

**United States District Court
Southern District of West Virginia (Huntington)
CIVIL DOCKET FOR CASE #: 3:13-cv-24068**

McGee et al v. Cole et al
Assigned to: Judge Robert C. Chambers
Cause: 42:1983 Civil Rights Act

Date Filed: 10/01/2013
Date Terminated: 11/07/2014
Jury Demand: None
Nature of Suit: 950 Constitutional – State Statute
Jurisdiction: Federal Question

Plaintiff

Casie Jo McGee
and

represented by **Camilla B. Taylor**
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Plaintiff

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Plaintiff

Justin Murdock
and

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Plaintiff

William Glavaris
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Plaintiff

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Plaintiff

Jane Louise Fenton
individually and as next friends of

represented by **Camilla B. Taylor**
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*LEAD ATTORNEY
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Elizabeth L. Littrell
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Plaintiff

A.S.M.
a minor child

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V.

Defendant

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Defendant

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County Clerk*

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Defendant

**West Virginia Association of County
Officials**
amicus curiae

V.

Intervenor Defendant

State of West Virginia

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Movant

**The Family Policy Council of West
Virginia**

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Date Filed	#	Docket Text
10/01/2013	<u>1</u>	STATEMENT OF VISITING ATTORNEY from Karen L. Lowey on behalf of Casie Jo McGee, Sarah Elizabeth Adkins, Justin Murdock, William Glavaris, Nancy Elizabeth Michael, Jane Louise Fenton, A.S.M. Local counsel: John H. Tinney, Jr. Fee \$50.00. Receipt # 0425-2684194. (Tinney, John) (Modified on 10/1/2013 to add party filers) (skh).
10/01/2013	<u>2</u>	STATEMENT OF VISITING ATTORNEY from Camilla B. Taylor on behalf of Casie Jo McGee, Sarah Elizabeth Adkins, Justin Murdock, William Glavaris, Nancy Elizabeth Michael, Jane Louise Fenton, A.S.M. Local counsel: John H. Tinney, Jr. Fee \$50.00. Receipt # 0425-2684216. (Tinney, John) (Modified on 10/1/2013 to add party filers) (skh).
10/01/2013	<u>3</u>	STATEMENT OF VISITING ATTORNEY from Paul M. Smith on behalf of Casie Jo McGee, Sarah Elizabeth Adkins, Justin Murdock, William Glavaris, Nancy Elizabeth Michael, Jane Louise Fenton, A.S.M. Local counsel: John H. Tinney, Jr. Fee \$50.00. Receipt # 0425-2684234. (Tinney, John) (Modified on 10/1/2013 to add party filers) (skh).
10/01/2013	<u>4</u>	STATEMENT OF VISITING ATTORNEY from R. Trent McCotter on behalf of Casie Jo McGee, Sarah Elizabeth Adkins, Justin Murdock, William Glavaris, Nancy Elizabeth Michael, Jane Louise Fenton, A.S.M. Local counsel: John H. Tinney, Jr. Fee \$50.00. Receipt # 0425-2684248. (Tinney, John) (Modified on 10/1/2013 to add party filers) (skh).
10/01/2013	<u>5</u>	STATEMENT OF VISITING ATTORNEY from Luke C. Platzer on behalf of Casie Jo McGee, Sarah Elizabeth Adkins, Justin Murdock, William Glavaris, Nancy Elizabeth Michael, Jane Louise Fenton, A.S.M. Local counsel: John H. Tinney, Jr. Fee \$50.00. Receipt # 0425-2684266. (Tinney, John) (Modified on 10/1/2013 to add party filers) (skh).
10/01/2013	<u>6</u>	STATEMENT OF VISITING ATTORNEY from Lindsay C. Harrison on behalf of Casie Jo McGee, Sarah Elizabeth Adkins, Justin Murdock, William Glavaris, Nancy Elizabeth Michael, Jane Louise Fenton, A.S.M. Local counsel: John H. Tinney, Jr. Fee \$50.00. Receipt # 0425-2684283. (Tinney, John) (Modified on 10/1/2013 to add party filers) (skh).
10/01/2013	<u>7</u>	STATEMENT OF VISITING ATTORNEY from Elizabeth L. Littrell on behalf of Casie Jo McGee, Sarah Elizabeth Adkins, Justin Murdock, William Glavaris, Nancy Elizabeth Michael, Jane Louise Fenton, A.S.M. Local counsel: John H. Tinney, Jr. Fee \$50.00. Receipt # 0425-2684296. (Tinney, John) (Modified on 10/1/2013 to add party filers) (skh).
10/01/2013	<u>8</u>	COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF. Filing Fee \$400.00. Receipt # 0425-2683841. (Attachments: # <u>1</u> Civil Cover Sheet) (skm)
10/01/2013	<u>9</u>	ELECTRONIC SUMMONS ISSUED as to Karen S. Cole, re: <u>8</u> Complaint for Declaratory Judgment. Summons returnable 21 days. Instructions to Counsel: This is your electronic summons. Please print as many copies of the Summons and Complaint as are necessary to effectuate service under Fed. R. Civ. P. 4. See Proof of Service page of this Summons form for filing a return of service if required by Fed. R. Civ. P. 4(l). (skm)
10/01/2013	<u>10</u>	ELECTRONIC SUMMONS ISSUED as to Vera J. McCormick, re: <u>8</u> Complaint for Declaratory Judgment. Summons returnable 21 days. Instructions to Counsel: This is your electronic summons. Please print as many copies of the Summons and Complaint as are necessary to effectuate service under Fed. R. Civ. P. 4. See Proof of Service page of this Summons form for filing a return of service if required by Fed. R. Civ. P. 4(l). (skm)

