

**U.S. District Court
District of South Dakota (Southern Division)
CIVIL DOCKET FOR CASE #: 4:14-cv-04081-KES**

Rosenbrahn et al v. Daugaard et al
Assigned to: U.S. District Judge Karen E. Schreier
Case in other court: 8th Circuit, 15-01186
Cause: 42:1983 Civil Rights Act – Civil Action for Deprivation
of Rights

Date Filed: 05/22/2014
Date Terminated: 01/12/2015
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Jennie Rosenbrahn

represented by **Debra M. Voigt**
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Plaintiff

Nancy Rosenbrahn

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Jeremy Coller

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Lynn Serling–Swank

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Plaintiff

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Plaintiff

Mark Church

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V.

Defendant

Dennis Daugaard
in his official capacity as Governor

represented by **Ellie J. Bailey**
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Defendant

Marty Jackley
*in his official capacity as Attorney
General*

represented by **Ellie J. Bailey**
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Jeffrey P. Hallem
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Roxanne Giedd
(See above for address)
TERMINATED: 08/11/2015
LEAD ATTORNEY

Timothy M. Engel
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LEAD ATTORNEY
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Defendant

Doneen Hollingsworth
*in her official capacity as Secretary of
Health*
TERMINATED: 09/02/2015

represented by **Ellie J. Bailey**
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TERMINATED: 08/11/2015
LEAD ATTORNEY

Defendant

Trevor Jones
*in his official capacity as Secretary of
Public Safety*

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Defendant

Donna Mayer
in her official capacity as Pennington
County Register of Deeds
TERMINATED: 06/16/2014

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Defendant

Carol Sherman
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Register of Deeds

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Defendant

Kimberley Malsam-Rysdon
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Health

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| Date Filed | # | Docket Text |
|------------|-----------|---|
| 05/22/2014 | <u>1</u> | COMPLAINT FOR PERMANENT INJUNCTION AND DECLARATORY RELIEF filed by Monica Serling-Swank, Greg Kniffen, Clay Schweitzer, Barbara Wright, Jennie Rosenbrahn, Mark Church, Krystal Cosby, Nancy Rosenbrahn, Lynn Serling-Swank, Kaitlynn Hoerner, Ashley Wright, Jeremy Collier. (DJP) (Entered: 05/22/2014) |
| 05/22/2014 | <u>2</u> | CIVIL COVER SHEET. (DJP) (Entered: 05/22/2014) |
| 05/22/2014 | <u>3</u> | Filing fee received: Fee Amount: \$500.00 (\$400 for filing fee, \$100 for PHV fee) Receipt No.: #32929. (DJP) (Entered: 05/22/2014) |
| 05/22/2014 | <u>4</u> | Summons Issued as to All Defendants (handed one true copy of each to Attorney Voigt) (DJP) (Entered: 05/22/2014) |
| 05/22/2014 | <u>5</u> | MOTION for Attorney Joshua A. Newville to be Admitted Pro Hac Vice by All Plaintiffs. (DJP) (Entered: 05/22/2014) |
| 05/27/2014 | <u>6</u> | ORDER granting <u>5</u> Motion for Admission Pro Hac Vice of Attorney Joshua A. Newville for Mark Church, Jeremy Collier, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. Signed by U.S. District Judge Karen E. Schreier on 5/27/14. (SLW) (Entered: 05/27/2014) |
| 06/10/2014 | <u>7</u> | NOTICE of Appearance by Justin Lee Bell on behalf of Donna Mayer, Carol Sherman. (Bell, Justin) (Entered: 06/10/2014) |
| 06/16/2014 | <u>8</u> | NOTICE of dismissal of party Donna Mayer by Mark Church, Jeremy Collier, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright . (Voigt, Debra) Modified to add text on 6/17/2014 (JLS). (Entered: 06/16/2014) |
| 06/17/2014 | <u>9</u> | (FILED IN ERROR) MOTION to Dismiss <i>Under Fed. R. Civ. P. 12(b)(6)</i> by Doneen Hollingsworth, Marty Jackley, Trevor Jones, Carol Sherman. (Giedd, Roxanne) Modified to add text on 6/18/2014 (JLS). (Entered: 06/17/2014) |
| 06/17/2014 | | NOTICE of Filing Error: <u>9</u> Motion to Dismiss was filed in error and should be disregarded. (Giedd, Roxanne) (Entered: 06/17/2014) |
| 06/17/2014 | <u>10</u> | MOTION to Dismiss <i>Under Fed. R. Civ. P. 12(b)(6)</i> by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones, Carol Sherman. (Giedd, Roxanne) (Entered: 06/17/2014) |
| 06/17/2014 | <u>11</u> | MEMORANDUM in Support re <u>10</u> MOTION to Dismiss <i>Under Fed. R. Civ. P. 12(b)(6)</i> filed by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones, Carol Sherman. (Giedd, Roxanne) (Entered: 06/17/2014) |
| 06/18/2014 | <u>12</u> | Amicus Curiae Supporting Gay Marriage in South Dakota by Amicus Larry Pressler. (SLW) (Entered: 06/18/2014) |
| 06/27/2014 | <u>13</u> | AMICUS BRIEF by Amicus Walter D. Geiszler. (SLW) (Entered: 06/27/2014) |
| 06/27/2014 | <u>14</u> | AMICUS BRIEF by Amicus Darren Matthes. (JLS) (Entered: 06/27/2014) |
| 07/02/2014 | <u>15</u> | MOTION for Leave to File Excess Pages <i>To Extend Word Count</i> by Jennie Rosenbrahn. (Voigt, Debra) (Entered: 07/02/2014) |

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| 07/02/2014 | <u>16</u> | MEMORANDUM in Support re <u>15</u> MOTION for Leave to File Excess Pages <i>To Extend Word Count</i> filed by All Plaintiffs. (Voigt, Debra) (Entered: 07/02/2014) |
| 07/02/2014 | 17 | TEXT ORDER granting <u>15</u> Motion for Leave to File Excess Pages. Signed by U.S. District Judge Karen E. Schreier on 07/02/2014. (KC) (Entered: 07/02/2014) |
| 07/03/2014 | <u>18</u> | MOTION for Attorney Shannon P. Minter to be Admitted Pro Hac Vice (paid \$100 PHV fee; receipt number 0869-1823322), by Mark Church, Jeremy Collier, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Voigt, Debra) Modified text on 7/7/2014 (JLS). (Entered: 07/03/2014) |
| 07/03/2014 | <u>19</u> | MOTION for Attorney Christopher Stoll to be Admitted Pro Hac Vice (paid \$100 PHV fee; receipt number 0869-1823323) by Mark Church, Jeremy Collier, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Voigt, Debra) (Entered: 07/03/2014) |
| 07/03/2014 | <u>20</u> | MOTION for Summary Judgment by Mark Church, Jeremy Collier, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Voigt, Debra) (Entered: 07/03/2014) |
| 07/03/2014 | <u>21</u> | AFFIDAVIT in Support re <u>20</u> MOTION for Summary Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit - House State Affairs Committee Monitor Report Form - dated 1/24/96, # <u>2</u> Exhibit - 2006 Ballot Question Pamphlet, # <u>3</u> Exhibit - Declaration of Jennie Rosenbrahn, # <u>4</u> Exhibit - Declaration of Nancy Rosenbrahn, # <u>5</u> Exhibit - Supplemental Application for Name Change, # <u>6</u> Exhibit - Declaration of Jeremy Collier, # <u>7</u> Exhibit - Declaration of Clay Schweitzer, # <u>8</u> Exhibit - Declaration of Lynn Serling-Swank, # <u>9</u> Exhibit - Declaration of Monica Serling-Swank, # <u>10</u> Exhibit - Declaration of Krystal Cosby, # <u>11</u> Exhibit - Declaration of Kaitlynn Hoerner, # <u>12</u> Exhibit - Declaration of Barbara Wright, # <u>13</u> Exhibit - Declaration of Ashley Wright, # <u>14</u> Exhibit - Declaration of Greg Kniffen, # <u>15</u> Exhibit - Declaration of Mark Church)(Voigt, Debra) Modified to add exhibit description on 7/8/2014 (JLS). (Entered: 07/03/2014) |
| 07/03/2014 | <u>22</u> | (FILED IN ERROR) STATEMENT OF <i>Undisputed</i> MATERIAL FACTS re <u>20</u> Motion for Summary Judgment, by Plaintiffs Monica Serling-Swank, Greg Kniffen, Clay Schweitzer, Barbara Wright, Jennie Rosenbrahn, Mark Church, Krystal Cosby, Nancy Rosenbrahn, Lynn Serling-Swank, Kaitlynn Hoerner, Ashley Wright, Jeremy Collier filed by All Plaintiffs. (Voigt, Debra) Modified to update text on 7/10/2014 (JLS). (Entered: 07/03/2014) |
| 07/03/2014 | <u>23</u> | MEMORANDUM in Support re <u>20</u> MOTION for Summary Judgment filed by All Plaintiffs. (Voigt, Debra) (Entered: 07/03/2014) |
| 07/03/2014 | <u>24</u> | MEMORANDUM in Opposition re <u>10</u> MOTION to Dismiss <i>Under Fed. R. Civ. P. 12(b)(6)</i> filed by All Plaintiffs. (Voigt, Debra) (Entered: 07/03/2014) |
| 07/07/2014 | <u>25</u> | REQUEST for Hearing on Motion by Plaintiffs Mark Church, Jeremy Collier, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright re <u>20</u> MOTION for Summary Judgment . (Voigt, Debra) (Entered: 07/07/2014) |
| 07/07/2014 | <u>26</u> | ORDER granting <u>18</u> Motion for Admission Pro Hac Vice of Shannon P. Minter; granting <u>19</u> Motion for Admission Pro Hac Vice of Christopher F. Stoll. Signed by U.S. District Judge Karen E. Schreier on 7/7/2014. (KC) (Entered: 07/07/2014) |
| 07/08/2014 | <u>27</u> | STATEMENT OF <i>Undisputed</i> MATERIAL FACTS re <u>20</u> Motion for Summary Judgment, by Plaintiffs Monica Serling-Swank, Greg Kniffen, Clay Schweitzer, Barbara Wright, Jennie Rosenbrahn, Mark Church, Krystal Cosby, Nancy Rosenbrahn, Lynn Serling-Swank, Kaitlynn Hoerner, Ashley Wright, Jeremy Collier filed by All Plaintiffs. (Voigt, Debra) (Entered: 07/08/2014) |
| 07/09/2014 | | NOTICE of Filing Error: <u>22</u> Statement of Material Facts, was filed in error and should be disregarded. (Voigt, Debra) (Entered: 07/09/2014) |

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| 07/14/2014 | <u>28</u> | MOTION to Extend Deadlines <i>and Motion to Defer Response to Plaintiff's Motion for Summary Judgment</i> by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Attachments: # <u>1</u> Affidavit of Giedd)(Giedd, Roxanne) (Entered: 07/14/2014) |
| 07/14/2014 | <u>29</u> | REPLY to <u>23</u> Memorandum in Support of Motion filed by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Giedd, Roxanne) (Entered: 07/14/2014) |
| 07/15/2014 | <u>30</u> | MEMORANDUM in Opposition re <u>28</u> MOTION to Extend Deadlines <i>and Motion to Defer Response to Plaintiff's Motion for Summary Judgment</i> filed by All Plaintiffs. (Voigt, Debra) (Entered: 07/15/2014) |
| 07/24/2014 | 31 | ORDER granting <u>28</u> Defendants' Motion to Extend Deadline to respond to plaintiffs' motion for summary judgment until 10 days after the court has ruled on the motion to dismiss for good cause shown. Signed by U.S. District Judge Karen E. Schreier on July 24, 2014. (Schreier, Karen) (Entered: 07/24/2014) |
| 10/08/2014 | <u>32</u> | ORDER Setting Hearing on Motion <u>10</u> . MOTION to Dismiss <i>Under Fed. R. Civ. P. 12(b)(6)</i> . Motion Hearing set for 10/17/2014 at 09:00 AM in Sioux Falls Courtroom 2* before U.S. District Judge Karen E. Schreier. Signed by U.S. District Judge Karen E. Schreier on 10/8/2014. (KC) (Entered: 10/08/2014) |
| 10/17/2014 | <u>33</u> | Motion Hearing held on 10/17/2014 re <u>10</u> MOTION to Dismiss <i>Under Fed. R. Civ. P. 12(b)(6)</i> filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth before U.S. District Judge Karen E. Schreier (Court Reporter Jill Connelly) (DJP) (Entered: 10/17/2014) |
| 10/24/2014 | <u>34</u> | SUPPLEMENT by Defendants Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones re <u>10</u> MOTION to Dismiss <i>Under Fed. R. Civ. P. 12(b)(6)</i> . (Attachments: # <u>1</u> Exhibit Exhibit A – Decision and Order Ada Conde–Vidal et al v Alejandro Garcia–Padilla)(Giedd, Roxanne) (Entered: 10/24/2014) |
| 10/27/2014 | <u>35</u> | JOINDER by Defendant Carol Sherman re <u>34</u> Supplement, . (Bell, Justin) (Entered: 10/27/2014) |
| 11/07/2014 | <u>36</u> | SUPPLEMENT by Defendants Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones <i>of Later Case Authority in Support of Defendants' Motion to Dismiss (Doc. 10)</i> . (Attachments: # <u>1</u> Exhibit A – Opinion and Order in DeBoer v Snyder)(Giedd, Roxanne) (Entered: 11/07/2014) |
| 11/07/2014 | <u>37</u> | JOINDER by Defendant Carol Sherman re <u>36</u> Supplement, . (Bell, Justin) (Entered: 11/07/2014) |
| 11/14/2014 | <u>38</u> | ORDER granting in part and denying in part <u>10</u> Motion to Dismiss. Signed by U.S. District Judge Karen E. Schreier on 11/14/2014. (KC) (Entered: 11/14/2014) |
| 11/17/2014 | <u>39</u> | UNOPPOSED MOTION for Leave to Exceed Page Limitation by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones, Carol Sherman. (Giedd, Roxanne) Modified by editing docket text on 11/17/2014 (DLC). (Entered: 11/17/2014) |
| 11/17/2014 | 40 | ORDER granting <u>39</u> Motion for Leave to exceed page limitation. Signed by U.S. District Judge Karen E. Schreier on 11/17/2014. (KC) (Entered: 11/17/2014) |
| 11/25/2014 | <u>41</u> | RESPONSE to Motion re <u>20</u> MOTION for Summary Judgment filed by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Giedd, Roxanne) (Entered: 11/25/2014) |
| 11/25/2014 | <u>42</u> | <i>DEFENDANTS' ANSWER to 1</i> Complaint, by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Giedd, Roxanne) (Entered: 11/25/2014) |
| 11/25/2014 | <u>43</u> | MOTION for Summary Judgment by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Giedd, Roxanne) (Entered: 11/25/2014) |
| 11/25/2014 | <u>44</u> | MEMORANDUM in Support re <u>43</u> MOTION for Summary Judgment filed by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Giedd, Roxanne) (Entered: 11/25/2014) |

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| 11/25/2014 | <u>45</u> | STATEMENT OF MATERIAL FACTS by Defendants Marty Jackley, Dennis Daugaard, Doneen Hollingsworth, Trevor Jones filed by Marty Jackley, Dennis Daugaard, Doneen Hollingsworth, Trevor Jones. (Attachments: # <u>1</u> Attachment A – Affidavit of Chris A. Nelson)(Giedd, Roxanne) (Entered: 11/25/2014) |
| 11/25/2014 | <u>46</u> | MOTION FOR JUDICIAL NOTICE by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Attachments: # <u>1</u> Attachment 1 – 1862 Laws of Dakota Territory Act Regulating Marriage ch 59, # <u>2</u> Attachment 2 – 1883 Laws of Dakota Territory Husband and Wife – When May Sell and Encumber Property, Ch. 68, # <u>3</u> Attachment 3 – 1890 SD Session Laws, Ch 105, incorporating territorial laws, # <u>4</u> Attachment 4 – 1890 SD Session Laws ch 109, # <u>5</u> Attachment 5 – SD 1903 Revised Code, Civil Code, Part 3, # <u>6</u> Attachment 6 (Part 1) – SD 1919 Code Personal Relations, # <u>7</u> Attachment 6 (Part 2) – SD 1919 Code Personal Relations, # <u>8</u> Attachment 8 – 1961 SD Session Law ch 52, # <u>9</u> Attachment 9 – 1975 SD Session Laws Ch 178, # <u>10</u> Attachment 9 – 1975 SD Session Laws, ch 178, # <u>11</u> Attachment 10 – 1993 SD Session Laws ch 191, # <u>12</u> Attachment 11 – 1996 SD Session laws, ch 161, # <u>13</u> Attachment 12 – SD Session Laws 2000, ch. 115, # <u>14</u> Attachment 13 – Table of State Marriage Definitions)(Giedd, Roxanne) (Entered: 11/25/2014) |
| 12/01/2014 | <u>47</u> | REPLY to Motion Response re <u>20</u> MOTION for Summary Judgment <i>and Response to 43 Defendants' Motion for Summary Judgment</i> filed by All Plaintiffs. (Voigt, Debra) Modified by creating link to Doc. 43 on 12/2/2014 (DLC). (Entered: 12/01/2014) |
| 12/02/2014 | <u>48</u> | RESPONSE to Motion re <u>46</u> MOTION FOR JUDICIAL NOTICE and Notice of Non-Opposition filed by All Plaintiffs. (Voigt, Debra) (Entered: 12/02/2014) |
| 12/08/2014 | <u>49</u> | REPLY to <u>47</u> Reply to Motion Response filed by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Giedd, Roxanne) (Entered: 12/08/2014) |
| 01/12/2015 | <u>50</u> | ORDER granting <u>20</u> Motion for Summary Judgment; denying <u>43</u> Motion for Summary Judgment; granting <u>46</u> Motion for judicial notice. Signed by U.S. District Judge Karen E. Schreier on 1/12/2015. (KC) (Entered: 01/12/2015) |
| 01/12/2015 | <u>51</u> | JUDGMENT in favor of Ashley Wright, Barbara Wright, Clay Schweitzer, Greg Kniffen, Jennie Rosenbrahn, Jeremy Coller, Kaitlynn Hoerner, Krystal Cosby, Lynn Serling-Swank, Mark Church, Monica Serling-Swank, Nancy Rosenbrahn against Carol Sherman, Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. Signed by U.S. District Judge Karen E. Schreier on 1/12/2015. (KC) (Entered: 01/12/2015) |
| 01/13/2015 | <u>52</u> | NOTICE of Appearance by Ellie J. Bailey on behalf of Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones. (Bailey, Ellie) (Entered: 01/13/2015) |
| 01/26/2015 | <u>53</u> | Joint MOTION to Extend Deadlines <i>To Petition For Attorneys' Fees and Costs</i> by Mark Church, Jeremy Coller, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Voigt, Debra) Modified by editing docket text on 1/26/2015 (DLC). (Entered: 01/26/2015) |
| 01/26/2015 | <u>54</u> | TEXT ORDER granting <u>53</u> Motion to Extend Deadlines for any request for costs or fees. Signed by U.S. District Judge Karen E. Schreier on 1/26/2015. (KC) (Entered: 01/26/2015) |
| 01/26/2015 | <u>56</u> | NOTICE OF APPEAL as to <u>50</u> Order on Motion for Summary Judgment,, Order on Motion for Miscellaneous Relief, <u>51</u> Judgment, by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones, Carol Sherman. (SAT) (Entered: 01/27/2015) |
| 01/26/2015 | <u>58</u> | Filing fee received: Fee Amount: \$505.00, Receipt No.: #SDX300002337. (SAT) (Entered: 01/27/2015) |
| 01/27/2015 | <u>55</u> | NOTICE of Appearance by Kylie M. Riggins on behalf of All Plaintiffs. (Riggins, Kylie) (Entered: 01/27/2015) |
| 01/27/2015 | <u>57</u> | TRANSMITTAL of Notice of Appeal to 8th Circuit Court of Appeals re <u>56</u> Notice of Appeal (SAT) (Entered: 01/27/2015) |

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| 01/28/2015 | <u>59</u> | USCA Case Number and Appeal Briefing Schedule Order for <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth. USCA Case Number: 15-1186. (TAL) (Entered: 01/29/2015) |
| 02/03/2015 | <u>60</u> | ORDER of USCA granting parties' joint motion to expedite appeal as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (TAL) (Entered: 02/03/2015) |
| 02/04/2015 | <u>61</u> | TRANSCRIPT of Proceedings re <u>33</u> Motion Hearing, held on 10-17-2014 before Judge Karen E. Schreier. Court Reporter/Transcriber: Jill Connelly, Telephone number 605-330-6669. Transcript may be viewed at the Clerk's Office 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 3/2/2015. Redacted Transcript Deadline set for 3/12/2015. Release of Transcript Restriction set for 5/8/2015. (JC) (Entered: 02/04/2015) |
| 02/04/2015 | <u>62</u> | NOTICE of Filing of Official Transcript re: <u>33</u> Motion Hearing,. Notice mailed to non-ecf counsel. (JC) (Entered: 02/04/2015) |
| 02/05/2015 | <u>63</u> | Letter from Clerk's office to COA enclosing Doc. 61 (Transcript of Motions Hearing held 10-17-14) (DJP) (Entered: 02/05/2015) |
| 02/10/2015 | <u>64</u> | FILED IN ERROR Emergency MOTION to Vacate <i>Stay on Judgment</i> by Mark Church, Jeremy Coller, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Voigt, Debra) Modified by editing docket text on 2/11/2015 (DLC). (Entered: 02/10/2015) |
| 02/10/2015 | | NOTICE of Filing Error: <u>64</u> Motion to Vacate, was filed in error and should be disregarded. (Voigt, Debra) (Entered: 02/10/2015) |
| 02/10/2015 | <u>65</u> | Emergency MOTION to Vacate <i>Stay on Judgment</i> by Mark Church, Jeremy Coller, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Voigt, Debra) (Entered: 02/10/2015) |
| 02/12/2015 | <u>66</u> | MOTION to Expedite <i>Response Deadline on Plaintiffs' Emergency Motion to Vacate Stay of Judgment</i> by Mark Church, Jeremy Coller, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Riggins, Kylie) (Entered: 02/12/2015) |
| 02/13/2015 | <u>67</u> | RESPONSE to Motion re <u>65</u> Emergency MOTION to Vacate <i>Stay on Judgment</i> filed by Dennis Daugaard, Doneen Hollingsworth, Marty Jackley, Trevor Jones, Carol Sherman. (Attachments: # <u>1</u> Exhibit A - US 8th Cir Court of Appeals - Case Nos. 14-13779 and 14-3780 Lawson, et al. v. Kelly, et al. - Order denying Appelles' Motion to Vacate Stay and granting Motion to Expedite appeal dated 01/22/15, # <u>2</u> Exhibit B - 8th Cir Court of Appeals - Case No. 15-1186 - Rosenbrahn, et al. v. Daugaard, et al. - Case No. 15-1186 - Order granting parties' joint motion to expedite appeal and notice of oral agrument dated this 02/03/15)(Hallem, Jeffrey) (Entered: 02/13/2015) |
| 03/02/2015 | <u>68</u> | ORDER denying <u>65</u> Motion to Vacate ; denying as moot <u>66</u> Motion to Expedite. Signed by U.S. District Judge Karen E. Schreier on 3/2/2015. (KC) (Entered: 03/02/2015) |
| 03/02/2015 | | TRANSMITTAL of Subsequent Filing to 8th Circuit Court of Appeals re <u>68</u> Order on Motion to Vacate, Order on Motion to Expedite (DLC) (Entered: 03/02/2015) |
| 03/11/2015 | <u>69</u> | ORDER of USCA as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (SAT) (Entered: 03/12/2015) |
| 03/11/2015 | <u>70</u> | ORDER of USCA as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (SAT) (Entered: 03/12/2015) |
| 04/29/2015 | <u>71</u> | ORDER of USCA deferring consideration of case pending Supreme Court ruling in Nos. 14-556, 15-562, 14-571 & 14-574 as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (TAL) (Entered: 04/30/2015) |

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| 08/11/2015 | <u>72</u> | MOTION to Vacate <i>Stay of Judgment</i> by Jennie Rosenbrahn. (Riggins, Kylie) (Entered: 08/11/2015) |
| 08/11/2015 | <u>73</u> | Per Curiam OPINION of USCA as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (TAL) (Entered: 08/11/2015) |
| 08/11/2015 | <u>74</u> | JUDGMENT of USCA affirming the District Court judgment as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (TAL) (Entered: 08/11/2015) |
| 09/01/2015 | <u>75</u> | Joint MOTION to Extend Deadlines to <i>Petition for Attorneys' Fees and Costs</i> by Mark Church, Jeremy Collier, Krystal Cosby, Walter D. Geiszler, Kaitlynn Hoerner, Greg Kniffen, Darren Matthes, Larry Pressler, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Voigt, Debra) (Entered: 09/01/2015) |
| 09/02/2015 | 76 | ORDER granting <u>75</u> Motion to Extend Deadlines to petition for attorneys' fees and costs for good cause shown and agreement of the parties. Notwithstanding any other provision of law, including without limitation Fed. R. Civ. P. 54 and Local Rule 54.1, the deadline for any requests concerning attorneys fees or costs is extended until 11:59 PM on October 1, 2015. Signed by U.S. District Judge Karen E. Schreier on September 2, 2015. (Schreier, Karen) (Entered: 09/02/2015) |
| 09/02/2015 | <u>77</u> | NOTICE of Appearance by Timothy M. Engel on behalf of Dennis Daugaard, Marty Jackley, Trevor Jones, Kimberley Malsam-Rysdon. (Engel, Timothy) (Entered: 09/02/2015) |
| 09/09/2015 | <u>78</u> | MANDATE from 8th Circuit COA affirming the decision of the District Court as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (TAL) (Entered: 09/09/2015) |
| 09/09/2015 | 79 | ORDER granting <u>72</u> Motion to Vacate Stay in light of receipt of the Mandate from the Eighth Circuit Court of Appeals. Signed by U.S. District Judge Karen E. Schreier on September 9, 2015. (Schreier, Karen) (Entered: 09/09/2015) |
| 09/25/2015 | <u>80</u> | Joint MOTION for Attorney Fees <i>and Costs</i> by Mark Church, Jeremy Collier, Krystal Cosby, Kaitlynn Hoerner, Greg Kniffen, Jennie Rosenbrahn, Nancy Rosenbrahn, Clay Schweitzer, Lynn Serling-Swank, Monica Serling-Swank, Ashley Wright, Barbara Wright. (Attachments: # <u>1</u> Text of Proposed Order Ex A: Proposed Order)(Voigt, Debra) (Entered: 09/25/2015) |
| 09/28/2015 | <u>81</u> | ORDER granting <u>80</u> Motion for Attorney Fees. Signed by U.S. District Judge Karen E. Schreier on 9/28/15. (DJP) (Entered: 09/28/2015) |
| 09/30/2015 | <u>82</u> | ORDER of USCA Awarding Appellate Attorney's Fees and Costs as to <u>56</u> Notice of Appeal filed by Trevor Jones, Dennis Daugaard, Carol Sherman, Marty Jackley, Doneen Hollingsworth (TAL) (Entered: 10/01/2015) |
| 10/13/2015 | <u>83</u> | SATISFACTION OF JUDGMENT re <u>81</u> Order on Motion for Attorney Fees by Dennis Daugaard, Marty Jackley, Trevor Jones, Kimberley Malsam-Rysdon (Engel, Timothy) (Entered: 10/13/2015) |