

CLOSED

**U.S. District Court  
District of South Carolina (Columbia)  
CIVIL DOCKET FOR CASE #: 3:13-cv-02351-JMC**

Bradacs et al v. Haley et al  
Assigned to: Honorable J Michelle Childs  
related Cases: [3:14-cv-04155-JMC](#)  
[6:14-cv-04246-JMC](#)

Case in other court: USCA, 14-02337  
Cause: 28:1332 Diversity-Injunctive & Declaratory Relief

Date Filed: 08/28/2013  
Date Terminated: 11/18/2014  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Diversity

**Plaintiff**

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**Plaintiff**

**Tracie Goodwin**

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**Laura W Morgan**  
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V.

**Movant**

**Chris Sevier**

*TERMINATED: 10/14/2014*

represented by **Chris Sevier**  
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PRO SE

**Movant**

**Don Boyd**

*TERMINATED: 11/18/2014*

represented by **Don Boyd**  
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PRO SE

V.

**Defendant**

**Nimrata Randhawa Haley**

*in her official capacity as Governor of  
South Carolina*

*TERMINATED: 11/10/2014*

*also known as*

Nikki Haley

*TERMINATED: 11/10/2014*

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**Defendant**

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*In his official capacity as Attorney  
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**Amicus**

**Lawyers' Committee for Children's  
Rights**

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Date Filed	#	Docket Text
08/28/2013	<u>1</u>	VERIFIED COMPLAINT FOR DECLARATORY, INJUNCTIVE, AND OTHER RELIEF against Nimrata Randhawa Haley, Alan M. Wilson ( Filing fee \$ 400 receipt number 0420-4907050.), filed by Tracie Goodwin, Katherine Bradacs. Service due by 12/30/2013 (Attachments: # <u>1</u> Exhibit 1 – Certificate of Marriage)(bshr, ) (Entered: 08/29/2013)
08/28/2013	<u>3</u>	Local Rule 26.01 Answers to Interrogatories by Katherine Bradacs, Tracie Goodwin.(bshr, ) (Entered: 08/29/2013)
08/28/2013	<u>4</u>	Summons Issued as to Alan M. Wilson. (bshr, ) (Entered: 08/29/2013)
08/28/2013	<u>5</u>	Summons Issued as to Nimrata Randhawa Haley. (bshr, ) (Entered: 08/29/2013)
09/06/2013	<u>7</u>	SUMMONS Returned Executed by Tracie Goodwin, Katherine Bradacs. Nimrata Randhawa Haley served on 9/6/2013, answer due 9/27/2013. (Attachment(s): # <u>1</u> Proof of Service) (Warner, Carrie). Modified on 9/10/2013 to add notice of filing and to correct filing date(bshr, ). (Entered: 09/09/2013)