10/01/2013	<u>11</u>	STANDING ORDER IN RE: ASSIGNMENT AND REFERRAL OF CIVIL ACTIONS AND MATTERS TO MAGISTRATE JUDGES ENTERED APRIL 8, 2013. Discovery referred to Magistrate Judge Eifert. (cc:attys; any unrepresented party) (skm)
10/01/2013		CASE assigned to Judge Robert C. Chambers. (ras)
10/02/2013	<u>12</u>	SUMMONS RETURNED EXECUTED by Personal Service for Kanawha County Clerk, Vera J. McCormick. Kanawha County Clerk, Vera J. McCormick served on 10/2/2013, answer due 10/23/2013. Summons served on Vera J. McCormick, Kanawha County Clerk. (Tinney, John)
10/03/2013	<u>13</u>	EMAIL NOTIFICATION to Karen L. Loewy, Camilla B. Taylor, Paul M. Smith, R. Trent McCotter, Luke C. Platzer, Lindsay C. Harrison and Elizabeth L. Littrell with Notice from Teresa L. Deppner, Clerk, Re: Electronic filing requirements. (Attachments: # <u>1</u> Clerk's Notice) (jkk)
10/04/2013	<u>14</u>	NOTICE OF CONSTITUTIONAL QUESTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock (Attachment: # <u>1</u> Exhibit A)(Tinney, John)
10/08/2013	<u>15</u>	SUMMONS RETURNED EXECUTED by Personal Service for Karen S. Cole. Karen S. Cole served on 10/8/2013, answer due 10/29/2013. Summons served on Teresa Powell, Chief Deputy. (Tinney, John)
10/09/2013	<u>16</u>	CERTIFICATION OF CONSTITUTIONAL QUESTION certifying that Plaintiffs in this case are challenging the constitutionality of the following provisions of the West Virginia Code: W.Va. Code §§ 48-2-104, 48-2-401, and 48-2-603, and any other sources of West Virginia law that exclude same-sex couples from marriage or from recognition of marriages entered into by same-sex couples in another jurisdiction. Signed by Judge Robert C. Chambers on 10/9/2013. (cc: Attorney General, attys, and any unrepresented party) (mkw)
10/21/2013	<u>17</u>	MOTION by Vera J. McCormick to Extend Time Frame to File a Responsive Pleading (Bailey, Charles)
10/21/2013	<u>18</u>	MEMORANDUM by Vera J. McCormick in support of <u>17</u> MOTION by Vera J. McCormick to Extend Time Frame to File a Responsive Pleading (Bailey, Charles)
10/21/2013	<u>19</u>	MOTION by Vera J. McCormick for Expedited Ruling on Motion by Vera J. McCormick to Extend Time Frame to File a Responsive Pleading (Bailey, Charles)
10/22/2013	<u>20</u>	ORDER re: <u>17</u> MOTION by Vera J. McCormick to Extend Time Frame to File a Responsive Pleading and <u>19</u> MOTION by Vera J. McCormick for Expedited Ruling on Motion by Vera J. McCormick to Extend Time Frame to File a Responsive Pleading; directing Plaintiffs to file a response to the motion to extend time by 10/24/2013; suspending the Defendant's responsive pleading deadline until further order of this Court; holding in abeyance the motion to extend time and will rule on that motion after receiving Plaintiffs' response. Signed by Judge Robert C. Chambers on 10/22/2013. (cc: attys; any unrepresented parties) (mkw)
10/22/2013	<u>21</u>	RESPONSE by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in opposition to <u>17</u> MOTION by Vera J. McCormick to Extend Time Frame to File a Responsive Pleading (Tinney, John)
10/23/2013	<u>22</u>	REPLY by Vera J. McCormick to <u>21</u> Response In Opposition. (Bailey, Charles)
10/23/2013	<u>23</u>	MEMORANDUM OPINION AND ORDER granting Defendant Vera J. McCormick's <u>17</u> MOTION to Extend Time Frame to File a Responsive Pleading and <u>19</u> MOTION for Expedited Ruling on Motion to Extend Time Frame to File a Responsive Pleading; DEMANDING that Defendant McCormick file any responsive pleading within five days of the Attorney General's intervention or within five days of when the period for intervention expires, whichever comes earlier; furthermore, applying this Order to Defendant Karen S. Cole as well; advising the parties that the Court expects to convene a scheduling conference to discuss a common briefing schedule once it has been determined whether the Attorney General will be intervening in this case. Signed by Judge Robert C. Chambers on 10/23/2013. (cc: attys; any unrepresented parties)

