U.S. District Court Western District of Kentucky (Louisville) CIVIL DOCKET FOR CASE #: 3:13-cv-00750-CRS

Love et al v. Beshear

Assigned to: Senior Judge Charles R. Simpson, III

Cause: 42:1983 Civil Rights Act

Date Filed: 07/26/2013

Date Terminated: 01/14/2016

Jury Demand: Plaintiff

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: Federal Question

Plaintiff

Gregory Bourke

TERMINATED: 02/27/2014

represented by **Daniel J. Canon**

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Plaintiff

Michael Deleon

TERMINATED: 02/27/2014

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Plaintiff

I.D.

minor child by and through his parents and next freinds, Gregory Bourke and Michael

represented by Daniel J. Canon

Deleon

TERMINATED: 02/27/2014

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Plaintiff

I.D.

minor child by and through his parents and next freinds, Gregory Bourke and Michael Deleon

TERMINATED: 02/27/2014

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LEAD ATTORNEY ATTORNEY TO BE NOTICED

Plaintiff

Luther Barlowe

TERMINATED: 02/27/2014

represented by Daniel J. Canon

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Louis Paz Winner

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LEAD ATTORNEY

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Plaintiff

M. J.-C.

Minor Child through their parents and next friends, Randell Johnson and Paul Campion TERMINATED: 02/27/2014

represented by Daniel J. Canon

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Plaintiff

Randell Johnson

TERMINATED: 02/27/2014

represented by Daniel J. Canon

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Plaintiff

Jimmy Meade

TERMINATED: 02/27/2014

represented by Daniel J. Canon

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Louis Paz Winner

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ATTORNEY TO BE NOTICED

Plaintiff

Paul Campion

TERMINATED: 02/27/2014

represented by **Daniel J. Canon**

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Laura E. Landenwich

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Leonard J. Dunman, IV

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Louis Paz Winner

Plaintiff

Tamera Boyd

TERMINATED: 02/27/2014

represented by Daniel J. Canon

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Louis Paz Winner

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Plaintiff

Kimberly Franklin

TERMINATED: 02/27/2014

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Laura E. Landenwich

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LEAD ATTORNEY

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Leonard J. Dunman, IV

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Louis Paz Winner

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LEAD ATTORNEY

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Plaintiff

T. J.-C.

Minor Child through their parents and next friends, Randell Johnson and Paul Campion TERMINATED: 02/27/2014

represented by Daniel J. Canon

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Laura E. Landenwich

Leonard J. Dunman, IV

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Louis Paz Winner

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LEAD ATTORNEY

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Plaintiff

T. J.-C.

Minor Child through their parents and next friends, Randell Johnson and Paul Campion TERMINATED: 02/27/2014

represented by Daniel J. Canon

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V.

Intervenor Plaintiff

Timothy Love

represented by **Daniel J. Canon**

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Dawn R. Elliott

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Intervenor Plaintiff

Lawrence M Ysunza

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Intervenor Plaintiff

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Intervenor Plaintiff

Dominique James

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Shannon Renee Fauver

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Intervenor Plaintiff

Chris Sevier

TERMINATED: 04/24/2014

represented by Chris Sevier

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V.

Miscellaneous

United States of America

represented by Jean Lin

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V.

Defendant

Bobbie Hosclaw

in her official cpacity as Jefferson County Clerk TERMINATED: 11/15/2013

represented by Stephanie A. French

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Jefferson County Attorney

Defendant

Alison Lundergan Grimes

Secretary of State

TERMINATED: 11/15/2013

Defendant

Elaine A. Filiatreau

Nelson County Clerk TERMINATED: 11/15/2013

represented by Licha H. Farah, Jr.

Ward Hocker & Thornton, PLLC -Lexington 333 W. Vine Street, Suite 1100 Lexington, KY 40507 859-422-6000

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V.

Intervenor Defendant

Steve Breshear

in his official capacity as Govenor of Kentucky

represented by Brian Thomas Judy

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Intervenor Defendant

Jack Conway

in his official capacity as Attorney General of Kentucky

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ATTORNEY TO BE NOTICED

Clay A. Barkley

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Amicus

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text			
07/26/2013	1	COMPLAINT against Steve Breshear, Jack Conway, Bobbie Hosclaw Filing fee \$ 400 receipt number 644-1659594., filed by I.D.(minor child by and through his parents and next freinds, Gregory Bourke and Michael Deleon), Gregory Bourke, Michael Deleon (Attachments: # 1 Summons, # 2 Cover Sheet, # 3 Exhibit Marriag certificate) (JSS) (Main Document 1 replaced on 8/19/2013) (DAK). (Entered: 07/26/2013)			
07/26/2013	2	Case Assignment (Random Selection): Case Assigned to Judge John G. Heyburn II. Magistrate designation: Dave Whalin. (JSS) (Entered: 07/26/2013)			
07/26/2013	3	ERTIFICATE OF SERVICE by Gregory Bourke re <u>1</u> Complaint, (Attachments: # <u>1</u> ummons) (Fauver, Shannon) (Entered: 07/26/2013)			
07/26/2013	4	ummons Issued as to Steve Breshear, Jack Conway, Bobbie Hosclaw. Counsel for laintiff is responsible for printing and serving the attached issued summons(es). SS) (Entered: 07/26/2013)			
08/16/2013	<u>5</u>	AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF [AMENDED DOCUMENT] by Gregory Bourke. Amendment to 1 Complaint, by Gregory Bourke. (Fauver, Shannon) Modified on 8/16/2013 - edited title; was filed as an Amended Document (DAK). (Entered: 08/16/2013)			
08/16/2013	<u>6</u>	AMENDED SUMMONS (AMENDED DOCUMENT) by Gregory Bourke. Amendment to 5 Amended Document by Gregory Bourke. (Fauver, Shannon) Modified on 8/19/2013 edited title; was filed as amended document (DAK). (Entered: 08/16/2013)			
08/16/2013		AMENDED COMPLAINT against Jack Conway, Bobbie Hosclaw, Alison Lundergan Grimes, Elaine A. Filiatreau, filed by I.D.(minor child by and through his parents and next freinds, Gregory Bourke and Michael Deleon), Gregory Bourke, Michael Deleon. See DN 5 for.pdf. (DAK) (Entered: 08/19/2013)			
08/19/2013	7	Summons Issued as Amended Complaint to Jack Conway, Elaine A. Filiatreau, Alison Lundergan Grimes, Bobbie Hosclaw. Counsel for Plaintiff is responsible for printing and serving the attached issued summons(es). (DAK) (Entered: 08/19/2013)			
08/23/2013	8	NOTICE by Michael Deleon re Amended Complaint, (Attachments: # 1 Summons, # 2 Summons) (Fauver, Shannon) (Entered: 08/23/2013)			
08/23/2013	9	Summons Issued as to Steve Breshear, Jack Conway. Counsel for Plaintiff is responsible for printing and serving the attached issued summons(es). (JSS) (Entered 08/23/2013)			
09/03/2013	<u>10</u>	SUMMONS Returned Executed by Gregory Bourke. Elaine A. Filiatreau served on 8/26/2013, answer due 9/16/2013. (Fauver, Shannon) (Entered: 09/03/2013)			