09/09/2013	<u>8</u>	SUMMONS Returned Executed by Tracie Goodwin, Katherine Bradacs. Alan M Wilson served on 9/6/2013, answer due 9/27/2013. (Attachments: # <u>1</u> Certificate of Service)(Warner, Carrie) (Entered: 09/09/2013)
09/10/2013	9	DELETION OF DOCKET ENTRY NUMBER 6. Reason: Proof of Service refiled with Notice of Filing and Affidavit of Server. Corrected Filing Document Number <u>7</u> . Modified filing date to that of original filing: 09/06/2013. Response due date modified to that of original filing: answer due 9/27/2013 (bshr, ) (Entered: 09/10/2013)
09/12/2013	<u>11</u>	MOTION for Extension of Time by Nimrata Randhawa Haley, Alan M Wilson. Response to Motion due by 9/30/2013. No proposed order.(Smith, James) (Entered: 09/12/2013)
09/12/2013	<u>12</u>	Local Rule 26.01 Answers to Interrogatories by Nimrata Randhawa Haley, Alan M Wilson.(Smith, James) (Entered: 09/12/2013)
09/12/2013	<u>14</u>	<b>ORDER granting <u>11</u> Motion for Extension of Time, extending deadline to answer, move, or otherwise respond to the complaint to 11/15/2013 and notifying parties the court will conduct a status conference on 10/08/2013 at 10:00 AM to discuss whether any discovery will be necessary or whether the case can be submitted to the court on stipulated or undisputed facts. Signed by Honorable Joseph F Anderson, Jr on 09/12/2013.</b> (bshr, ) (Entered: 09/12/2013)
09/12/2013	15	NOTICE of Hearing: Status Conference set for 10/8/2013 at 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before the Honorable Joseph F. Anderson Jr. (bshr, ) (Entered: 09/12/2013)
09/23/2013	<u>17</u>	MOTION to Continue ( <i>Postpone</i> ) Hearing by Katherine Bradacs, Tracie Goodwin. Response to Motion due by 10/10/2013. No proposed order.(Nichols, John) (Entered: 09/23/2013)
09/24/2013	18	<b>TEXT ORDER granting <u>17</u> Motion to Continue (<i>Postpone</i>) Hearing. Entered at the direction of the Honorable Joseph F. Anderson, Jr on 09/24/2013.</b> (bshr, ) (Entered: 09/24/2013)
09/24/2013	19	NOTICE of <u>RESCHEDULED</u> Hearing: Status Conference rescheduled to 10/8/2013 at 03:00 PM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F. Anderson Jr. *** <u>Change in time only</u> ***(bshr, ) (Entered: 09/24/2013)
10/03/2013	20	NOTICE of Cancellation of Hearing: Status Conference set on 10/8/2013 at 03:00 PM until further notice. (mflo, ) (Entered: 10/03/2013)
10/03/2013	21	Case Reassigned to Judge Honorable Richard M Gergel. Judge Honorable Joseph F Anderson, Jr no longer assigned to the case. (glev, ) (Entered: 10/03/2013)
10/04/2013	22	Case Reassigned to Judge Honorable Joseph F Anderson, Jr. Judge Honorable Richard M Gergel no longer assigned to the case. (mflo, ) (Entered: 10/04/2013)