		(mkw)
10/24/2013	<u>24</u>	NOTICE OF APPEARANCE by Lee Murray Hall, Sarah A. Walling on behalf of Karen S. Cole. (Attachment: # <u>1</u> Certificate of Service)(Hall, Lee)
11/22/2013	<u>25</u>	MOTION by State of West Virginia to Intervene as Defendant (Lin, Elbert)
11/26/2013	<u>26</u>	MOTION by Vera J. McCormick to Dismiss <u>8</u> Complaint for Declaratory Judgment and Injunctive Relief (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Bailey, Charles)
11/26/2013	<u>27</u>	MEMORANDUM by Vera J. McCormick in support of <u>26</u> MOTION by Vera J. McCormick to Dismiss <u>8</u> Complaint for Declaratory Judgment and Injunctive Relief (Bailey, Charles)
12/02/2013	<u>28</u>	ORDER granting State of West Virginia's <u>25</u> MOTION to Intervene as a defendant. Signed by Judge Robert C. Chambers on 12/2/2013. (cc: attys; any unrepresented parties) (mkw)
12/02/2013	<u>29</u>	ORDER AND NOTICE: Rule 12(b) Motions 12/16/2013. Rule 26(f) Meeting 12/16/2013. Last day to file report of Rule 26(f) Meeting 12/22/2013. Scheduling/status Conference at 02:30 PM on 1/6/2014 in Huntington. Entry of Scheduling Order 1/16/2014. Last Day to make Rule 26(a)(1) disclosures 1/21/2014. Signed by Judge Robert C. Chambers on 12/2/2013. (cc: attys; any unrepresented parties) (mkw)
12/10/2013	<u>30</u>	MEMORANDUM by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in opposition to <u>26</u> MOTION by Vera J. McCormick to Dismiss <u>8</u> Complaint for Declaratory Judgment and Injunctive Relief (Attachment: # <u>1</u> Exhibit A)(Tinney, John) (Modified on 12/10/2013 to remove and replace incomplete Exhibit A) (skh).
12/10/2013		NOTICE OF DOCKET CORRECTION re: #30 Memorandum by Plaintiffs in opposition to Motion by Vera J. McCormick to Dismiss. ERROR: Incomplete Exhibit A attached. CORRECTION: Exhibit A removed and replaced with complete image. (skh)
12/16/2013	<u>31</u>	MOTION by Karen S. Cole to Dismiss <u>8</u> Complaint (Hall, Lee) (Modified on 12/16/2013 to add link to #8 complaint) (skh).
12/16/2013	<u>32</u>	MEMORANDUM by Karen S. Cole in support of <u>31</u> MOTION by Karen S. Cole to Dismiss (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Certificate of Service)(Hall, Lee)
12/16/2013	<u>33</u>	NOTICE OF CHANGE OF ATTORNEY INFORMATION by Julie A. Warren on behalf of State of West Virginia. (Warren, Julie)
12/16/2013	<u>34</u>	MOTION by State of West Virginia to Dismiss <u>8</u> Complaint (Warren, Julie) (Modified on 12/16/2013 to add link to #8 complaint) (skh).
12/17/2013	<u>35</u>	REPLY by Vera J. McCormick to <u>30</u> Memorandum In Opposition. (Bailey, Charles)
12/20/2013	<u>36</u>	RULE 26(f) REPORT OF PLANNING MEETING by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock, Karen S. Cole, Vera J. McCormick, State of West Virginia. (Tinney, John) (Modified on 12/20/2013 to add party filers) (skh).
12/23/2013	<u>37</u>	MEMORANDUM by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in opposition to <u>31</u> MOTION by Karen S. Cole to Dismiss <u>8</u> Complaint (Tinney, John)
12/30/2013	<u>38</u>	REPLY by Karen S. Cole to <u>37</u> Memorandum In Opposition. (Attachment: # <u>1</u> Certificate of Service)(Hall, Lee) (Modified on 12/30/2013 to remove links to #31 motion and #32 memorandum) (skh).
12/30/2013	<u>39</u>	MEMORANDUM by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in opposition to <u>34</u> MOTION by State of West Virginia to Dismiss <u>8</u> Complaint (Tinney, John) (Additional attachments added on 12/31/2013: # <u>1</u> Declaration of Casie Jo McGee, # <u>2</u> Declaration of Sarah Elizabeth Adkins, # <u>3</u> Declaration of Justin Murdock, # <u>4</u>

		Declaration of William Glavaris, # <u>5</u> Declaration of Nancy Elizabeth Michael, # <u>6</u> Declaration of Jane Louise Fenton) (mkw). (Modified on 12/31/2013 to add additional attachments that were inadvertently omitted) (mkw).
12/30/2013	<u>40</u>	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment (Attachments: # <u>1</u> Statement of Undisputed Facts, # <u>2</u> Declaration of Casie Jo McGee, # <u>3</u> Declaration of Sarah Elizabeth Adkins, # <u>4</u> Declaration of Justin Murdock, # <u>5</u> Declaration of William Glavaris, # <u>6</u> Declaration of Nancy Elizabeth Michael, # <u>7</u> Declaration of Jane Louise Fenton)(Tinney, John)
12/30/2013	<u>41</u>	BRIEF by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in support of <u>40</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment (Tinney, John)
12/31/2013		NOTICE OF DOCKET CORRECTION re: <u>39</u> MEMORANDUM. Error: Declarations that were to be attachments to the memorandum were inadvertently omitted. Correction: Added declarations as attachments to the memorandum. (mkw)
12/31/2013	<u>42</u>	DECLARATION OF JOHN H. TINNEY, JR. on behalf of A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in support of <u>39</u> Memorandum In Opposition. (Attachments: # <u>1</u> Legislative History, # <u>2</u> Memorandum Opinion, # <u>3</u> Senate Bill No. 146, # <u>4</u> Final Senate Bill No. 146)(Tinney, John)
12/31/2013	<u>43</u>	JOINT MOTION by State of West Virginia, Vera J. McCormick, Karen S. Code to Stay Briefing on <u>40</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment, <u>41</u> Brief In Support (Lin, Elbert) (Modified on 12/31/2013 to add party filers) (skh).
01/03/2014	<u>44</u>	NOTICE OF SUPPLEMENTAL AUTHORITY IN OPPOSITION TO <u>26</u> MOTION by Vera J. McCormick to Dismiss <u>8</u> Complaint for Declaratory Judgment and Injunctive Relief and <u>31</u> MOTION by Karen S. Cole to Dismiss <u>8</u> Complaint A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Tinney, John) (Modified on 1/3/2014 to remove links to ## 30, 32 and 37 memoranda and #38 reply) (skh).
01/03/2014	<u>45</u>	JOINT MOTION by Vera J. McCormick, Karen S. Cole to Strike <u>44</u> Notice of Supplemental Authority (Bailey, Charles) (Modified on 1/3/2014 to add party filer) (skh).
01/03/2014	<u>46</u>	MEMORANDUM by Vera J. McCormick, Karen S. Cole in support of <u>45</u> JOINT MOTION by Vera J. McCormick, Karen S. Cole to Strike <u>44</u> Notice of Supplemental Authority (Bailey, Charles) (Modified on 1/3/2014 to add party filer) (skh).
01/06/2014	<u>47</u>	RESPONSE/REPLY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in opposition to <u>45</u> JOINT MOTION by Vera J. McCormick, Karen S. Cole to Strike <u>44</u> Notice of Supplemental Authority (Loewy, Karen) (Modified on 1/6/2014 to remove link to #46 memorandum) (skh).
01/06/2014	<u>48</u>	SCHEDULING CONFERENCE held by Judge Robert C. Chambers on 1/6/2014; Court Reporter: Teresa Ruffner. (trj) (Entered: 01/09/2014)
01/09/2014	<u>49</u>	REPLY by State of West Virginia to <u>39</u> Memorandum In Opposition. (Lin, Elbert)
01/10/2014	<u>50</u>	ORDER holding in abeyance the ruling on Defendants' <u>43</u> MOTION to Stay Briefing on Plaintiffs' motion for summary judgment until the Court enters its scheduling order. Signed by Judge Robert C. Chambers on 1/10/2014. (cc: attys; any unrepresented party) (skm)
01/13/2014	<u>51</u>	REPLY by Karen S. Cole, Vera J. McCormick to <u>47</u> Response In Opposition. (Attachment: # <u>1</u> Certificate of Service)(Hall, Lee)