/4/2017		Kentucky Western CM/ECF-DC			
09/03/2013	11	SUMMONS Returned Executed by Michael Deleon. Bobbie Hosclaw served on 8/26/2013, answer due 9/16/2013. (Fauver, Shannon) (Entered: 09/03/2013)			
09/03/2013	12	SUMMONS Returned Executed by Gregory Bourke. Jack Conway served on 8/26/2013, answer due 9/16/2013. (Fauver, Shannon) (Entered: 09/03/2013)			
09/03/2013	<u>13</u>	SUMMONS Returned Executed by Gregory Bourke. Steve Breshear served on 8/26/2013, answer due 9/16/2013. (Fauver, Shannon) (Entered: 09/03/2013)			
09/13/2013	14	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Elaine A Filiatreau Responses due by 10/7/2013 (Attachments: # 1 Proposed Order) (Farah, Lich Entered: 09/13/2013)			
09/16/2013	<u>15</u>	Proposed Agreed Order/Stipulation by Steve Breshear, Jack Conway. (Barkley, Clay) (Entered: 09/16/2013)			
09/16/2013	<u>16</u>	MOTION to Dismiss by Defendant Bobbie Hosclaw Responses due by 10/10/2013 (Attachments: # 1 Memorandum in Support, # 2 Proposed Order) (French, Stephanie) (Entered: 09/16/2013)			
09/17/2013	<u>17</u>	Amended MOTION to Amend/Correct 16 MOTION to Dismiss by Defendant Bobbie Hosclaw Responses due by 10/11/2013 (Attachments: # 1 Memorandum in Support, # 2 Proposed Order) (French, Stephanie) (Entered: 09/17/2013)			
09/18/2013	<u>18</u>	AGREED ORDER FOR EXTENSION OF TIME TO ANSWER by Judge John G. Heyburn, II on 9/17/13. Time is extended for Dfts to answer Pltfs' complaint or responsy motion until 9/25/13. cc:counsel (SJS) (Entered: 09/18/2013)			
09/25/2013	<u>19</u>	ANSWER to Amended Complaint, by Steve Breshear, Jack Conway. (Barkley, Clay (Entered: 09/25/2013)			
10/07/2013	<u>20</u>	Proposed Agreed Order/Stipulation to extend time to respond to Motion to Dismiss by Gregory Bourke. (Fauver, Shannon) (Entered: 10/07/2013)			
10/07/2013	21	ORDER (EBOC) by Judge John G. Heyburn, II on 10/7/2013; telephonic conference set for 10/10/2013 01:00 PM before Judge John G. Heyburn II.cc:counsel (TLB) (Entered: 10/07/2013)			
10/08/2013	22	AGREED ORDER by Judge John G. Heyburn, II on 10/8/2013; 14 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM: Response due by 10/28/2013.cc:counsel (TLB) (Entered: 10/08/2013)			
10/09/2013	<u>23</u>	Proposed Agreed Order/Stipulation for extension of time by Gregory Bourke. (Fauver, Shannon) (Entered: 10/09/2013)			
10/17/2013	24	ORDER for proceedings held before Judge John G. Heyburn, II. Telephonic Status Conference held on 10/10/2013. IT IS HEREBY ORDERED any dispositive motions cabe filed on or before 11/25/2013, with responses to be filed on or before 12/16/2013. Normal reply times shall apply in accordance with the Local Rules of the Western Distr of Kentucky. The matters will then be submitted before the Court. cc: Counsel (TJD) (Entered: 10/17/2013)			
10/28/2013	<u>25</u>	NOTICE of Appearance by Laura E. Landenwich on behalf of Gregory Bourke, Michael Deleon, I.D., I.D. (Landenwich, Laura) (Entered: 10/28/2013)			
10/28/2013	<u>26</u>	MOTION to Modify <i>Case Caption</i> by Plaintiffs Gregory Bourke, Michael Deleon, I.D., I.D. Responses due by 11/21/2013 (Attachments: # 1 Proposed Order) (Landenwich, Laura) (Entered: 10/28/2013)			
10/31/2013	27	ORDER signed by Judge John G. Heyburn, II on 10/31/2013 granting 26 Motion to			