10/04/2013	23	NOTICE of Hearing: Status Conference set for 10/8/2013 03:00 PM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (mflo, ) (Entered: 10/04/2013)
10/08/2013	24	<b>Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Status Conference held on 10/8/2013. Counsel informs the court there will be very little discovery needed. Counsel are to submit proposed scheduling order 7 days after defendant files a responsive pleading. Court Reporter Daniel Mayo. (mflo, )</b> (Entered: 10/08/2013)
10/18/2013	26	Case Reassigned to Judge Honorable J Michelle Childs. Judge Honorable Joseph F Anderson, Jr no longer assigned to the case. (glev, ) (Entered: 10/18/2013)
11/11/2013	<u>27</u>	MOTION to Appear Pro Hac Vice by Laura W. Morgan ( Filing fee \$ 250 receipt number 0420-5031051) by Katherine Bradacs, Tracie Goodwin. Response to Motion due by 12/2/2013. (Attachments: # <u>1</u> Supporting Documents, # <u>2</u> Proposed Order)Proposed order is being emailed to chambers with copy to opposing counsel.(Nichols, John) (Entered: 11/11/2013)
11/12/2013	28	<b>TEXT ORDER granting <u>27</u> Motion to Appear Pro Hac Vice. Signed by Honorable J Michelle Childs on 11/12/2013.(asni, )</b> (Entered: 11/12/2013)
11/14/2013	<u>29</u>	ANSWER to <u>1</u> Complaint, by Nimrata Randhawa Haley, Alan M Wilson.(Smith, James) (Entered: 11/14/2013)
11/26/2013	<u>30</u>	NOTICE of Request for Protection from Court Appearance by John Shannon Nichols for 1/15/14, 1/23-24/14 (Nichols, John) (Entered: 11/26/2013)
11/26/2013	<u>31</u>	<b>SCHEDULING ORDER Discovery requests due by 12/6/2013, Responses to discovery due by 1/7/2014, Motions due by 2/3/2014, Responses to motions due three weeks after the dates the respective motions are filed, replies to responses to motions due two weeks after the respective responses are filed. Signed by Honorable J Michelle Childs on 11/26/2013. (asni, )</b> (Entered: 11/26/2013)
01/21/2014	<u>34</u>	Consent MOTION for Extension of Time by Nimrata Randhawa Haley, Alan M Wilson, Tracie Goodwin, Katherine Bradacs. Response to Motion due by 2/7/2014. No proposed order.(Smith, James) (Entered: 01/21/2014)
01/22/2014	35	<b>TEXT ORDER granting <u>34</u> Motion for Extension of Time to file dispositive motions due March 5, 2014. Signed by Honorable J Michelle Childs on 1/22/2014.(asni, )</b> (Entered: 01/22/2014)
01/23/2014	<u>37</u>	First MOTION to Amend <u>1</u> Complaint by Katherine Bradacs, Tracie Goodwin. Response to Motion due by 2/10/2014. (Attachments: # <u>1</u> Exhibit Amended Complaint)No proposed order.(Warner, Carrie). Modified on 1/23/2014 to replace amended complaint with corrected version per the request of the filing user(bshr, ). (Entered: 01/23/2014)
02/10/2014	<u>38</u>	RESPONSE to Motion re <u>37</u> First MOTION to Amend/Correct <u>1</u> Complaint, Response filed by Nimrata Randhawa Haley, Alan M Wilson.Reply to Response to Motion due by 2/21/2014 (Smith, James) (Entered: 02/10/2014)
02/18/2014	39	<b>TEXT ORDER granting <u>37</u> Motion to Amend/Correct Complaint, with Defendant's consent <u>38</u> and ability to file all claims and defenses. Signed by Honorable J Michelle Childs on 2/18/2014.(asni, )</b> (Entered: 02/18/2014)
02/20/2014	<u>40</u>	MOTION for Extension of Time by Nimrata Randhawa Haley, Alan M Wilson. Response to Motion due by 3/10/2014. No proposed order.(Smith, James) (Entered: 02/20/2014)
02/21/2014	<u>41</u>	AMENDED COMPLAINT against Nimrata Randhawa Haley, Alan M Wilson, filed by Tracie Goodwin, Katherine Bradacs. Service due by 6/26/2014 (Attachments: # <u>1</u> Exhibit Marriage Certificate) (Nichols, John) (Entered: 02/21/2014)
02/21/2014	42	<b>TEXT ORDER granting <u>40</u> Motion for Extension of Time. Answer due March 18, 2014, cross-motions due April 11, 2014. Signed by Honorable J Michelle Childs on 2/21/2014.(asni, )</b> (Entered: 02/21/2014)