01/17/2014	<u>52</u>	ORDER re: Defendants' <u>43</u> JOINT MOTION to Stay Briefing on MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment; Staying the deadline for Defendants' responses to Plaintiffs' motion for summary judgment; Defendants' responses will be due seven days after entry of an Order resolving the motions to dismiss, should the Court decline to dismiss the case in its entirety. Signed by Judge Robert C. Chambers on 1/17/2014. (cc: attys; any unrepresented parties) (mkw)
01/24/2014	<u>53</u>	MOTION by State of West Virginia to Amend the Deadline to Respond to <u>40</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment to February 7, 2014, or seven days after Court order on Motions to Dismiss, whichever is later (Lin, Elbert) (Modified on 1/24/2014 to remove link to #52 order) (skh).
01/27/2014	<u>54</u>	PARTIAL OPPOSITION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to <u>53</u> MOTION by State of West Virginia to Amend the Deadline to Respond to <u>40</u> MOTION by Plaintiffs for Summary Judgment to 2/7/2014 or seven days after Court order on Motions to Dismiss, whichever is later (Tinney, John)
01/27/2014	<u>55</u>	REPLY by State of West Virginia to <u>54</u> Partial Opposition to Motion to Amend. (Warren, Julie) (Modified on 1/27/2014 to remove link to #53 motion) (skh).
01/29/2014	<u>56</u>	MEMORANDUM OPINION AND ORDER granting in part the <u>45</u> JOINT MOTION by Vera J. McCormick, Karen S. Cole to Strike <u>44</u> Notice of Supplemental Authority; the Court will consider the two exhibits attached to Plaintiffs' notice of supplemental authority but will not consider legal argument presented in the memorandum accompanying those exhibits; denying in part the <u>26</u> MOTION by Vera J. McCormick to Dismiss <u>8</u> Complaint for Declaratory Judgment and Injunctive Relief and <u>31</u> MOTION by Karen S. Cole to Dismiss <u>8</u> Complaint and reserving ruling as to abstention arising from the issue of whether the existing Defendants are sufficient to bind state authorities and all county clerks, should a ruling on the merits be made in favor of Plaintiffs; directing Plaintiffs, by 2/12/2014, to either 1) seek joinder of whatever additional parties they deem necessary to create greater certainty as to the effect of a ruling in this case, or 2) file a responsive pleading explaining why the existing Defendants in this lawsuit are sufficient to bind state authorities and all county clerks should a ruling on the merits be made in favor of Plaintiffs and why joinder of additional parties is not necessary; Defendants may file a response within seven days of Plaintiffs taking either action, and Plaintiffs may file a reply within three days of any response from Defendants; granting the <u>34</u> MOTION by State of West Virginia to Dismiss <u>8</u> Complaint and dismissing Plaintiffs' claim pertaining to West Virginia Code Section 48-2-603 (the non-recognition provision); Plaintiffs' claims as to the other portions of the marriage ban may proceed; directing that Plaintiffs may amend their Complaint by 2/12/2014; directing that Defendants shall have 14 days from entry of this Memorandum Opinion and Order to file any responses to Plaintiffs' <u>40</u> MOTION for Summary Judgment; denying as moot the <u>53</u> MOTION by State of West Virginia to Amend the Deadline to Respond to Plaintiffs' Motion for Summary Judgment. Signed by Judge Robert C. Chambers on 1/29/2014. (cc: attys; any unrepresented parties) (mkw)
02/05/2014	<u>57</u>	UNOPPOSED MOTION by State of West Virginia to Extend the Page Limits for Its Initial Summary Judgment Filing (Warren, Julie)
02/06/2014	<u>58</u>	ORDER granting State of West Virginia's <u>57</u> UNOPPOSED MOTION to Extend the Page Limits for Its Initial Summary Judgment Filing. Signed by Judge Robert C. Chambers on 2/6/2014. (cc: attys; any unrepresented parties) (mkw)
02/10/2014	<u>59</u>	JOINT MOTION by Karen S. Cole, Vera J. McCormick to Extend the Page Limits on Their Response to Plaintiffs' Motion for Summary Judgment and Cross-Motion for Summary Judgment (Attachment: # <u>1</u> Certificate of Service)(Hall, Lee)
02/11/2014	<u>60</u>	ORDER granting Karen S. Cole, Vera J. McCormick's <u>59</u> JOINT MOTION to Extend the Page Limits on Their Response to Plaintiffs' Motion for Summary Judgment and Cross-Motion for Summary Judgment. Signed by Judge Robert C. Chambers on 2/11/2014. (cc: attys; any unrepresented parties) (mkw)