74/2017		Rentucky Western CM/ECF-DC			
		Modify Case Caption. cc: Counsel (TJD) (Entered: 10/31/2013)			
11/01/2013	28	MOTION to Dismiss by Plaintiff Gregory Bourke Responses due by 11/25/2013 (Attachments: # 1 Proposed Order) (Landenwich, Laura) (Entered: 11/01/2013)			
11/01/2013	<u>29</u>	MOTION for Leave to <i>File Second Amended Complaint</i> by Plaintiff Gregory Bourke Responses due by 11/25/2013 (Attachments: # 1 Exhibit attachment 1, # 2 Proposed Order) (Landenwich, Laura) (Entered: 11/01/2013)			
11/15/2013	30	ORDER granting 29 Motion for Leave to file Second Amended Complaint. Signed by Judge John G. Heyburn, II on 11/14/13. cc:counsel (JBM) (Entered: 11/15/2013)			
11/15/2013	31	ECOND AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE ELIEF against Steve Breshear, Jack Conway, filed by I.D.(minor child by and through is parents and next freinds, Gregory Bourke and Michael Deleon), Michael Deleon, Gregory Bourke, Luther Barlowe, M.JC., Randell Johnson, Jimmy Meade, Paul Campion, Tamera Boyd, Kimberly Franklin, T.JC (JBM) (Entered: 11/15/2013)			
11/15/2013	32	ORDER granting 28 and 16 Motions to Dismiss. Claims against Defendants Bobbie Holsclaw and Elaine Filiatreau are hereby DISMISSED WITHOUT PREJUDICE. Signed by Judge John G. Heyburn, II on 11/14/13. cc:counsel (JBM) (Entered: 11/15/2013)			
11/19/2013	33	OTICE of Constitutional Challenge by Gregory Bourke (Landenwich, Laura) (Entered: /19/2013)			
11/20/2013	34	MOTION to Amend/Correct 24 Telephone Conference, <i>Scheduling Order</i> by Defendants Steve Breshear, Jack Conway Responses due by 12/16/2013 (Attachments: # 1 Proposed Order Proposed Agreed Order) (Barkley, Clay) (Entered: 11/20/2013)			
11/25/2013	35	MEMORANDUM AND ORDER by Judge John G. Heyburn, II on 11/23/2013. IT IS HEREBY ORDERED that motions supporting injunctive relief shall be filed on or befor 12/16/2013; responses shall be filed on or before 1/13/2014; and replies on or before 01/23/2014. cc: Counsel (TJD) Modified on 11/25/2013-changed response date from 11/13/2014 to 1/13/2014. (DAK). (Entered: 11/25/2013)			
11/26/2013	36	NOTICE of Appearance by Leonard J. Dunman on behalf of Gregory Bourke (Landenwich, Laura) Modified on 11/26/2013-corrected attorney (MLG). (Entered: 11/26/2013)			
12/02/2013	<u>37</u>	ANSWER to 31 Amended Complaint, by Steve Breshear, Jack Conway. (Barkley, Clay) (Entered: 12/02/2013)			
12/16/2013	38	MOTION for Summary Judgment by Plaintiffs Luther Barlowe, Gregory Bourke, Tamers Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, Randell Johnson, Jimmy Meade Responses due by 1/9/2014 (Attachments: # 1 Memorandum in Support, # 2 Exhibit 1. Obergefell Opinion, # 3 Exhibit 2. Bourke Affidavit, # 4 Exhibit 3. Franklin Affidavit, # 5 Exhibit 4. Johnson Affidavit, # 6 Exhibit 5. Meade Affidavit, # 7 Exhibit 6. Senate Chambers, # 8 Exhibit 7. Amicus Brief, # 9 Exhibit 8. Bassett Opinion, # 10 Proposed Order Proposed Order) (Landenwich, Laura) (Entered: 12/16/2013)			
01/13/2014	<u>39</u>	RESPONSE to Motion re 38 MOTION for Summary Judgment filed by Steve Breshear, Jack Conway. Replies due by 1/30/2014. (Attachments: # 1 Proposed Order Proposed Order) (Judy, Brian) (Entered: 01/13/2014)			
01/14/2014	<u>40</u>	REPLY to Response to Motion re 38 MOTION for Summary Judgment filed by Luther Barlowe, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, Randell Johnson, Jimmy Meade. (Attachments: # 1 Exhibit 1. Kitchen v. Herbert, # 2 Exhibit 2. Obergefell) (Landenwich, Laura) (Entered: 01/14/2014)			

01/16/2014	41	MOTION for Leave to <i>file Amicus Curiae Brief</i> by Amicus The Family Trust Foundation of Kentucky, Inc. Responses due by 2/10/2014 (Attachments: # 1 Proposed Order, # 2 Exhibit) (Cave, Stanton) (Entered: 01/16/2014)			
01/17/2014	42	ORDER signed by Judge John G. Heyburn, II on 01/17/2014 granting 41 Motion for Leave to file amicus curiae brief. cc: Counsel of Record (TJD) (Entered: 01/17/2014)			
01/17/2014	43	BRIEF OF AMICUS CURIAE by The Family Trust Foundation of Kentucky, Inc re 39 Response to Motion filed by Jack Conway, Steve Breshear. (TJD) (Entered: 01/17/2014)			
01/21/2014	44	NOTICE (Acknowledgement of Constitutional Challenge) by United States of America red Notice (Other) (Kneedler, Jennie) (Entered: 01/21/2014)			
01/23/2014	<u>45</u>	ORDER by Judge John G. Heyburn, II on 1/23/2014; Plaintiffs shall have to 2/3/2014 in which to respond to the amicus brief, should they so choose.cc:counsel (TLB) (Entered: 01/23/2014)			
02/03/2014	46	RESPONSE to re 43 Brief <i>of Amicus</i> filed by Luther Barlowe, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D.(minor child by and hrough his parents and next freinds, Gregory Bourke and Michael Deleon), Randell Johnson, M.JC., Jimmy Meade, T.JC.(Minor Child through their parents and next friends, Randell Johnson and Paul Campion). (Attachments: # 1 Exhibit Hollingsworth ASA Brief) (Canon, Daniel) (Entered: 02/03/2014)			
02/12/2014	47	MEMORANDUM OPINION by Judge John G. Heyburn, II on 2/11/2014; re 38 MOTION for Summary Judgment filed by Paul Campion, Jimmy Meade, Gregory Bourke, Luther Barlowe, Tamera Boyd, Michael Deleon, Kimberly Franklin, Randell Johnson. The Court will enter an order consistent with this Memorandum Opinion.cc:counsel (DAK) (Entered: 02/12/2014)			
02/12/2014	48	ORDER by Judge John G. Heyburn, II on 2/11/2014; re <u>38</u> MOTION for Summary Judgment filed by Paul Campion, Jimmy Meade, Gregory Bourke, Luther Barlowe, Tamera Boyd, Michael Deleon, Kimberly Franklin, Randell Johnson, <u>47</u> Memorandur Opinion - To the extent K.R.S. 402.005,020,040, and 045 and Section 233A of the Kentucky Constitution deny validly married same-sex couples equal recognition and benefits under Kentucky and federal law, they violate the Equal Protection Clause of t Fourteenth Amendment of the United States Constitution. The Court will set a hearing the near future to discuss the appropriate form of relief and the timing of its effect. The not a final order.cc: Counselcc:counsel (DAK) (Entered: 02/12/2014)			
02/14/2014	<u>49</u>	MOTION to Intervene by Intervenor Parties Timothy Love, Lawrence M Ysunza, Maurice Blanchard, Dominique James Responses due by 3/10/2014 (Attachments: # 1 Exhibit Intervening Complaint, # 2 Proposed Order) (Canon, Daniel) (Entered: 02/14/2014)			
02/14/2014	<u>50</u>	Emergency MOTION for Preliminary Injunction, MOTION for Permanent Injunction by Intervenor Parties Maurice Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza Responses due by 3/10/2014 (Attachments: # 1 Proposed Order) (Canon, Danie (Entered: 02/14/2014)			
02/19/2014	<u>51</u>	ORDER (EBOC) by Judge John G. Heyburn, II on 2/19/2014; telephonic conference set for 2/26/2014 01:00 PM before Judge John G. Heyburn II.cc:counsel (TLB) (Entered: 02/19/2014)			
02/19/2014		Schedules In Chambers Conference set for 2/26/2014 01:00 PM in chambers before Judg John G. Heyburn II. (ARM) (Entered: 02/19/2014)			
		Proceedings held before Judge John G. Heyburn, II: Status Conference held on 2/26/2014. (TLB) (Entered: 02/27/2014)			

02/27/2014	<u>52</u>	MOTION to Stay re <u>48</u> Order,, <u>47</u> Memorandum & Opinion, by Defendants Steve Breshear, Jack Conway Responses due by 3/24/2014 (Attachments: # <u>1</u> Proposed Order) (Barkley, Clay) (Entered: 02/27/2014)	
02/27/2014	53	ORDER by Judge John G. Heyburn, II on 2/27/2014; status/motion hearing held 2/26/2014; 49 Motion to Intervene SUSTAINED; intervening complaint will be filed in the record as of this date; the court establishes the following filing and briefing schedule Answer to Intervening Complaint due 3/19/2014; Motion and Memorandum for Relief Plaintiffs due 4/18/2014; response to any motions by Plaintiff or other Amicus Parties de 5/19/2014; reply to any motions by Plaintiff due 5/28/2014. cc:counsel (TLB) (Entered: 02/27/2014)	
02/27/2014	<u>54</u>	INTERVENING COMPLAINT AND PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF, filed by Maurice Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza. (TLB) (Entered: 02/27/2014)	
02/27/2014	55	DER by Judge John G. Heyburn, II on 2/26/2014; the parties and the Court having cussed 47 Memorandum Opinion and 48 Order; no party having objection to the entry final order consistent with it; that to the extend K.R.S. 402.055,.020,.040, and .045 Section 233A of the Kentucky Constitution act to deny validly married same-sex ples equal recognition and benefits under Kentucky and federal law, those laws violated Equal Protection Clause of the Fourteenth Amendment of the United States astitution, and they are void and unenforceable; this is a final and appealable er.cc:counsel (TLB) (Entered: 02/27/2014)	
02/27/2014	<u>56</u>	ORDER (EBOC) by Judge John G. Heyburn, II on 2/27/2014; telephonic conference sfor 2/28/2014 02:30 PM before Judge John G. Heyburn II; parties shall be prepared to discuss pending 52 MOTION to Stay. cc:counsel (TLB) (Entered: 02/27/2014)	
02/28/2014	<u>57</u>	ORDER by Judge John G. Heyburn, II on 02/27/2014. IT IS HEREBY ORDERED that he Clerk shall modify the style of the case to Love, et al. vs. Beshear, et al. cc: Counse (TJD) (Entered: 02/28/2014)	
02/28/2014	<u>58</u>	ORDER Signed by Judge John G. Heyburn, II on 2/28/2014 granting 52 Motion to Star The Court concludes that a limited stay allows the state proper time to administratively prepare for compliance with the Order.Being otherwise sufficiently advised, IT IS HEREBY ORDERED that enforcement of the Courts final order entered February 27, 2014, is STAYED until March 20, 2014.cc:counsel (ARM) (Entered: 02/28/2014)	
02/28/2014	<u>59</u>	ORDER Signed by Judge John G. Heyburn, II on 2/28/2014. denying <u>50</u> Motion for Preliminary Injunction; denying <u>50</u> Motion for Permanent Injunction.cc:counsel (ARM (Entered: 02/28/2014)	
03/11/2014	60	MOTION for Attorney Fees <i>and Costs</i> by Plaintiffs Luther Barlowe, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D., I.D., Randell Johnson, M.JC., Jimmy Meade, T.JC., T.JC. Responses due by 4/4/2014 (Attachments: # 1 Affidavit Affidavit of Daniel J. Canon, # 2 Affidavit Affidavit of Shannon Fauver, # 3 Exhibit Time records for Clay Daniel Walton Adams, PLC, # 4 Affidavit Affidavit of Louis P. Winner, # 5 Exhibit Time records of Fauver Law Office, # 6 Affidavit Affidavit of Gregory A. Belzley, # 7 Exhibit Declaration of Paul Hershberg, # 8 Proposed Order) (Canon, Daniel) (Entered: 03/11/2014)	
03/14/2014	<u>61</u>	NOTICE of Appearance by Leigh G. Latherow on behalf of Steve Breshear (Latherow, Leigh) (Entered: 03/14/2014)	
03/14/2014	<u>62</u>	MOTION to Withdraw as Attorney . (Continue to receive notice:Yes)by Intervenor Defendant Steve Breshear Responses due by 4/3/2014 (Attachments: # 1 Exhibit Consent	
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1/4/2017		Kentucky Western CM/ECF-DC			
		# 2 Proposed Order) (Barkley, Clay) (Entered: 03/14/2014)			
03/14/2014	63	MOTION to Stay re 55 Order, Add and Terminate Parties,,,, by Intervenor Defendant Steve Breshear Responses due by 4/7/2014 (Attachments: # 1 Memorandum in Support, 2 Exhibit unpublished cases cited, # 3 Proposed Order) (Latherow, Leigh) (Entered: 03/14/2014)			
03/17/2014		Schedules Telephone Conference set for 3/17/2014 02:30 PM in Teleconference before Judge John G. Heyburn II on pending motion to stay. (ARM) (Entered: 03/17/2014)			
03/17/2014	64	Objection to 63 MOTION to Stay re 55 Order, Add and Terminate Parties,,,, filed by Luther Barlowe, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, Randell Johnson, Jimmy Meade. (Attachments: # 1 Affidavit Crista Fox) (Landenwich, Laura) (Additional attachment(s) added on 3/19/2014: # 2 Proposed Order) (TG). (Entered: 03/17/2014)			
03/17/2014	65	ORDER signed by Judge John G. Heyburn, II on 03/17/2014 granting 62 Motion to Withdraw as Attorney. Upon Motion of the Hon. Brian T. Judy and Hon. Clay Barkley to withdraw as counsel, and the court being otherwise sufficiently advised, the motion is hereby GRANTED and the attorneys are permitted to withdraw as attorneys of record in this matter. cc: Counsel (TJD) (Entered: 03/17/2014)			
03/18/2014	<u>66</u>	NOTICE of Deficiency re <u>64</u> Objection,: failure to comply will be brought to the ttention of the Court. Response due by 3/25/2014. (TG) (Entered: 03/18/2014)			
03/18/2014	<u>67</u>	Proposed Order <i>Denying Defendant's Motion for Stay</i> re <u>64</u> Objection, by Luther Barlowe, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, Randell Johnson, Jimmy Meade. (Landenwich, Laura) (Entered: 03/18/2014)			
03/18/2014	<u>68</u>	NOTICE OF APPEAL as to <u>48</u> Order, <u>55</u> Order, Add and Terminate Parties,,, <u>47</u> Memorandum & Opinion, by Steve Breshear. Filing fee \$ 505, receipt number 0644-1788494. (Latherow, Leigh) (Entered: 03/18/2014)			
03/19/2014	<u>69</u>	ANSWER to <u>54</u> Intervenor Complaint by Steve Breshear. (Latherow, Leigh) (Entered: 03/19/2014)			
03/19/2014	70	ORDER for proceedings held before Judge John G. Heyburn, II. Telephone Conference regarding pending motion to stay (DN 63) held on 3/17/2014. (Court Reporter Alan Wernecke.) IT IS HEREBY ORDERED the briefing schedule established in the February 27, 2014 Order (DN 53) is amended to reflect a motion for leave to file as an amicus must be filed on or before MAY 2, 2014. IT IS FURTHER ORDERED that upon oral motion by Family Trust Foundation of Kentucky, Inc. to file a amicus brief is sustained. The motion to stay is hereby taken under advisement and a separate order shall issue. cc: Counsel (TJD) (Entered: 03/19/2014)			
03/19/2014	71	MEMORANDUM OPINION AND ORDER by Judge John G. Heyburn, II on 3/19/20 re 63 Motion to Stay; stay of this Court's February 27, 2014 final order is extended untifurther order of the Sixth Circuit. cc:counsel (TLB) (Entered: 03/19/2014)			
03/20/2014	72	MOTION to Dismiss by Intervenor Defendant Jack Conway Responses due by 4/14/20 (Attachments: # 1 Proposed Order Proposed Order) (Judy, Brian) (Entered: 03/20/2014)			
03/24/2014	73	ORDER signed by Judge John G. Heyburn, II on 03/21/2014 granting 72 Motion to Dismiss Defendant Jack Conway, in his official capacity as Attorney General of Kentucky, from this action. cc: Counsel (TJD) (Entered: 03/24/2014)			
04/04/2014	74	RESPONSE to Motion re 60 MOTION for Attorney Fees and Costs filed by Steve Breshear. Replies due by 4/21/2014. (Attachments: # 1 Addendum Unpublished Opinions, # 2 Proposed Order) (Latherow, Leigh) (Entered: 04/04/2014)			
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04/04/2014	75	RESPONSE to Motion re 60 MOTION for Attorney Fees <i>and Costs</i> filed by Jack Conway. Replies due by 4/21/2014. (Attachments: # 1 Proposed Order Proposed Order) (Judy, Brian) (Entered: 04/04/2014)		
04/09/2014	76	REPLY re 74 Response to Motion <i>for Attorney Fees and Costs</i> filed by Luther Barlow Maurice Blanchard, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D.(minor child by and through his parents and next freinds, Greg Bourke and Michael Deleon), Dominique James, Randell Johnson, Timothy Love, M. C., Jimmy Meade, T.JC.(Minor Child through their parents and next friends, Randell Johnson and Paul Campion), Lawrence M Ysunza. (Attachments: # 1 Exhibit Exhibit Unpublished Case - Dumas v. NUMM, # 2 Exhibit Exhibit 2 - Unpublished Case - Giuffre v. Hyundai, # 3 Proposed Order) (Dunman, Leonard) (Entered: 04/09/2014)		
04/18/2014	77	MOTION for Summary Judgment by Intervenor Plaintiffs Maurice Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza Responses due by 5/19/2014 per DN# 53 Order (Attachments: # 1 Memorandum in Support, # 2 Affidavit Love/Ysunza Affidavit, # 3 Affidavit Blanchard Affidavit, # 4 Proposed Order) (Canon Daniel) Modified on 4/23/2014 to correct response ddl. (ARM). (Entered: 04/18/2014)		
04/22/2014	<u>78</u>	MOTION to Intervene by Intervenor Plaintiff Chris Sevier. Responses due by 5/16/2014. (Attachments: # 1 Motion to Intervene as a Plaintiff, # 2 Proposed Intervening Complaint) (TJD) (Entered: 04/23/2014)		
04/23/2014	<u>79</u>	NOTICE of Deficiency re <u>78</u> Motion to Intervene: failure to comply, by returning orig signatures, will be brought to the attention of the Court. Response due by 5/27/2014. (TJD) (Entered: 04/23/2014)		
04/23/2014		NOTICE TO COUNSEL: Update to docket text re 77 MOTION for Summary Judgm to reflect correct response ddl as 5/19/14, per DN# 53 Order. (ARM) (Entered: 04/23/2014)		
04/24/2014	80	MEMORANDUM AND ORDER by Senior Judge Thomas B. Russell declining to r on 78 Motion to Intervene as it relates to the original action and denying 78 Motion Intervene in the remaining intervening complaint. cc: counsel; Chris Sevier, pro se (Intered: 04/24/2014)		
04/29/2014	81	MOTION for Leave to <i>File Amicus Curiae Brief</i> by Amicus American Civil Liberties Union of Kentucky, Inc. Responses due by 5/23/2014 (Attachments: # 1 Proposed Ord # 2 Amicus Curiae Brief) (Adams, Jennifer) (Entered: 04/29/2014)		
05/12/2014	82	ORDER signed by Senior Judge John G. Heyburn, II on 05/12/2014 granting 81 Motion for Leave to File Amicus Curiae Brief. cc: Counsel (TJD) (Entered: 05/12/2014)		
05/12/2014	83	AMICUS CURIAE BRIEF OF THE ACLU OF KENTUCKY IN SUPPORT OF INTERVENING PLAINTIFFS filed by American Civil Liberties Union of Kentucky, In re <u>82</u> Order on Motion for Leave to File Amicus Curiae Brief. (TJD) (Entered: 05/12/2014)		
05/13/2014	84	NOTICE of Change of Address by Jennifer Kincaid Adams (Adams, Jennifer) (Entered: 05/13/2014)		
05/14/2014	85	MEMORANDUM OPINION signed by Senior Judge John G. Heyburn, II on 05/13/2014 sustaining 60 Motion for Attorney Fees. IT IS HEREBY ORDERED that Plaintiffs' motion for attorney's fees and costs is SUSTAINED and Plaintiffs are awarded \$70,325.00 for attorney's fees and \$453.00 for costs. IT IS FURTHER ORDERED that this order is STAYED pending the resolution of Defendant's appeal before the Sixth Circuit Court of Appeals. cc: Counsel of Record (TJD) (Entered: 05/14/2014)		
05/19/2014	<u>86</u>	BRIEF of Amicus Curiae, The Family Trust Foundation of Kentucky, Inc., in opposition		

11-112-011		Rendery Western Children DC	
		to Motion for Summary Judgment by Timothy Love Plaintiffs re 77 MOTION for Summary Judgment filed by Timothy Love, Lawrence M Ysunza, Maurice Blanchard, Dominique James by The Family Trust Foundation of Kentucky, Inc (Cave, Stanton) (Entered: 05/19/2014)	
05/19/2014	87	RESPONSE to Motion re 77 MOTION for Summary Judgment filed by Steve Breshear. Replies due by 5/28/2014PER DN# 53 Order (Attachments: # 1 Exhibit 1 - NPR Article, # 2 Exhibit 2 - New York Times, # 3 Exhibit 3 - SMH Article, # 4 Exhibit 4 - Washington Post, # 5 Proposed Order) (Latherow, Leigh) Modified on 5/21/2014 (ARM). (Entered: 05/19/2014)	
05/27/2014	<u>88</u>	Mail Returned as Undeliverable. Mail sent to Chris Sevier (KJA) (Entered: 05/28/2014	
05/28/2014	<u>89</u>	REPLY re 77 MOTION for Summary Judgment filed by Maurice Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza. (Attachments: # 1 Exhibit 1: Birth Rates) (Landenwich, Laura) (Entered: 05/28/2014)	
05/29/2014	<u>90</u>	Mail sent to Chris Sevier Returned as Undeliverable re: DN <u>79</u> . (TJD) (Entered: 05/29/2014)	
07/01/2014	91	MEMORANDUM OPINION AND ORDER by Senior Judge John G. Heyburn, II on 7/1/2014; re 77 MOTION for Summary Judgment filed by Timothy Love, Lawrence M Ysunza, Maurice Blanchard, Dominique James - IT IS HEREBY ORDERED THAT to the extent Ky. Rev. Stat. §§ 402.005 and.020(1)(d) and Section 233A of the Kentucky Constitution deny same-sex couples the right to marry in Kentucky, they violate the Eq Protection Clause of the Fourteenth Amendment to the United States Constitution, and they are void and unenforceable. IT IS FURTHER ORDERED that for all the reasons s forth in this Courts Memorandum Opinion and Orders in this case dated February 28, 2014 and March 19, 2014, the order here is STAYED until further order of the Sixth Circuit. This is a final and appealable order.cc:counsel (DAK) (Entered: 07/01/2014)	
07/08/2014	92	NOTICE OF APPEAL as to 91 Memorandum & Opinion,,, by Steve Breshear. Filing \$ 505, receipt number 0644-1846213. (Latherow, Leigh) (Entered: 07/08/2014)	
07/15/2014	93	MOTION for Extension of Time to File <i>Petition for Attorney Fees</i> by Intervenor Plaintiffs Maurice Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza Responses due by 7/25/2014 (Attachments: # 1 Exhibit 1 Joint Motion to Consolidate, Proposed Order) (Landenwich, Laura) (Entered: 07/15/2014)	
08/06/2014	94	ORDER signed by Senior Judge John G. Heyburn, II on 08/06/2014 granting 93 Motion for Extension of Time to File. IT IS HEREBY ORDERED that any fee petition filed in this case shall be filed within thirty (30) days of final disposition by the Sixth Circuit Court of Appeals or, if applicable, the United States Supreme Court. cc: Counsel (TJD) (Entered: 08/06/2014)	
11/07/2014	95	NOTICE RECEIVED FROM USCA re <u>68</u> Notice of Appeal, <u>92</u> Notice of Appeal. OPINION and JUDGMENT filed: The judgment of the district court is REVERSED. Mandate to Issue. (TG) (Entered: 11/07/2014)	
11/20/2014	<u>96</u>	NOTICE RECEIVED FROM USCA - re <u>68</u> Notice of Appeal, <u>92</u> Notice of Appeal. U.S. Supreme Court notice filed regarding a petition for a writ of certiorari filed by Appellee Gregory Bourke in 14-5291. Supreme Court Case No:14-574. (TLG) (Entered: 11/20/2014)	
01/20/2015	<u>97</u>	NOTICE RECEIVED FROM USCA - U.S. Supreme Court letter filed granting the petitions for writs of certiorari limited to the following questions: 1) Does the Fourteenth Amendment require a state to license a marriage between two people of the same sex? 2) Does the Fourteenth Amendment require a state to recognize a marriage between two	

