zanzig, # <u>10</u> Exhibit I - Declaration of W. Scott Zanzig, # <u>11</u> Exhibit J - Declaration of W. Scott Zanzig, # <u>12</u> Exhibit K - Declaration of W. Scott Zanzig, # <u>13</u> Exhibit L - Declaration of W. Scott Zanzig, # <u>14</u> Exhibit M - Declaration of W. Scott Zanzig, # <u>15</u> Exhibit N - Declaration of W. Scott Zanzig)(Zanzig, W)
07/02/2014	<u>120</u>	JOINDER by Defendant C.L. (Butch) Otter joining <u>119</u> Response to Motion,,, <i>for Attorney Fees and Expenses</i> . (Younger, Cally)
07/02/2014	<u>121</u>	ERRATA by Defendant Christopher Rich, Intervenor Defendant State of Idaho re <u>119</u> Response to Motion,,, <i>Corrected Memorandum in Response to Motion for Attorneys' Fees (Dkt. 113)</i> . (Zanzig, W)
07/02/2014		Reset Deadlines as to <u>113</u> MOTION for Attorney Fees <i>and Expenses</i> .. Replies due by 8/1/2014. Per Order <u>116</u> . (cjm)
07/28/2014	<u>122</u>	REPLY to Response to Motion re <u>113</u> MOTION for Attorney Fees <i>and Expenses</i> , filed by Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. (Attachments: # <u>1</u> Exhibit A, Chart of Defendants' Double Reductions, # <u>2</u> Exhibit B, Revised Summary of Attorneys' Fees and Costs)(Durham, Craig)

10/07/2014	<u>123</u>	ORDER of USCA as to <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. 14-35420 and 14-35421 for District of Idaho case 1:13-cv-00482-CWD and 12-17668 for District of Nevada case 2:12-cv-00578-RCJ-PAL are consolidated for purposes of disposition. (cjm)
10/07/2014	<u>124</u>	OPINION of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. The judgment of the district court in Latta v. Otter is AFFIRMED. The judgment of the district court in Sevcik v. Sandoval is REVERSED, and the case is REMANDED to the district court. (cjm)
10/07/2014	<u>125</u>	ORDER of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. The mandate shall issue forthwith. (cjm) (Entered: 10/08/2014)
10/07/2014	<u>126</u>	RECALLED – MANDATE of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho (cjm) Modified on 10/8/2014 to reflect recalled by Order of USCA Dkt <u>129</u> (cjm). (Entered: 10/08/2014)
10/08/2014	<u>127</u>	ORDER by Supreme Court of the United States, No. 14A374. IT IS ORDERED that the mandate of the United States Court of Appeals for the Ninth Circuit, case Nos. 12-17668, 14-35420 & 14-35421, is hereby stayed pending further order of the undersigned or of the Court. (cjm)
10/08/2014	<u>128</u>	ORDER by Supreme Court of the United States, No. 14A374. IT IS ORDERED that the portion of the order issued on this date entering a stay of the mandate of the United States Court of Appeals for the Ninth Circuit in case No. 12-17668 is hereby vacated. The stay entered with respect to the Ninth Circuits mandate in case Nos. 14-35420 & 14-35421, shall remain in effect pending further order of the undersigned or of the Court. (cjm)
10/08/2014	<u>129</u>	ORDER of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. With respect to the emergency motion by the intervenor in appeal No. 12-17668 to recall the mandate in that case, we direct both the appellants and appellees, including the state parties, to respond to the intervenors motion to recall the mandate by 5:00 p.m. Thursday, 10/9/2014. (cjm)
10/10/2014	<u>130</u>	ORDER of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. The application for stay presented to Justice Kennedy and by him referred to the Court is denied. The orders heretofore entered by Justice Kennedy are vacated. (cjm)
10/10/2014	<u>131</u>	ORDER of USCA (14-35420 and 14-35421) as to <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter and <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. (st) (Entered: 10/15/2014)
10/13/2014	<u>132</u>	ORDER of USCA (14-35420 and 14-35421) as to <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter and <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. (st) (Entered: 10/15/2014)
10/15/2014	<u>133</u>	USCA OPINION re Order (14-35420 and 14-35421) as to <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter and <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. (st)
10/16/2014	<u>134</u>	NOTICE by C.L. (Butch) Otter of <i>Withdrawal of Counsel</i> (Stewart, Monte)
10/22/2014	<u>135</u>	ORDER of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. Plaintiffs-Appellees are directed to file a response to Defendant-Appellants petition for rehearing en banc filed with this court on 10/21/2014 within 21 days of the date of this order. (cjm) (Entered: 10/23/2014)
10/22/2014	<u>136</u>	ORDER of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. Defendant-Appellants unopposed motion for leave to file a