02/12/2014	<u>61</u>	MEMORANDUM OF LAW IN RESPONSE by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to the Court's <u>56</u> Memorandum Opinion and Order of 1/29/2014. (Tinney, John)
02/12/2014	<u>62</u>	JOINT MOTION by Karen S. Cole, Vera J. McCormick for Summary Judgment (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit)(Hall, Lee)
02/12/2014	<u>63</u>	JOINT MEMORANDUM by Karen S. Cole, Vera J. McCormick in support of <u>62</u> MOTION by Karen S. Cole, Vera J. McCormick for Summary Judgment and MEMORANDUM by Karen S. Cole, Vera J. McCormick in opposition to <u>40</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment (Hall, Lee)
02/12/2014	<u>64</u>	NOTICE OF ATTORNEY APPEARANCE by Julie Marie Blake on behalf of State of West Virginia. (Blake, Julie)
02/12/2014	<u>65</u>	ANSWER TO <u>8</u> COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF by State of West Virginia.(Lin, Elbert)
02/12/2014	<u>66</u>	CROSS MOTION by State of West Virginia for Summary Judgment and OPPOSITION by State of West Virginia to <u>40</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment and Indexed Exhibits (Lin, Elbert) (Modified on 2/13/2014 to add link to #40 motion) (skh).
02/12/2014	<u>67</u>	MEMORANDUM by State of West Virginia in opposition to <u>40</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment (Lin, Elbert)
02/12/2014	<u>68</u>	MEMORANDUM by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum In Opposition to Plaintiffs' Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Lin, Elbert)
02/12/2014	<u>69</u>	EXHIBITS 6–10 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 6, # <u>2</u> Exhibit 7, # <u>3</u> Exhibit 8, # <u>4</u> Exhibit 9, # <u>5</u> Exhibit 10)(Lin, Elbert) (Modified on 2/13/2014 to remove memorandum supporting/opposing cross motions for summary judgment as a duplicate of the memorandum filed at entry #68) (skh).
02/12/2014	<u>70</u>	EXHIBITS 11–15 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 11, # <u>2</u> Exhibit 12, # <u>3</u> Exhibit 13, # <u>4</u> Exhibit 14, # <u>5</u> Exhibit 15)(Lin, Elbert) (Modified on 2/13/2014 to remove memorandum supporting/opposing cross motions for summary judgment as a duplicate of the memorandum filed at entry #68 and to remove link to #68 memorandum) (skh).
02/12/2014	<u>71</u>	EXHIBITS 16–18 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 16, # <u>2</u> Exhibit 17, # <u>3</u> Exhibit 18)(Blake, Julie) (Modified on 2/13/2014 to remove memorandum supporting/opposing cross motions for summary judgment as a duplicate of the memorandum filed at entry #68) (skh).
02/12/2014	<u>72</u>	EXHIBIT 19 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment.(Blake, Julie) (Modified on 2/13/2014 to remove and replace incorrect exhibit and to remove cross motion for summary judgment/opposition to plaintiffs' motion for summary judgment as a duplicate of the document filed at entry #66) (skh).
02/12/2014	<u>73</u>	EXHIBIT 20 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment (Blake, Julie) (Entered: 02/13/2014)

02/12/2014	<u>74</u>	EXHIBIT 21 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Lin, Elbert) (Modified on 2/13/2014 to remove memorandum supporting/opposing cross motions for summary judgment as a duplicate of the memorandum filed at entry #68) (skh). (Entered: 02/13/2014)
02/13/2014	<u>75</u>	EXHIBIT 26 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachment: # <u>1</u> Exhibit 27)(Lin, Elbert) (Modified on 2/13/2014 to remove link to #68 memorandum) (skh).
02/13/2014	<u>76</u>	EXHIBIT 28 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Lin, Elbert)
02/13/2014	<u>77</u>	EXHIBIT 31 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 32, # <u>2</u> Exhibit 33)(Lin, Elbert)
02/13/2014	<u>78</u>	EXHIBIT 34 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 35, # <u>2</u> Exhibit 36)(Lin, Elbert)
02/13/2014	<u>79</u>	EXHIBIT 37 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 38, # <u>2</u> Exhibit 39, # <u>3</u> Exhibit 40)(Lin, Elbert)
02/13/2014	<u>80</u>	EXHIBIT 41 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 42, # <u>2</u> Exhibit 43, # <u>3</u> Exhibit 44)(Lin, Elbert)
02/13/2014		NOTICE OF DOCKET CORRECTION re: <u>69</u> , <u>70</u> , <u>71</u> , <u>74</u> and <u>75</u> Exhibits by State of West Virginia in support of #66 Cross Motion for Summary Judgment and #67 Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. ERROR: Memorandum supporting/opposing cross motions for summary judgment attached. CORRECTION: Memorandum removed as a duplicate of the memorandum filed at entry #68. (skh)
02/13/2014		NOTICE OF DOCKET CORRECTION re: <u>72</u> Exhibit 19 by State of West Virginia in support of Cross Motion by State of West Virginia for Summary Judgment and Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. ERROR: Incorrect exhibit attached and cross motion for summary judgment/opposition to plaintiffs' motion for summary judgment attached. CORRECTION: Incorrect exhibit removed and replaced with correct exhibit and cross motion removed as a duplicate of the document filed at entry #66. (skh)
02/13/2014	<u>81</u>	EXHIBIT 22 by State of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment and <u>67</u> Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit 23, # <u>2</u> Exhibit 24, # <u>3</u> Exhibit 25, # <u>4</u> Exhibit 29, # <u>5</u> Exhibit 30)(Lin, Elbert)
02/14/2014	<u>82</u>	MOTION by The Family Policy Council of West Virginia for Leave to File Amicus Curiae Brief in Support of Intervenor Defendant's Motion for Summary Judgment, with proposed document attached (Attachment: # <u>1</u> Proposed Brief of Amicus Curiae)(Dys, Jeremiah)
02/19/2014	<u>83</u>	UNOPPOSED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Consolidate Reply Memoranda and to Extend the Page Limitation and Filing Deadline (Tinney, John)
02/19/2014	<u>84</u>	JOINT RESPONSE by Vera J. McCormick, Karen S. Cole to Plaintiffs' <u>61</u> Memorandum of Law in Response to Court's Order of 1/29/2014 (Bailey, Charles) (Modified on 2/19/2014 to add party filer) (skh).