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		people of the same sex when their marriage was lawfully licensed and performed out-of-state? 157 filed by Gregory Bourke Supreme Court Case No: 14-574, 01/16/2015 [14-5291, 14-5818] (Cathryn Lovely) (TLG) (Entered: 01/21/2015)			
06/26/2015	98	.S. Supreme Court opinion filed : REVERSED. Supreme Court Case No: 14-574. [14-5291, 14-5818] (JBM) (Entered: 06/26/2015)			
07/26/2015	99	MOTION for Extension of Time to File <i>Attorney Fee Petition</i> (Responses due by 8/6/2015), MOTION Assignment (Responses due by 8/20/2015) by Plaintiffs Luther Barlowe, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D., I.D., Randell Johnson, M.JC., Jimmy Meade, T.JC., T.JC., Intervenor Plaintiffs Maurice Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza (Attachments: # 1 Proposed Order) (Landenwich, Laura) (Entered: 07/26/2015)			
07/27/2015	100	Case Assignment (Random Selection): Case Assigned to Senior Judge Charles R. Simpson III. (MLG) (Entered: 07/27/2015)			
07/27/2015	101	TEXT ORDER by Chief Judge Joseph H. McKinley, Jr on 7/27/15; Pursuant to GO 2015-02, this case is reassigned to Senior Judge Charles R. Simpson III, for all further proceedings. Senior Judge John G. Heyburn, II, is no longer assigned to case.			
		This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.			
		cc:counsel (MLG) (Entered: 07/27/2015)			
07/28/2015	102	NOTICE RECEIVED FROM USCA: U.S. Supreme Court judgment filed: REVERSED, with costs to be recovered by petitioners. Amount: \$26,778.00 (in cases 14-556, 14-562 & 14-574); \$7,431.80 (in case 14-571). Supreme Court Case No: 14-574, 07/28/2015. [14-5291, 14-5818. (TLG) (Entered: 07/28/2015)			
08/17/2015	103	NOTICE From 6th Circuit Court of Appeals re 68 Notice of Appeal, 92 Notice of Appeal - ORDER filed: In light of the United States Supreme Court's decision, see Obergefell v Hodges, 135 S. Ct. 2584 (2015), these appeals are remanded to the district courts from which they originated to allow further proceedings as necessary. The appeals are closed, and the mandate shall issue forthwith. (DAK) (Main Document 103 replaced on 8/17/2015) (DAK). (Entered: 08/17/2015)			
08/17/2015	104	MANDATE of USCA as to <u>68</u> Notice of Appeal filed by Steve Breshear, <u>92</u> Notice of Appeal filed by Steve Breshear (DAK) (Main Document 104 replaced on 8/17/2015) (DAK). (Entered: 08/17/2015)			
Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D., Randell Johnson, M.JC., Jimmy Meade, T.JC., T.JC., Intervenor Plaintiffs M. Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza Responses do 9/14/2015 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A - Canon Declaration, # 3 Exhibit B - Esseks Declaration, # 4 Exhibit C - Fauver Declaration Exhibit D - Fisher Declaration, # 6 Exhibit E - Belzley Declaration, # 7 Exhibit Hershberg Declaration, # 8 Exhibit G - Dellinger Declaration, # 9 Exhibit H - Cl Declaration, # 10 Exhibit I - CDWA Time Record, # 11 Exhibit J - Dunman Time # 12 Exhibit K - Fauver Time Record, # 13 Exhibit L - ACLU Time Record, # 14 M - Esseks Time Record, # 15 Exhibit N - Block Time Record, # 16 Exhibit O - Time Record, # 17 Exhibit P - Fisher Time Record, # 18 Exhibit Q - Stack of Bri Exhibit R - Hate Mail) (Canon, Daniel) (Additional attachment(s) added on 8/24)		Second MOTION for Attorney Fees <i>and Costs</i> by Plaintiffs Luther Barlowe, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D., I.D., Randell Johnson, M.JC., Jimmy Meade, T.JC., T.JC., Intervenor Plaintiffs Maurice Blanchard, Dominique James, Timothy Love, Lawrence M Ysunza Responses due by 9/14/2015 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A - Canon Declaration, # 3 Exhibit B - Esseks Declaration, # 4 Exhibit C - Fauver Declaration, # 5 Exhibit D - Fisher Declaration, # 6 Exhibit E - Belzley Declaration, # 7 Exhibit F - Hershberg Declaration, # 8 Exhibit G - Dellinger Declaration, # 9 Exhibit H - Clark Declaration, # 10 Exhibit I - CDWA Time Record, # 11 Exhibit J - Dunman Time Record, # 12 Exhibit K - Fauver Time Record, # 13 Exhibit L - ACLU Time Record, # 14 Exhibit M - Esseks Time Record, # 15 Exhibit N - Block Time Record, # 16 Exhibit O - Strangio Time Record, # 17 Exhibit P - Fisher Time Record, # 18 Exhibit Q - Stack of Briefs, # 19 Exhibit R - Hate Mail) (Canon, Daniel) (Additional attachment(s) added on 8/24/2015: # 20 Proposed Order) (JSS). (Entered: 08/21/2015)			
08/24/2015	106	NOTICE of Filing Proposed Order by Luther Barlowe, Maurice Blanchard, Gregory			
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//4/2017		Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D.(minor child by and through his parents and next freinds, Gregory Bourke and Michael Deleon), Dominique James, Randell Johnson, Timothy Love, M.JC., Jimmy Meade, T.JC. (Minor Child through their parents and next friends, Randell Johnson and Paul Campion), Lawrence M Ysunza re 105 Second MOTION for Attorney Fees and Costs (Attachments: # 1 Proposed Order) (Canon, Daniel) (Entered: 08/24/2015)	
09/04/2015	107	AMENDED DOCUMENT by Gregory Bourke. Amendment to <u>105</u> Second MOTION for Attorney Fees <i>and Costs</i> (Attachments: # <u>1</u> Exhibit) by Gregory Bourke. (Canon, Daniel) (Entered: 09/04/2015)	
09/11/2015	108	roposed Agreed Order/Stipulation by Steve Breshear. (Latherow, Leigh) (Entered: 9/11/2015)	
09/14/2015	109	AGREED ORDER FOR EXTENSION OF TIME by Senior Judge Charles R. Simpson, III on 9/14/2015 re: 105 Second MOTION for Attorney Fees <i>and Costs:</i> Responses due by 9/25/2015. cc:counsel (JBM) (Entered: 09/14/2015)	
09/25/2015	110	RESPONSE to Motion re 105 Second MOTION for Attorney Fees and Costs filed by Steve Breshear. Replies due by 10/13/2015. (Attachments: # 1 Exhibit 1 - Billing Records for Preparing Supreme Court Briefs, # 2 Exhibit 2 - Bishop Case, # 3 Exhibit 3 - Billing Records for Supreme Court Arguments, # 4 Exhibit 4 - Billing Records related to impasse, # 5 Proposed Order) (Latherow, Leigh) (Entered: 09/25/2015)	
10/13/2015	111	REPLY to Response to Motion re 105 Second MOTION for Attorney Fees and Costs filed by Luther Barlowe, Maurice Blanchard, Gregory Bourke, Tamera Boyd, Paul Campion, Michael Deleon, Kimberly Franklin, I.D.(minor child by and through his parents and next freinds, Gregory Bourke and Michael Deleon), Dominique James, Randell Johnson, Timothy Love, M.JC., Jimmy Meade, T.JC.(Minor Child through their parents and next friends, Randell Johnson and Paul Campion), Lawrence M Ysunza. (Canon, Daniel) (Entered: 10/13/2015)	
01/13/2016	112	MEMORANDUM OPINION signed by Senior Judge Charles R. Simpson, III on 1/13/2016, re 105 Second MOTION for Attorney Fees and Costs.cc: Counsel (RLK) (Entered: 01/13/2016)	
01/13/2016	113	ORDER signed by Senior Judge Charles R. Simpson, III on 1/13/2016, GRANTING IN PART AND DENYING IN PART 105 Plaintiffs' Second Motion for Attorney Fees. The Court GRANTS the motion for \$1,115,632.96 of requested attorney fees and costs. The Court DENIES the motion for the remainder of Plaintiffs' requested attorney fees and costs. cc: Counsel(RLK) (Entered: 01/13/2016)	
02/10/2016	114	NOTICE <i>OF SATISFACTION OF JUDGMENT</i> by Gregory Bourke, Timothy Love (Landenwich, Laura) (Entered: 02/10/2016)	

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11/04/2017 16:44:33					
PACER Login:	hs0328:2563377:0	Client Code:			
Description:	Docket Report	Search Criteria:	3:13-cv-00750- CRS		
Billable Pages:	21	Cost:	2.10		