03/14/2014	<u>45</u>	ANSWER to <u>41</u> Amended Complaint by Nimrata Randhawa Haley, Alan M Wilson.(Smith, James) (Entered: 03/14/2014)
04/03/2014	<u>47</u>	MOTION to Stay <i>and Hold Cross–Motions Deadline in Abeyance</i> by Nimrata Randhawa Haley, Alan M Wilson. Response to Motion due by 4/21/2014. (Attachments: # <u>1</u> Addendum Copy of Bostic v. Rainey decision)No proposed order.(Smith, James) (Entered: 04/03/2014)
04/03/2014	<u>48</u>	MOTION for Extension of Time <i>to file Dispositvie Motions</i> by Nimrata Randhawa Haley, Alan M Wilson, Tracie Goodwin, Katherine Bradacs. Response to Motion due by 4/21/2014. No proposed order.(Smith, James) (Entered: 04/03/2014)
04/04/2014	<u>49</u>	<b>TEXT ORDER granting <u>48</u> Motion for Extension of Time to File Cross–Motions due April 25, 2014. Signed by Honorable J Michelle Childs on 4/4/2014.(asni, )</b> (Entered: 04/04/2014)
04/16/2014	<u>51</u>	MOTION for Extension of Time <i>with consent</i> by Nimrata Randhawa Haley, Alan M Wilson, Katherine Bradacs and Tracie Goodwin. Response to Motion due by 5/5/2014. No proposed order.(Smith, James) Modified on 4/17/2014 to add parties(jada, ). (Entered: 04/16/2014)
04/17/2014	<u>52</u>	<b>TEXT ORDER granting <u>51</u> Motion for Extension of Time Entered by Honorable J Michelle Childs on 4/17/14.(jada, )</b> (Entered: 04/17/2014)
04/22/2014	<u>54</u>	<b>TEXT ORDER: Defendants' Motion to Stay and Hold Cross–Motions Deadline in Abeyance <u>47</u> is granted in part and denied in part. The Motion to Stay is granted since the United States Court of Appeals for the Fourth Circuit will hear arguments in the case of Bostic v. Rainey, 2: 13CV395, 2014 WL 561978 (E.D. Va. Feb. 13, 2014) on May 13, 2014 ( a same–sex marriage case in Virginia). The stay is in effect until the Fourth Circuit issues its final opinion. Additionally, the parties consented to extend the cross motions deadline for dispositive issues until May 2, 2014, with responses to these motions due three weeks after the dates the respective motions are filed, and replies to these motions due two weeks after the respective responses are filed. Therefore, the briefing in this case will not be completed until June 6, 2014, approximately three weeks after the Fourth Circuit hears oral argument in the Bostic v. Rainey case. Based on the parties' consent to extend the cross–motions deadline, Defendants' Motion to Hold Cross–Motions Deadline in Abeyance is denied as moot. Signed by Honorable J Michelle Childs on 4/22/2014.(asni, )</b> (Entered: 04/22/2014)
04/22/2014	<u>55</u>	MOTION to Intervene by Chris Sevier. Response to Motion due by 5/12/2014. (Attachments: # <u>1</u> Memo in Support)No proposed order.(asni, ) (Entered: 04/22/2014)
04/22/2014	<u>56</u>	MOTION to Stay re 54 Order on Motion to Stay,,,, <i>Motion to Include Cross–Motions in Stay</i> by Nimrata Randhawa Haley, Alan M Wilson. Response to Motion due by 5/12/2014. No proposed order.(Smith, James) (Entered: 04/22/2014)
04/23/2014	<u>57</u>	<b>PROPER FORM ORDER Case to be brought into proper form by 5/19/2014. Signed by Honorable J Michelle Childs on 4/22/2014. (asni, )</b> (Entered: 04/23/2014)
04/23/2014	<u>58</u>	***DOCUMENT MAILED <u>57</u> Proper Form Order placed in U.S. Mail to Chris Sevier (asni, ) (Entered: 04/23/2014)
04/23/2014	<u>60</u>	CERTIFICATE OF SERVICE by Nimrata Randhawa Haley, Alan M Wilson re <u>56</u> MOTION to Stay re 54 Order on Motion to Stay,,,, <i>Motion to Include Cross–Motions in Stay</i> (Smith, James) (Entered: 04/23/2014)
04/23/2014	<u>61</u>	<b>TEXT ORDER granting <u>56</u> Motion to Stay the cross–motions deadlines along with the other deadlines in this case. Signed by Honorable J Michelle Childs on 4/23/2014.(asni, )</b> (Entered: 04/23/2014)
04/23/2014	<u>62</u>	***DOCUMENT MAILED 61 Order on Motion to Stay placed in U.S. Mail to Chris Sevier (asni, ) (Entered: 04/23/2014)
05/05/2014	<u>63</u>	Mail Returned as Undeliverable. Addressee: Chris Sevier. Document Returned: <u>57</u> Proper Form Order (asni, ) (Entered: 05/06/2014)
10/07/2014	<u>70</u>	<b>ORDER LIFTING STAY and returning this matter to the active docket. The parties are hereby directed to jointly submit a proposed amended scheduling</b>

		<b>order and/or briefing schedule to the court by Wednesday October 15, 2014. ( Specific Document due by 10/15/2014.) Signed by Honorable J Michelle Childs on 10/7/2014. (asni, ) (Entered: 10/07/2014)</b>
10/14/2014	<u>71</u>	<b>CONSENT SCHEDULING ORDER Motions due by 10/23/2014, Responses to the Motions are due 14 days after the dates the respective motions are filed, Replies to the responses to motions must be filed 7 days after the respective responses are filed. If the Court decides to have a hearing, it will be scheduled no earlier than 14 days after the filing of replies. Signed by Honorable J Michelle Childs on 10/14/2014. (asni, ) (Entered: 10/14/2014)</b>
10/14/2014	73	<b>TEXT ORDER: This matter is before the court pursuant to a motion filed pro se by Movant Chris Sevier ("Movant") to intervene in this matter. (ECF No. 55.) As a result of certain deficiencies in the motion, the court entered a "Proper Form Order" on April 23, 2014, giving Movant until May 19, 2014, to "sign the[] signature page of the Motion, Memorandum and Proposed Intervening Complaint and return to the Clerk[']s Office" and "provide the clerk with his full mailing address to include street number." (ECF No. 57 at 12.) The court also instructed Movant that any failure to comply with the Proper Form Order would "negatively impact[]" the adjudication of his motion. (Id. at 2.) Despite the court's warnings, Movant did not satisfy either of the requirements to bring his motion into proper form. Therefore, as a result of Movant's aforementioned failure to comply with the Proper Form Order and address specific deficiencies in his motion, the court must deny the motion of Chris Sevier to intervene in this matter without prejudice. denying <u>55</u> Motion to Intervene Signed by Honorable J Michelle Childs on 10/14/2014.(asni, ) (Entered: 10/14/2014)</b>
10/14/2014	74	<b>***DOCUMENT MAILED 73 Order on Motion to Intervene placed in U.S. Mail to Chris Sevier (asni, ) (Entered: 10/14/2014)</b>
10/20/2014	<u>75</u>	<b>MOTION for Summary Judgment by Katherine Bradacs, Tracie Goodwin. Response to Motion due by 11/6/2014. (Attachments: # <u>1</u> Memo in Support, # <u>2</u> Exhibit List of Cases, # <u>3</u> Exhibit Statutory Comparison, # <u>4</u> Exhibit Map, # <u>5</u> Affidavit Katherine Bradacs, # <u>6</u> Affidavit Tracie Goodwin, # <u>7</u> Exhibit List of Cases and Decisions Outside District)No proposed order.(Nichols, John) (Entered: 10/20/2014)</b>
10/21/2014	<u>76</u>	<b>MOTION for Leave to File Excess Pages by Nimrata Randhawa Haley, Alan M Wilson. Response to Motion due by 11/7/2014. No proposed order.(Smith, James) (Entered: 10/21/2014)</b>
10/21/2014	77	<b>TEXT ORDER granting <u>76</u> Motion for Leave to File Excess Pages. Signed by Honorable J Michelle Childs on 10/21/2014.(asni, ) (Entered: 10/21/2014)</b>
10/23/2014	<u>78</u>	<b>MOTION for Judgment on the Pleadings by Nimrata Randhawa Haley, Alan M Wilson. Response to Motion due by 11/10/2014. (Attachments: # <u>1</u> Memo in Support, # <u>2</u> Addendum Attachment A – Conde– Vidal v. Garcia – Padilla, # <u>3</u> Addendum Attachment B – 1712 Statute, # <u>4</u> Addendum Attachment C – 1871 Statute)No proposed order.(Smith, James) (Attachment 2 replaced on 10/27/2014) (asni, ). Modified to replace document at the request of the attorney to include complete documents that were inadvertently left out on 10/27/2014 (asni, ). (Entered: 10/23/2014)</b>
10/28/2014	<u>79</u>	<b>RESPONSE in Opposition re <u>75</u> MOTION for Summary Judgment Response filed by Nimrata Randhawa Haley, Alan M Wilson.Reply to Response to Motion due by 11/7/2014 (Smith, James) (Entered: 10/28/2014)</b>
10/31/2014	<u>80</u>	<b>MOTION for Leave to File Excess Pages by Katherine Bradacs, Tracie Goodwin. Response to Motion due by 11/17/2014. No proposed order.(Nichols, John) (Entered: 10/31/2014)</b>
10/31/2014	81	<b>TEXT ORDER granting <u>80</u> Motion for Leave to File Excess Pages. Signed by Honorable J Michelle Childs on 10/31/2014.(asni, ) (Entered: 10/31/2014)</b>
10/31/2014	<u>82</u>	<b>RESPONSE to Motion re <u>78</u> MOTION for Judgment on the Pleadings Response filed by Katherine Bradacs, Tracie Goodwin.Reply to Response to Motion due by 11/10/2014 (Nichols, John) (Entered: 10/31/2014)</b>

11/03/2014	<u>83</u>	PRO SE MOTION to Intervene by Don Boyd. Response to Motion due by 11/20/2014. (Attachments: # <u>1</u> Affidavit of Don Boyd, # <u>2</u> Request for Judicial Notice)No proposed order.(asni, ) (Entered: 11/03/2014)
11/03/2014	<u>84</u>	MOTION for Leave to Proceed in forma pauperis (Restricted Access) by Don Boyd. Response to Motion due by 11/20/2014. No proposed order.(asni, ) (Entered: 11/03/2014)
11/04/2014	<u>85</u>	REPLY to Response to Motion re <u>78</u> MOTION for Judgment on the Pleadings Response filed by Nimrata Randhawa Haley, Alan M Wilson. (Smith, James) (Entered: 11/04/2014)
11/05/2014	<u>86</u>	Amicus Curiae APPEARANCE entered by Bert Glenn Utsey, III on behalf of Lawyers' Committee for Children's Rights. (Attachments: # <u>1</u> Supporting Documents Pawelski et al, The Effects of Marriage..., # <u>2</u> Supporting Documents Perrin et al, Promoting the Well-Being..., # <u>3</u> Supporting Documents Shapiro et al, The Impact of Birth Innovations..., # <u>4</u> Supporting Documents Smith, Equal Protection for Children...)(Utsey, Bert) (Entered: 11/05/2014)
11/10/2014	<u>88</u>	REPLY to Response to Motion re <u>75</u> MOTION for Summary Judgment Response filed by Katherine Bradacs, Tracie Goodwin. (Nichols, John) (Entered: 11/10/2014)
11/10/2014	<u>89</u>	<b>ORDER AND OPINION granting in part and denying in part <u>78</u> Motion for Judgment on the Pleadings. The court DENIES the Motion as to Plaintiffs' Amended Complaint finding that they have stated plausible allegations of constitutional violations in the denial of recognition by the State of South Carolina of Plaintiffs' same-sex marriage. Thus, it would be premature to grant Defendants' Motion based solely on the allegations in the pleadings. The court GRANTS the Motion as to Defendant Nimrata ("Nikki") Randhawa Haley's on Eleventh Amendment immunity grounds and DISMISSES her from this lawsuit. All other aspects of Defendants' Motion are DENIED. Signed by Honorable J Michelle Childs on 11/10/2014.</b> (asni, ) (Entered: 11/10/2014)
11/10/2014	<u>91</u>	MOTION to Stay arguendo this court grants summary judgment to plaintiffs, by Alan M Wilson. Response to Motion due by 12/1/2014. No proposed order.(Smith, James) (Entered: 11/10/2014)
11/12/2014	92	***DOCUMENT MAILED <u>89</u> Order on Motion for Judgment on the Pleadings, placed in U.S. Mail to Don Boyd (asni, ) (Entered: 11/12/2014)
11/12/2014	<u>93</u>	CERTIFICATE OF SERVICE by Katherine Bradacs, Tracie Goodwin re <u>88</u> Reply to Response to Motion <i>on Don Boyd</i> (Attachments: # <u>1</u> Affidavit of Service)(Nichols, John) (Main Document 93 replaced on 11/12/2014) (alew, ). (Attachment 1 replaced on 11/12/2014) (alew, ). Modified on 11/12/2014 to replace with corrected documents provided by filing user (alew, ). (Entered: 11/12/2014)
11/18/2014	<u>95</u>	<b>ORDER AND OPINION denying <u>83</u> Motion to Intervene; finding as moot <u>84</u> Motion for Leave to Proceed in forma pauperis. Signed by Honorable J Michelle Childs on 11/17/2014.</b> (asni, ) (Entered: 11/18/2014)
11/18/2014	96	***DOCUMENT MAILED <u>95</u> Order on Motion to Intervene, Order on Motion for Leave to Proceed in forma pauperis placed in U.S. Mail to Don Boyd (asni, ) (Entered: 11/18/2014)
11/18/2014	<u>97</u>	<b>ORDER AND OPINION granting in part and denying in part <u>75</u> Motion for Summary Judgment. The court GRANTS the Motion for Summary Judgment as to Plaintiffs' claims that South Carolina's denial of legal recognition to the marriages of same-sex couples who were married in other states or jurisdictions violates the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the United States Constitution. The court DENIES the Motion for Summary Judgment as to Plaintiffs' claim asserting that South Carolina's denial of legal recognition to the marriages of same-sex couples who were married in other states or jurisdictions violates the Full Faith and Credit Clause of the United States Constitution. Signed by Honorable J Michelle Childs on 11/18/2014.</b> (asni, ) (Entered: 11/18/2014)
11/18/2014	98	<b>TEXT ORDER: This matter is before the court pursuant to a motion by Defendant Alan M. Wilson ("Defendant"), in his official capacity as Attorney</b>