02/19/2014	<u>85</u>	MOTION by State of West Virginia to Dismiss <u>8</u> Complaint for Declaratory Judgment for Lack of Subject–Matter Jurisdiction Due to Failure to Join the Proper Defendants (Lin, Elbert)
02/19/2014	<u>86</u>	RESPONSE by State of West Virginia in opposition to Plaintiffs' 2/12/2014 <u>61</u> Memorandum of Law in Response to the Court's Order and MEMORANDUM by State of West Virginia in support of <u>85</u> MOTION by State of West Virginia to Dismiss <u>8</u> Complaint for Declaratory Judgment for Lack of Subject–Matter Jurisdiction Due to Failure to Join the Proper Defendants (Lin, Elbert)
02/20/2014	<u>87</u>	ORDER granting Plaintiffs' <u>83</u> UNOPPOSED MOTION to consolidate reply memoranda and to extend the page limitation and filing deadline. Signed by Judge Robert C. Chambers on 2/20/2014. (cc: attys; any unrepresented parties) (skm)
02/24/2014	<u>88</u>	REPLY MEMORANDUM by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock Responding to the Court's <u>56</u> Order of 1/29 and OPPOSITION to <u>85</u> MOTION by State of West Virginia to Dismiss <u>8</u> Complaint for Declaratory Judgment for Lack of Subject–Matter Jurisdiction Due to Failure to Join the Proper Defendants (Tinney, John) (Modified on 2/24/2014 to add link to #85 motion) (skh).
02/25/2014	<u>89</u>	COMBINED REPLY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to <u>63</u> Memorandum In Opposition, <u>66</u> Memorandum In Opposition, <u>67</u> Memorandum In Opposition and OPPOSITION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to <u>62</u> JOINT MOTION by Karen S. Cole, Vera J. McCormick for Summary Judgment and <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment (Taylor, Camilla) (Modified on 2/26/2014 to correct links) (skh).
02/28/2014	<u>90</u>	UNOPPOSED JOINT MOTION by Karen S. Cole, Vera J. McCormick, State of West Virginia to Amend the Deadline to Reply to Plaintiffs' <u>89</u> Opposition to Defendants' Cross–Motions for Summary Judgment to March 14, 2014 (Attachment: # <u>1</u> Certificate of Service)(Hall, Lee) (Modified on 2/28/2014 to add link to #89 opposition) (skh).
03/03/2014	<u>91</u>	ORDER granting <u>90</u> MOTION for Extension of Time to File Reply re: <u>90</u> UNOPPOSED JOINT MOTION by Karen S. Cole, Vera J. McCormick, State of West Virginia to Amend the Deadline to Reply to Plaintiffs' <u>89</u> Opposition to Defendants' Cross–Motions for Summary Judgment to March 14, 2014. Reply due by 3/14/2014. Signed by Judge Robert C. Chambers on 3/3/2014. (cc: attys; any unrepresented party) (skm)
03/03/2014	<u>92</u>	REPLY by State of West Virginia to <u>88</u> Response in Opposition. (Lin, Elbert) (Modified on 3/3/2014 to remove link to #85 motion) (skh).
03/03/2014	<u>93</u>	UNOPPOSED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Notice of Supplemental Authority, with proposed document attached (Attachment: # <u>1</u> Supplement Relating to DE 56, 31, 26, 85, 40, 66, 62, # <u>2</u> Exhibit A – DeLeon opinion)(Taylor, Camilla)
03/04/2014	<u>94</u>	ORDER granting <u>93</u> UNOPPOSED MOTION to submit notice of supplemental authority; directing the Clerk to file Plaintiffs' notice and the accompanying exhibit. Signed by Judge Robert C. Chambers on 3/4/2014. (cc: attys; any unrepresented party) (skm)
03/04/2014	<u>95</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (Attachment: # <u>1</u> Exhibit A – De Leon v. Perry Order) (skm)
03/12/2014	<u>96</u>	JOINT MOTION by Karen S. Cole, Vera J. McCormick, State of West Virginia to Extend the Page Limits for Joint Reply Briefs Supporting the State of West Virginia and Karen S. Cole and Vera McCormick's Motions for Summary Judgment (Blake, Julie)
03/13/2014	<u>97</u>	ORDER granting State of West Virginia and Defendants Karen S. Cole and Vera J. McCormick's <u>96</u> JOINT MOTION to extend the page limits for their joint reply briefs.

		Signed by Judge Robert C. Chambers on 3/12/2014. (cc: attys; any unrepresented parties) (skm)
03/13/2014	<u>98</u>	ORDER granting Family Policy Council of West Virginia's <u>82</u> MOTION for Leave to File an Amicus Curiae Brief; directing the Clerk to file the proposed brief and directing the parties to file any response to the brief by 3/27/2014. Signed by Judge Robert C. Chambers on 3/13/2014. (cc: attys; any unrepresented parties) (mkw)
03/13/2014	<u>99</u>	AMICUS CURIAE BRIEF by The Family Policy Council of West Virginia in support of <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment. (mkw)
03/14/2014	<u>100</u>	REPLY by Karen S. Cole, Vera J. McCormick to <u>89</u> Brief In Opposition. (Attachment: # <u>1</u> Certificate of Service)(Walling, Sarah)
03/14/2014	<u>101</u>	JOINT REPLY by Karen S. Cole, Vera J. McCormick, State of West Virginia to <u>89</u> Brief In Opposition. (Lin, Elbert)
03/17/2014	<u>102</u>	SECOND NOTICE OF SUPPLMENTAL AUTHORITY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock re: <u>56</u> Order, <u>40</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Summary Judgment, <u>62</u> JOINT MOTION by Karen S. Cole, Vera J. McCormick for Summary Judgment, <u>66</u> CROSS MOTION by State of West Virginia for Summary Judgment, <u>85</u> MOTION by State of West Virginia to Dismiss <u>8</u> Complaint for Declaratory Judgment for Lack of Subject-Matter Jurisdiction Due to Failure to Join the Proper Defendants (Attachment: # <u>1</u> Exhibit A)(Littrell, Elizabeth)
03/24/2014	<u>103</u>	UNOPPOSED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Third Notice of Supplemental Authority, with proposed document attached (Attachments: # <u>1</u> Third Notice of Supplemental Authority Relating to DE 56, 31, 26, 85, 40, 66, 62, # <u>2</u> Exhibit – DeBoer Opinion)(Taylor, Camilla)
03/25/2014	<u>104</u>	ORDER granting Plaintiffs' <u>103</u> UNOPPOSED MOTION to Submit Third Notice of Supplemental Authority and directing the Clerk to file the notice of supplemental authority and accompanying exhibit. Signed by Judge Robert C. Chambers on 3/25/2014. (cc: attys; any unrepresented parties) (mkw)
03/25/2014	<u>105</u>	THIRD NOTICE OF SUPPLEMENTAL AUTHORITY by Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (Attachment: # <u>1</u> Exhibit – DeBoer Opinion) (mkw)
03/27/2014	<u>106</u>	UNOPPOSED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Fourth Notice of Supplemental Authority, with proposed document attached (Attachment: # <u>1</u> Exhibit A – Wolf – opinion and order)(Taylor, Camilla)
04/01/2014	<u>107</u>	ORDER granting Plaintiffs' <u>106</u> UNOPPOSED MOTION to Submit Fourth Notice of Supplemental Authority; directing the Clerk to file the notice of supplemental authority and accompanying exhibit. Signed by Judge Robert C. Chambers on 4/1/2014. (cc: attys; any unrepresented parties) (mkw)
04/01/2014	<u>108</u>	FOURTH NOTICE OF SUPPLEMENTAL AUTHORITY by Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (Attachment: # <u>1</u> Exhibit A – Wolf Opinion) (mkw)
04/15/2014	<u>109</u>	UNOPPOSED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Fifth Notice of Supplemental Authority, with proposed document attached (Attachments: # <u>1</u> Fifth Notice of Supplemental Authority relating to DE 56, 31, 26, 85, 40, 66, 62, # <u>2</u> Exhibit A – Henry v. Himes decision)(Taylor, Camilla)
04/15/2014	<u>110</u>	UNOPPOSED MOTION by State of West Virginia to Submit Notice of Supplemental Authority (Attachments: # <u>1</u> State of West Virginia's Notice of Supplemental Authority, # <u>2</u> Exhibit A – Common Cause, et. al. v. Biden, et. al.)(Warren, Julie)