		petition for rehearing en banc in excess of the applicable type–volume limitation is GRANTED. (cjm) (Entered: 10/23/2014)
11/21/2014	<u>137</u>	ORDER of USCA as to <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter. Governor Otters motion for leave to file a reply in support of his petition for rehearing en banc is granted in part. The reply itself is ordered filed, but the appendix is stricken. (cjm) (Entered: 11/24/2014)
12/02/2014	<u>138</u>	Costs Taxed in amount of \$ 400.00 against Defendants(cjm) (Entered: 12/03/2014)
12/19/2014	<u>139</u>	MEMORANDUM DECISION AND ORDER. NOW THEREFORE IT IS HEREBY ORDERED: Plaintiffs Motion for Reasonable Attorneys Fees and Expenses Through 5/23/2014 (Dkt. <u>113</u>) is GRANTED IN PART AND DENIED IN PART. Plaintiffs are awarded \$397,300.00 in attorney fees and \$4,363.08 in non–taxable litigation expenses pursuant to 42 U.S.C. § 1988. The foregoing amounts shall be paid with interest at the rate of 0.20 percent per annum from the date of this Order. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
01/08/2015	<u>141</u>	Letter from Supreme Court of the United States re Ninth Circuit Court of Appeals cases 14–35420, 14–35421. The petition for a writ of certiorari in the above entitled case was filed on 12/30/2014 and placed on the docket 12/31/2014 as No. 14–765. (cjs) (Entered: 01/13/2015)
01/08/2015	<u>142</u>	Letter from Supreme Court of the United States re Ninth Circuit Court of Appeals case 14–35420. The petition for a writ of certiorari in the above entitled case was filed on 1/2/2015 and placed on the docket 1/6/2015 as No. 14–788. (cjs) (Entered: 01/13/2015)
01/09/2015	<u>140</u>	ORDER of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. The petitions for rehearing en banc are denied. (cjs) (Entered: 01/13/2015)
01/21/2015	<u>143</u>	ORDER of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. Plaintiffs–appellees unopposed motion to transfer consideration of attorneys fees on appeal to the district court is GRANTED. (cjs)
01/21/2015	<u>144</u>	MANDATE of USCA as to <u>110</u> Notice of Appeal filed by C.L. (Butch) Otter, <u>103</u> Notice of Appeal, filed by C.L. (Butch) Otter, <u>104</u> Notice of Appeal filed by Christopher Rich, State of Idaho. (cjs)
01/21/2015	<u>145</u>	STIPULATION <i>EXTENDING THE BRIEFING SCHEDULE FOR SUPPLEMENTAL ATTORNEYS FEES AND COSTS</i> by Susan Latta. (Ferguson, Deborah)
01/22/2015	<u>146</u>	ORDER re <u>145</u> Stipulation. Plaintiffs shall file a supplemental motion for attorneys fees and costs, including for fees and costs incurred on appeal, no later than 2/5/2015. Defendants will respond on or before 3/5/2015. Plaintiffs reply, if any, will be filed on or before 3/12/2015. (Case Management deadline set for 2/5/2015.) Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjs)
02/05/2015	<u>147</u>	MOTION for Attorney Fees , <i>Supplemental</i> , Craig Durham appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 3/2/2015 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Deborah A. Ferguson in Support of Supplemental Motion for Fees, # <u>3</u> Declaration of Shannon P. Minter in Support of Supplemental Motion for Fees, # <u>4</u> Declaration of Craig Durham in Support of Supplemental Motion for Fees)(Durham, Craig)
03/05/2015	<u>148</u>	RESPONSE to Motion re <u>147</u> MOTION for Attorney Fees , <i>Supplemental</i> , filed by Christopher Rich, State of Idaho. Replies due by 3/23/2015.(Zanzig, W)
03/05/2015	<u>149</u>	JOINDER re <u>148</u> RESPONSE to Motion for Attorney Fees, Supplemental, Cally Ann Younger appearing for Defendant C.L. (Butch) Otter. (Younger, Cally) Modified on 3/6/2015 per Corrective Entry (cjs).

03/06/2015		CORRECTIVE ENTRY – The entry docket number <u>149</u> MOTION for Joinder <i>Joining 148 RESPONSE to Motion for Attorney Fees, Supplemental</i> , filed by C.L. (Butch) Otter was filed incorrectly in this case as the wrong event was used. It is not a motion but a joinder. The correct event for future filings is "Joinder" located under Other Documents. No action is needed by the filing party as the Clerk's Office will term as a pending motion and edit the entry text.(cjs)
03/12/2015	<u>150</u>	MOTION for Extension of Time to File Response/Reply as to <u>148</u> Response to Motion , <i>unopposed</i> , Craig Durham appearing for Plaintiffs Andrea Altmayer, Amber Beierle, Traci Ehlers, Susan Latta, Rachael Robertson, Shelia Robertson, Lori Watsen, Sharene Watsen. Responses due by 4/6/2015 (Durham, Craig)
03/13/2015	<u>151</u>	ORDER granting <u>150</u> Motion for Extension of Time to File Response/Reply re <u>147</u> MOTION for Attorney Fees , <i>Supplemental</i> ,. Replies due by 3/19/2015. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjs)
03/18/2015	<u>152</u>	REPLY to Response to Motion re <u>147</u> MOTION for Attorney Fees , <i>Supplemental</i> , filed by Susan Latta.(Ferguson, Deborah)
06/30/2015	<u>153</u>	Letter from Supreme Court of the United States, No. 14–765 (9CCA 14–35420, 14–35421). The petition for a writ of certiorari is denied. (cjs) (Entered: 07/01/2015)
06/30/2015	<u>154</u>	Letter from Supreme Court of the United States, No. 14–788 (9CCA 14–35420, 14–35421). The petition for a writ of certiorari is denied. (cjs) (Entered: 07/01/2015)
08/03/2015	<u>155</u>	MEMORANDUM DECISION AND ORDER granting in part and denying in part <u>147</u> Plaintiff's Motion for Supplemental Attorneys' Fees and Expenses from 5/24/2014. Plaintiffs are awarded \$220,160.00 in supplemental attorneys fees and \$6,730.85 in non-taxable litigation expenses pursuant to 42 U.S.C. § 1988.The foregoing amounts shall be paid with interest at the rate of.33 percent per annum from the date of this Order. Signed by Judge Candy W. Dale. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjs)