

**US District Court Electronic Case Filing System  
District of Utah (Central)  
CIVIL DOCKET FOR CASE #: 2:14-cv-00055-DAK**

Evans et al v. State of Utah et al  
Assigned to: Judge Dale A. Kimball  
Case in other court: Tenth, 14-04060  
3rd District, SL County, 140400673  
Cause: 28:1441 Notice of Removal- Civil Rights Act

Date Filed: 01/28/2014  
Date Terminated: 11/24/2014  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Jonell Evans**

represented by **Erik Strindberg**  
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**Plaintiff**

**Stacia Ireland**

represented by **Erik Strindberg**  
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*LEAD ATTORNEY*  
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**Leah M. Farrell**  
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**Rachel E. Otto**  
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**Plaintiff**

**Marina Gomberg**

represented by **Erik Strindberg**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Elenor Heyborne**

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**Rachel E. Otto**  
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**Plaintiff**

**Matthew Barraza**

represented by **Erik Strindberg**  
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**Rachel E. Otto**  
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**Plaintiff**

**Tony Milner**

represented by **Erik Strindberg**  
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**Plaintiff**

**Donald Johnson**

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**Plaintiff**

**Carl Fritz Schultz**

represented by **Erik Strindberg**  
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**Rachel E. Otto**  
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V.

**Defendant**

**State of Utah**

represented by **Joni J. Jones**  
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**Defendant**

**Gary Herbert**  
*Governor, in his official capacity*

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kyle J. Kaiser**  
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*ATTORNEY TO BE NOTICED*

**Parker Douglas**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Sean Reyes**  
*Attorney, in his official capacity*

represented by **Joni J. Jones**  
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| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 01/28/2014 | <u>1</u> | NOTICE OF REMOVAL from 3rd District, SL County, case number 140400673. ( Filing fee \$ 400 receipt number 4681060543) (Electronic document provided on disc.), filed by Sean Reyes, State of Utah, Gary Herbert. (Attachments: # <u>1</u> Civil Cover Sheet 1) Assigned to Judge Dale A. Kimball (amw) (Entered: 01/29/2014)   |
| 01/28/2014 | <u>2</u> | CERTIFICATE OF SERVICE by Gary Herbert, Sean Reyes, State of Utah re <u>1</u> Notice of Removal, Electronic document provided on disc. Original file stamped and signed document permanently retained. (amw) Modified by adding electronic document information on 1/29/2014 (amw). (Entered: 01/29/2014)  |
| 01/29/2014 | <u>3</u> | NOTICE OF REQUIREMENTS for appearance phv mailed to attorney Joshua A. Block, for Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz (amw) (Entered: 01/29/2014)   |
| 01/29/2014 | <u>4</u> | NOTICE OF ADR, e-mailed or mailed to Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz, Defendants Gary Herbert, Sean Reyes, State of Utah. (amw) (Entered: 01/29/2014)   |
| 01/31/2014 | <u>5</u> | MOTION for Admission Pro Hac Vice of Joshua A. Block , Registration fee \$ 15, receipt number 1088-1989968, filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Exhibit A - Application for Admission, # <u>2</u> Text of Proposed Order)(Farrell, Leah) (Entered: 01/31/2014) |

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| 02/03/2014 | <u>6</u>  | <b>ORDER granting <u>5</u> Motion for Admission Pro Hac Vice of Joshua A. Block for Matthew Barraza, Joshua A. Block for Jonell Evans, Joshua A. Block for Marina Gomberg, Joshua A. Block for Elenor Heyborne, Joshua A. Block for Stacia Ireland, Joshua A. Block for Donald Johnson, Joshua A. Block for Tony Milner, Joshua A. Block for Carl Fritz Schultz.</b><br><i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a></i><br><b>. Signed by Judge Dale A. Kimball on 2/3/14. (jlw) (Entered: 02/03/2014)</b>  |
| 02/04/2014 | <u>7</u>  | NOTICE of Appearance by Parker Douglas on behalf of Gary Herbert, Sean Reyes, State of Utah (Douglas, Parker) (Entered: 02/04/2014)   |
| 02/04/2014 | <u>8</u>  | Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Exhibit A -- Declaration of Gomberg, # <u>2</u> Exhibit B -- Dec of Heyborne, # <u>3</u> Exhibit C -- Dec of Barraza, # <u>4</u> Exhibit D -- Dec of Milner, # <u>5</u> Exhibit E -- Dec of Evans, # <u>6</u> Exhibit F -- Dec of Ireland, # <u>7</u> Exhibit G -- Dec of Schultz, # <u>8</u> Exhibit H -- Dec of Johnson, # <u>9</u> Exhibit I -- UT Voter Info Amd 3, # <u>10</u> Exhibit J -- App to Stay SCOTUS)(Scholnick, Lauren) (Entered: 02/04/2014)   |
| 02/04/2014 | <u>9</u>  | Plaintiff's MOTION to Expedite Preliminary Injunction Hearing and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Scholnick, Lauren) (Entered: 02/04/2014)  |
| 02/04/2014 | <u>10</u> | Plaintiff's MOTION for Certification of Issue to State Supreme Court under and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Harstad, Kathryn) (Entered: 02/04/2014)  |
| 02/05/2014 | <u>11</u> | RESPONSE to Motion re <u>9</u> Plaintiff's MOTION to Expedite Preliminary Injunction Hearing and Memorandum in Support filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Jones, Joni) (Entered: 02/05/2014)   |
| 02/05/2014 | <u>12</u> | MOTION to Consolidate Cases filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Attachments: # <u>1</u> Exhibit Memo from Governor's office, # <u>2</u> Exhibit Supreme Court Order, # <u>3</u> Exhibit Memo from D. Miller to Governor's Cabinet, # <u>4</u> Exhibit Redacted Caption in Doe v. State)(Jones, Joni) (Entered: 02/05/2014)  |
| 02/06/2014 | <u>13</u> | <b>ORDER granting <u>9</u> Motion to Expedite and Setting Briefing Schedule and Hearing on <u>8</u> Plaintiff's MOTION for Preliminary Injunction. IT IS HEREBY ORDERED THAT Defendants shall be allowed to brief Plaintiff's Motion for Preliminary Injunction according to the time allowed under DUCivR 7-1(b)(3) because of the complex and novel legal issues involved. Defendants memorandum in opposition to Plaintiff's Motion for Preliminary Injunction will therefore be due on February 21, 2014. However, to expedite briefing on the motion, the court concludes that the deadline for Plaintiff's reply memorandum can be shortened to ten days rather than fourteen. Therefore, Plaintiff's reply memorandum will be due on March 6, 2014. Signed by Judge Dale A. Kimball on 2/6/14. (jlw) (Entered: 02/06/2014)</b> |
| 02/06/2014 | <u>14</u> | <b>NOTICE OF HEARING ON MOTION</b> re: <u>8</u> Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support : (Notice generated by Clerk) Motion Hearing set for 3/12/2014 10:00 AM in Room 420 before Judge Dale A. Kimball. (jlw) (Entered: 02/06/2014)   |
| 02/06/2014 | <u>15</u> | <b>ORDER Setting Hearing on Motion <u>10</u> Plaintiff's MOTION for Certification of Issue to State Supreme Court under and Memorandum in Support : Motion Hearing set for 3/12/2014 10:00 AM in Room 420 before Judge Dale A. Kimball. Signed by Judge Dale A. Kimball on 2/6/14. (jlw) (Entered: 02/07/2014)</b>  |
| 02/10/2014 | <u>16</u> | MOTION for Extension of Time to File Answer to Plaintiffs' Complaint filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Attachments: # <u>1</u> Text of Proposed Order)(Jones, Joni) (Entered: 02/10/2014)   |
| 02/11/2014 | <u>17</u> | WITHDRAWAL OF MOTION by Defendants Gary Herbert, Sean Reyes, State of Utah re <u>12</u> MOTION to Consolidate Cases filed by State of Utah, Gary Herbert, Sean Reyes . (Attachments: # <u>1</u> Text of Proposed Order)(Jones, Joni) Modified on  |

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|            |           | 2/11/2014 by changing event to motion (jlw). (Entered: 02/11/2014)   |
| 02/11/2014 | <u>18</u> | <b>ORDER granting <u>16</u> Motion for Extension of Time to Answer re <u>1</u> Complaint. Answer deadline updated for Gary Herbert answer due 2/26/2014; Sean Reyes answer due 2/26/2014; State of Utah answer due 2/26/2014. Signed by Judge Dale A. Kimball on 2/11/14. (jlw) (Entered: 02/11/2014)</b>  |
| 02/11/2014 | <u>19</u> | <b>ORDER granting <u>17</u> Motion to Withdraw <u>12</u> MOTION to Consolidate Cases . Signed by Judge Dale A. Kimball on 2/11/14. (jlw) (Entered: 02/11/2014)</b>   |
| 02/21/2014 | <u>20</u> | Defendant's MEMORANDUM in Opposition re <u>8</u> Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Attachments: # <u>1</u> Exhibit 1– Brief of Appellants Gary R. Herbert and Sean D. Reyes, Kitchen v. Herbert, Case No. 13–4178)(Jones, Joni) (Entered: 02/21/2014)  |
| 02/21/2014 | <u>21</u> | Defendant's MEMORANDUM in Opposition re <u>10</u> Plaintiff's MOTION for Certification of Issue to State Supreme Court under and Memorandum in Support filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Kaiser, Kyle) (Entered: 02/21/2014)   |
| 02/26/2014 | <u>22</u> | MOTION to Dismiss and Memorandum in Support filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Attachments: # <u>1</u> Exhibit A– Evans, et al., v. State of UT, 3rd Dist. Ct. Docket)(Kaiser, Kyle) (Entered: 02/26/2014)  |
| 02/26/2014 | <u>23</u> | <i>State Defendants'</i> ANSWER to Complaint filed by Gary Herbert, Sean Reyes, State of Utah.(Kaiser, Kyle) (Entered: 02/26/2014)   |
| 02/28/2014 | <u>24</u> | MOTION for Leave to File Excess Pages and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Scholnick, Lauren) (Entered: 02/28/2014)   |
| 03/03/2014 | <u>25</u> | <b>ORDER granting <u>24</u> Motion for Leave to File Excess Pages. Signed by Judge Dale A. Kimball on 3/3/14. (jlw) (Entered: 03/03/2014)</b>  |
| 03/04/2014 | <u>26</u> | REPLY to Response to Motion re <u>8</u> Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support , <u>10</u> Plaintiff's MOTION for Certification of Issue to State Supreme Court under and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Exhibit A -- Utah Application for Stay)(Scholnick, Lauren) (Entered: 03/04/2014)  |
| 03/06/2014 | 27        | NOTICE FROM THE COURT: the Motion hearing set for 3/12/14 at 10:00 AM will be held in Courtroom 246. (kmj) (Entered: 03/06/2014)   |
| 03/12/2014 | 28        | Minute Entry for proceedings held before Judge Dale A. Kimball: Motion Hearing held on 3/12/2014 re <u>8</u> Plaintiff's MOTION for Preliminary Injunction filed by Stacia Ireland, Marina Gomberg, Jonell Evans, Elenor Heyborne, Tony Milner, Carl Fritz Schultz, Matthew Barraza, Donald Johnson and <u>10</u> Plaintiff's MOTION for Certification of Issue to State Supreme Court filed by Stacia Ireland, Marina Gomberg, Jonell Evans, Elenor Heyborne, Carl Fritz Schultz, Tony Milner, Donald Johnson, Matthew Barraza. The Court heard the arguments of counsel and took the motions under advisement. Attorney for Plaintiff: Erik Strindberg, Joshua Block, John Mejia. Attorney for Defendant: Joni Jones, Kyle Kaiser, Parker Douglas. Court Reporter: Patti Walker. (kmj) (Entered: 03/12/2014) |
| 03/20/2014 | <u>29</u> | Stipulated MOTION for Extension of Time to File Response/Reply as to <u>22</u> MOTION to Dismiss and Memorandum in Support and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Strindberg, Erik) (Entered: 03/20/2014)   |
| 03/21/2014 | <u>30</u> | <b>ORDER granting <u>29</u> Motion for Extension of Time to File Response/Reply re <u>22</u> MOTION to Dismiss and Memorandum in Support Responses due by 4/25/2014. Signed by Judge Dale A. Kimball on 3/21/14. (jlw) (Entered: 03/21/2014)</b>   |



|            |           |  |
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| 04/10/2014 | <u>31</u> | First MOTION for Leave to File Supplement filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Supplement, # <u>2</u> Exhibit)(Block, Joshua) (Entered: 04/10/2014)   |
| 04/10/2014 | <u>32</u> | First MOTION for Leave to File Amended Supplement filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Supplement, # <u>2</u> Exhibit)(Block, Joshua) (Entered: 04/10/2014)   |
| 04/16/2014 | <u>33</u> | RESPONSE to Motion re <u>32</u> First MOTION for Leave to File Amended Supplement filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Attachments: # <u>1</u> Exhibit 1– Redacted Transcript of Hearing on Motion for Temporary Restraining Order, # <u>2</u> Exhibit 2– Redacted Complaint (Doe v. State, Case No. 140900542), # <u>3</u> Exhibit 3– Redacted Motion for Temporary Restraining Order, # <u>4</u> Exhibit 4– Governor Herbert's Letter to Cabinet)(Kaiser, Kyle) (Entered: 04/16/2014) |
| 04/16/2014 | <u>34</u> | MOTION for Certification of Issue to State Supreme Court under Utah Rule of Appellate Procedure 41(a) and Memorandum in Support filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Attachments: # <u>1</u> Exhibit 1– Docket Sheets, # <u>2</u> Exhibit 2– Petition for Extraordinary Relief & Memo in Support)(Kaiser, Kyle) (Entered: 04/16/2014)   |
| 04/17/2014 | <u>35</u> | RESPONSE to Motion re <u>34</u> MOTION for Certification of Issue to State Supreme Court under Utah Rule of Appellate Procedure 41(a) and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Scholnick, Lauren) (Entered: 04/17/2014)   |
| 04/18/2014 | <u>36</u> | Stipulated MOTION for Extension of Time to File Response/Reply as to <u>22</u> MOTION to Dismiss and Memorandum in Support and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Farrell, Leah) (Entered: 04/18/2014)  |
| 04/21/2014 | <u>37</u> | <b>ORDER granting <u>36</u> Motion for Extension of Time to File Response/Reply. IT IS HEREBY ORDERED, that Plaintiffs opposition memorandum (or other response) to the Defendants Motion for Partial Dismissal (Dkt. #22) will be due 20 days following an Order by the Court on Plaintiffs Motion for Preliminary Injunction (Dkt. #8) and Motion to Certify Question of State Law to the Utah Supreme Court (Dkt. #10). Signed by Judge Dale A. Kimball on 4/21/14. (jlw)</b> (Entered: 04/21/2014)           |
| 04/25/2014 | <u>38</u> | REPLY to Response to Motion re <u>34</u> MOTION for Certification of Issue to State Supreme Court under Utah Rule of Appellate Procedure 41(a) and Memorandum in Support filed by Defendants Gary Herbert, Sean Reyes, State of Utah. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order on Certification Issue)(Kaiser, Kyle) (Entered: 04/25/2014)   |
| 04/30/2014 | <u>39</u> | REPLY to Response to Motion re <u>32</u> First MOTION for Leave to File Amended Supplement filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Mejia, John) (Entered: 04/30/2014)  |
| 04/30/2014 | <u>40</u> | BRIEF re <u>38</u> Reply Memorandum/Reply to Response to Motion, <i>Objection to Proposed Order</i> , filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Mejia, John) (Entered: 04/30/2014)   |
| 05/13/2014 | <u>41</u> | <b>ORDER granting <u>32</u> Motion for Leave to File Supplement to Motion for Preliminary Injunction. Signed by Judge Dale A. Kimball on 5/13/14. (jlw)</b> (Entered: 05/13/2014)  |
| 05/13/2014 | <u>42</u> | Supplemental BRIEF re <u>8</u> Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Exhibit A–Declaration of Shane Marx)(Farrell, Leah) (Entered: 05/13/2014)   |

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| 05/17/2014 | <u>43</u> | MOTION Leave to File Second Supplement re <u>8</u> Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Exhibit A)(Mejia, John) (Entered: 05/17/2014)   |
| 05/19/2014 | 44        | DOCKET TEXT ORDER granting <u>43</u> Motion to File Second Supplement. The court takes judicial notice of the requested supplemental information. No additional briefing is necessary. Signed by Judge Dale A. Kimball on 5-19-14. No attached document. (sih) (Entered: 05/19/2014)   |
| 05/19/2014 | <u>45</u> | MEMORANDUM DECISION AND ORDER denying <u>34</u> Motion for Certification of Issue to State Supreme Court; granting <u>8</u> Motion for Preliminary Injunction; denying <u>10</u> Motion for Certification of Issue to State Supreme Court. The following Preliminary Injunction Order is temporarily stayed for twenty-one (21) days to allow the State to seek an emergency stay pending appeal from the Tenth Circuit. PRELIMINARY INJUNCTION ORDER: The court issues the following Preliminary Injunction against Defendants: Defendants State of Utah, Governor Gary Herbert and Attorney General Sean Reyes are prohibited from applying Utah's marriage bans retroactively to the same-sex marriages that were entered pursuant to Utah marriage licenses issued and solemnized between December 20, 2013, and January 6, 2014. Accordingly, Defendants State of Utah, Governor Gary Herbert and Attorney General Sean Reyes shall immediately recognize the marriages by same-sex couples entered pursuant to Utah marriage licenses issued and solemnized between December 20, 2013, and January 6, 2014, and afford these same-sex marriages all the protections, benefits, and responsibilities given to all marriages under Utah law. Signed by Judge Dale A. Kimball on 5/19/14. (jlw) (Entered: 05/19/2014) |
| 05/27/2014 | <u>46</u> | Third MOTION for Extension of Time to File Response/Reply as to <u>22</u> MOTION to Dismiss and Memorandum in Support and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Strindberg, Erik) (Entered: 05/27/2014)  |
| 05/28/2014 | <u>47</u> | ORDER granting <u>46</u> Motion for Extension of Time to File Response/Reply. Signed by Judge Dale A. Kimball on 5/28/14. (jlw) (Entered: 05/28/2014)  |
| 05/30/2014 | <u>48</u> | Stipulated MOTION for Extension of Time Attorney's Fees Petition and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Strindberg, Erik) (Entered: 05/30/2014)   |
| 06/02/2014 | <u>49</u> | ORDER re <u>48</u> Stipulated MOTION for Extension of Time Attorney's Fees Petition and Memorandum in Support filed by Stacia Ireland, Marina Gomberg, Jonell Evans, Elenor Heyborne, Tony Milner, Carl Fritz Schultz, Matthew Barraza, Donald Johnson. Signed by Judge Dale A. Kimball on 6/2/14. (jlw) (Entered: 06/02/2014)   |
| 06/04/2014 | <u>50</u> | NOTICE OF INTERLOCUTORY APPEAL as to <u>45</u> Order on Motion for Certification of Issue to State Supreme Court, Order on Motion for Preliminary Injunction,, Memorandum Decision,,,,,,,,,,,,,,,,,,,,, filed by Gary Herbert, Sean Reyes, State of Utah. Appeals to the USCA for the 10th Circuit. Filing fee \$ 505, receipt number 1088-2062847. (Jones, Joni) (Entered: 06/04/2014)  |
| 06/05/2014 | <u>51</u> | USCA Case Number Case Appealed to Tenth Case Number 14-4060 for <u>50</u> Notice of Appeal - Interlocutory, filed by State of Utah, Gary Herbert, Sean Reyes. (jmr) (Entered: 06/05/2014)  |
| 06/06/2014 | <u>52</u> | ORDER of USCA 10th Circuit as to <u>50</u> Notice of Appeal - Interlocutory, filed by State of Utah, Gary Herbert, Sean Reyes (jlw) (Entered: 06/06/2014)  |
| 07/11/2014 | <u>53</u> | ORDER from USCA for the 10th Circuit (jds) (Entered: 07/15/2014)   |
| 07/18/2014 | <u>54</u> | ORDER of USCA Supreme Court Circuit as to <u>50</u> Notice of Appeal - Interlocutory, filed by State of Utah, Gary Herbert, Sean Reyes. Supreme Court order granting stay of district court preliminary injunction filed. (jmr) (Entered: 07/18/2014)  |
| 08/07/2014 | <u>55</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Plaintiffs' Motion for Preliminary Injunction and Motion for Certification to the Utah Supreme Court held   |

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|            |           | <p>on March 12, 2014 before Judge DALE A. KIMBALL, re <u>50</u> Notice of Appeal – Interlocutory,. Court Reporter/Transcriber Patti Walker, CSR, RPR, CP, Telephone number 801–364–5440.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at <a href="http://www.utd.uscourts.gov">www.utd.uscourts.gov</a>. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</b></p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/28/2014. Redacted Transcript Deadline set for 9/8/2014. Release of Transcript Restriction set for 11/5/2014. (jds) Modified on 11/5/2014 by removing restricted text(las). (Entered: 08/07/2014)</p> |
| 08/12/2014 | <u>57</u> | Please be advised the Record is complete for purposes of appeal for USCA case number 14–4060 re <u>50</u> Notice of Appeal – Interlocutory,. (jmr) (Entered: 08/12/2014)   |
| 10/08/2014 | <u>58</u> | <b>MANDATE of USCA as to <u>50</u> Notice of Appeal – Interlocutory, filed by State of Utah, Gary Herbert, Sean Reyes According to the USCA the Order of the USDC for the Dist of UT is Dismissed.</b> (Attachments: # <u>1</u> Exhibit A – Mandate Cover Letter)(jds) (Entered: 10/10/2014)   |
| 10/20/2014 | <u>59</u> | Stipulated MOTION for Extension of Time Fee Petition and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Strindberg, Erik) (Entered: 10/20/2014)   |
| 10/21/2014 | <u>60</u> | <b>ORDER granting <u>59</u> Motion for Extension of Time. Plaintiffs Fee and Costs Petition will be due on or before October 29, 2014. Signed by Judge Dale A. Kimball on 10/21/14.</b> (jds) (Entered: 10/21/2014)  |
| 10/28/2014 | <u>61</u> | Plaintiff's MOTION for Extension of Time Motion for Attorneys Fees and Costs Petition filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order)(Strindberg, Erik) (Entered: 10/28/2014)  |
| 10/29/2014 | <u>62</u> | <b>ORDER granting <u>61</u> Motion for Extension of Time Motion for Attorneys Fees and Costs Petition. Plaintiffs Fee and Costs Petition will be due on or before November 10, 2014. Signed by Judge Dale A. Kimball on 10/29/2014.</b> (jds) (Entered: 10/29/2014)  |
| 11/07/2014 | <u>63</u> | MOTION for Attorney Fees and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Exhibit A Decl. of Erik Strindberg, # <u>2</u> Exhibit B Decl. of John Mejia, # <u>3</u> Exhibit C Decl. of Joshua Block, # <u>4</u> Exhibit D Decl. of Brett Tolman, # <u>5</u> Exhibit E Decl. of Deborah Ferguson)(Scholnick, Lauren) (Entered: 11/07/2014)  |
| 11/24/2014 | <u>64</u> | Stipulated MOTION for Permanent Injunction and Memorandum in Support filed by Plaintiffs Matthew Barraza, Jonell Evans, Marina Gomberg, Elenor Heyborne, Stacia Ireland, Donald Johnson, Tony Milner, Carl Fritz Schultz. (Attachments: # <u>1</u> Text of Proposed Order and Permanent Injunction)(Strindberg, Erik) (Entered: 11/24/2014)  |
| 11/24/2014 | <u>65</u> | <b>ORDER finding as moot <u>63</u> Motion for Attorney Fees; granting <u>64</u> Motion for Permanent Injunction. Signed by Judge Dale A. Kimball on 11/24/2014.</b> (jds) (Entered: 11/24/2014)  |
| 11/24/2014 |           | Civil Case Terminated per <u>65</u> . (jds) (Entered: 11/24/2014)  |