		<p><b>General, to stay pending appeal the relief granted to Plaintiffs in the order entered by the court on November 17, 2014 (the "November Order"). (ECF No. 91.) In the November Order, the court granted Plaintiffs' motion for summary judgment on their claims that South Carolina's denial of legal recognition to the marriages of same-sex couples who were married in other states or jurisdictions violates the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the United States Constitution. (ECF No. 97.) Defendant now requests that the November Order be "stayed until appellate review is completed at the Court of Appeals or that, alternatively, this Courts [November] order be stayed until such time as the Defendant can obtain a ruling from the Court of Appeals on a motion made in that Court to stay a summary judgment ruling." (ECF No. 91 at 1.) "[A] party seeking a stay must show (1) that he will likely prevail on the merits of the appeal, (2) that he will suffer irreparable injury if the stay is denied, (3) that other parties will not be substantially harmed by the stay, and (4) that the public interest will be served by granting the stay." Long v. Robinson, 432 F.2d 977, 979 (4th Cir. 1970). Upon review, the court is simply not persuaded that Defendant "will likely prevail on the merits of the appeal" or "suffer irreparable harm if the stay is denied." In this regard, Bostic establishes that the failure to recognize same-sex marriages runs contrary to the Fourteenth Amendment and Defendant has not suggested an appropriate reason to ignore this precedential authority. Because Bostic is controlling authority in this circuit, the court does not have any justification to continue the deprivation of Plaintiffs' constitutional rights. Accordingly, the court DENIES both Defendant's motion to stay pending appeal and his request for a temporary stay to allow the Fourth Circuit to consider his position. denying <u>91</u> Motion to Stay. Signed by Honorable J Michelle Childs on 11/18/2014.(asni, ) (Entered: 11/18/2014)</b></p>
11/18/2014	<u>99</u>	SUMMARY JUDGMENT in favor of plaintiffs against defendant. (asni, ) (Entered: 11/18/2014)
12/02/2014	<u>100</u>	MOTION for Extension of Time to <i>File Petition for Attorney's Fees and Costs</i> by Katherine Bradacs, Tracie Goodwin. Response to Motion due by 12/19/2014. Proposed order is being emailed to chambers with copy to opposing counsel.(Nichols, John) (Main Document 100 replaced on 12/2/2014) (asni, ). Modified to replace document at the request of the attorneys on 12/2/2014 (asni, ). (Entered: 12/02/2014)
12/02/2014	<u>101</u>	<b>ORDER granting <u>100</u> MOTION for Extension of Time to File Petition for Attorney's Fees and Costs filed by Katherine Bradacs, Tracie Goodwin (Motion due by 12/16/2014, Response to Motion due by 1/13/2015.) Signed by Honorable J Michelle Childs on 12/2/2014. (asni, ) (Entered: 12/02/2014)</b>
12/05/2014	<u>102</u>	NOTICE OF APPEAL as to <u>97</u> Order on Motion for Summary Judgment,,, <u>89</u> Order on Motion for Judgment on the Pleadings,,, <u>99</u> Summary Judgment by Alan M Wilson. – Filing fee \$ 505, receipt number 0420–5679535. The Docketing Statement form, Transcript Order form and CJA 24 form may be obtained from the Fourth Circuit website at www.ca4.uscourts.gov (Smith, James) (Entered: 12/05/2014)
12/08/2014	<u>103</u>	Transmittal Sheet for Notice of Appeal to USCA re <u>102</u> Notice of Appeal, The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. (asni, ) (Entered: 12/08/2014)
12/15/2014	<u>105</u>	ORDER of USCA as to <u>102</u> Notice of Appeal, filed by Alan M Wilson. The court consolidates Case No. 14–2241(L)(2):14–cv–4010–RMG) and Case No. 14–2337. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case. In light of the order entered this day in case No. 14–2241, both cases are now in abeyance. All briefing schedules are rescinded. (sshe, ) (Entered: 12/16/2014)
12/16/2014	<u>106</u>	MOTION to Stay or Continue Atty's Fee Deadlines by Alan M Wilson. Response to Motion due by 1/5/2015. No proposed order.(Smith, James) (Entered: 12/16/2014)
12/17/2014	108	<b>TEXT ORDER granting <u>106</u> Motion to Stay Attorney's fee and responsive memoranda in this case and proceedings related thereto until the Court of Appeals makes a final decision regarding the appeal in this case. Signed by Honorable J Michelle Childs on 12/17/2014.(asni, ) (Entered: 12/17/2014)</b>

07/20/2015	<u>110</u>	USCA MANDATE and ORDER voluntarily dismissing the case pursuant to Rule 42(b) of the FRAP as to <u>102</u> Notice of Appeal, filed by Alan M Wilson (Attachments: # <u>1</u> Order)(asni, ) Modified to correct filing date on 7/21/2015 (asni, ). (Entered: 07/21/2015)
07/21/2015	111	<b>TEXT ORDER: This matter is before the court to address the posture of the case regarding attorney's fees. Previously, on December 17, 2014, the court granted Defendant's Motion to Stay Attorney's Fee Deadlines until the Fourth Circuit Court of Appeals "makes a final decision regarding the appeal in this case." (ECF No. 106 at 2.) On July 20, 2015, the Fourth Circuit granted a motion to dismiss the appeal pursuant to Fed. R. App. P. 42(b). (ECF No. 110.) As a result, the court sua sponte lifts the aforementioned stay and hereby pursuant to Fed. R. Civ. P. 54(d) directs Plaintiffs to file their Motion for Attorney's Fees on or by Tuesday, August 4, 2015. Signed by Honorable J Michelle Childs on 7/21/2015. (asni, ) (Entered: 07/21/2015)</b>
08/04/2015	<u>113</u>	MOTION for Attorney Fees <i>and Costs and Memo in Support</i> by Katherine Bradacs, Tracie Goodwin. Response to Motion due by 8/21/2015. (Attachments: # <u>1</u> Affidavit with Supporting Documents for John Nichols, # <u>2</u> Affidavit with Supporting Documents for Carrie Warner, # <u>3</u> Affidavit with Supporting Documents for Laura Morgan)No proposed order.(Nichols, John) (Entered: 08/04/2015)
08/18/2015	<u>115</u>	MOTION for Extension of Time to File Response/Reply as to <u>113</u> MOTION for Attorney Fees <i>and Costs and Memo in Support</i> by Alan M Wilson. Response to Motion due by 9/4/2015. No proposed order.(Smith, James) (Entered: 08/18/2015)
08/18/2015	116	<b>TEXT ORDER granting <u>115</u> Motion for Extension of Time to File Response/Reply re <u>113</u> MOTION for Attorney Fees and Costs. Response to Motion due by 9/4/2015. Signed by Honorable J Michelle Childs on 8/18/2015.(asni, ) (Entered: 08/18/2015)</b>
09/01/2015	<u>117</u>	MOTION for Attorney Fees <i>Motion to Resolve Attorney's Fees and Costs</i> by Alan M Wilson. Response to Motion due by 9/18/2015. Proposed order is being emailed to chambers with copy to opposing counsel.(Smith, James) (Entered: 09/01/2015)
09/03/2015	<u>118</u>	<b>ORDER AND OPINION denying as moot <u>113</u> Motion for Attorney Fees; granting <u>117</u> Motion for Attorney Fees. Signed by Honorable J Michelle Childs on 9/3/2015.(asni, ) (Entered: 09/03/2015)</b>
09/24/2015	<u>120</u>	SATISFACTION OF JUDGMENT re <u>118</u> Order on Motion for Attorney Fees, by Alan M Wilson. (Attachments: # <u>1</u> Addendum Satisfaction of Judgment)(Smith, James) (Entered: 09/24/2015)