04/16/2014	<u>111</u>	ORDER granting Plaintiffs' <u>109</u> UNOPPOSED MOTION to Submit Notice of Supplemental Authority; directing the Clerk to file the notice of supplemental authority and accompanying exhibit. Signed by Judge Robert C. Chambers on 4/16/2014. (cc: attys; any unrepresented parties) (mkw)
04/16/2014	<u>112</u>	ORDER granting <u>110</u> UNOPPOSED MOTION by State of West Virginia to Submit Notice of Supplemental Authority; directing the Clerk to file the notice of supplemental authority and accompanying exhibit. Signed by Judge Robert C. Chambers on 4/16/2014. (cc: attys; any unrepresented parties) (mkw)
04/16/2014	<u>113</u>	FIFTH NOTICE OF SUPPLEMENTAL AUTHORITY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (Attachment: # <u>1</u> Exhibit A – Henry v. Himes decision) (mkw)
04/16/2014	<u>114</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by State of West Virginia. (Attachment: # <u>1</u> Exhibit A – Common Cause et al v. Biden et al) (mkw)
04/25/2014	<u>115</u>	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Sixth Notice of Supplemental Authority, with proposed document attached (Attachments: # <u>1</u> Sixth Notice of Supplemental Authority, # <u>2</u> Exhibit A – Opinion – Baskin v. Bogan)(Taylor, Camilla)
04/28/2014	<u>116</u>	ORDER granting Plaintiffs' <u>115</u> MOTION to Submit Sixth Notice of Supplemental Authority and directing the Clerk to file the notice of supplemental authority and accompanying exhibit. Signed by Judge Robert C. Chambers on 4/28/2014. (cc: attys; any unrepresented parties) (mkw)
04/28/2014	<u>117</u>	SIXTH NOTICE OF SUPPLEMENTAL AUTHORITY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (Attachment: # <u>1</u> Exhibit A – Opinion – Baskin v. Bogan) (mkw)
05/16/2014	<u>118</u>	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Seventh Notice of Supplemental Authority, with proposed document attached (Attachment: # <u>1</u> Seventh Notice of Supplemental Authority)(Taylor, Camilla)
05/16/2014	<u>119</u>	CONSENT by Karen S. Cole to <u>118</u> MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Seventh Notice of Supplemental Authority. (Hall, Lee)
05/20/2014	<u>120</u>	ORDER granting Plaintiffs' <u>118</u> MOTION to Submit Seventh Notice of Supplemental Authority and directing the Clerk to file the notice of supplemental authority and accompanying exhibits. Signed by Judge Robert C. Chambers on 5/20/2014. (cc: attys; any unrepresented parties) (mkw)
05/20/2014	<u>121</u>	SEVENTH NOTICE OF SUPPLEMENTAL AUTHORITY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (Attachments: # <u>1</u> Exhibits A and B) (mkw)
05/23/2014	<u>122</u>	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Eighth Notice of Supplemental Authority, with proposed document attached (Attachments: # <u>1</u> Eighth Notice of Supplemental Authority, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Loewy, Karen)
05/27/2014	<u>123</u>	ORDER granting Plaintiffs' <u>122</u> MOTION to Submit Eighth Notice of Supplemental Authority and directing the Clerk to file the notice of supplemental authority and accompanying exhibits. Signed by Judge Robert C. Chambers on 5/27/2014. (cc: attys; any unrepresented parties) (mkw)
05/27/2014	<u>124</u>	EIGHTH NOTICE OF SUPPLEMENTAL AUTHORITY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (mkw)
06/10/2014	<u>125</u>	ORDER directing that the instant case be STAYED pending a decision from the Fourth Circuit in Bostic v. Schaefer. Signed by Judge Robert C. Chambers on 6/10/2014. (cc: attys; any unrepresented parties) (mkw)

07/29/2014	126	MOTION by State of West Virginia to Continue Merits Stay re: 125 Order and to Calendar Oral Argument on Threshold Issues (Lin, Elbert).
07/30/2014	127	BRIEF by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in opposition to 126 MOTION by State of West Virginia to Continue Merits Stay re: 125 Order and to Calendar Oral Argument on Threshold Issues and CROSS-MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Lift Stay and Enter Judgment (Tinney, John) (Modified on 7/30/2014 to convert event to a motion) (skh).
07/30/2014	128	RESPONSE by State of West Virginia in opposition to 127 CROSS-MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Lift Stay and Enter Judgment (Lin, Elbert)
09/12/2014	129	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Ninth Notice of Supplemental Authority, with proposed document attached (Attachments: # 1 Exhibit A – Ninth Notice of Supplemental Authority, # 2 Exhibit B – Opinion – Baskin v. Bogan (7th Circuit), # 3 Exhibit C – Opinion – Robicheaux v. Caldwell, # 4 Exhibit D – Opinion – Brenner v. Scott, # 5 Exhibit E – Opinion – In re Estate of Bangor)(Taylor, Camilla)
09/16/2014	130	ORDER granting 129 MOTION for Leave to File Ninth Supplemental Authority and accompanying exhibits; the Court sua sponte Orders that the instant case be Stayed pending a decision from the Supreme Court. Signed by Judge Robert C. Chambers on 9/16/2014. (cc: attys; any unrepresented party) (skm)
09/16/2014		CASE STAYED pursuant to Order dated 09/16/2014. (skm)
10/06/2014	131	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Lift Stay and Enter Judgment (Attachment: # 1 Exhibit A)(Tinney, John).
10/06/2014	132	AMENDED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Lift Stay and Enter Judgment (Attachment: # 1 Exhibit A)(Tinney, John).
10/07/2014	133	ORDER re: 132 AMENDED MOTION to Lift Stay and Enter Judgment; lifting the stay in this action; directing Defendants and Intervenor Defendant to respond to Plaintiffs' motion by 10/21/2014; Defendants and Intervenor Defendant should include in their response any additional objections they may have to the relief sought; any reply shall be filed within 7 days of the filing of the response. Signed by Judge Robert C. Chambers on 10/7/2014. (cc: attys; any unrepresented parties) (mkw)
10/20/2014	134	RESPONSE by State of West Virginia in opposition to 132 AMENDED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Lift Stay and Enter Judgment (Lin, Elbert)
10/20/2014	135	JOINDER by Vera J. McCormick in State of West Virginia's 134 Response in Opposition. (Bailey, Charles) (Modified on 10/20/2014 to correct link to #134 response) (skh).
10/21/2014	136	RESPONSE by Karen S. Cole in opposition to 132 AMENDED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Lift Stay and Enter Judgment (Hall, Lee)
10/21/2014	137	JOINDER by Vera J. McCormick in 136 RESPONSE by Karen S. Cole in opposition to 132 AMENDED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Lift Stay and Enter Judgment (Bailey, Charles) (Modified on 10/21/2014 to correct link to #136 response)(skh).
10/23/2014	138	REPLY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to 134 Response In Opposition, 135 Joinder in Response In Opposition, 136 Response In Opposition, 137

		Joinder in Response In Opposition. (Taylor, Camilla)
11/07/2014	139	MEMORANDUM OPINION AND ORDER granting Plaintiff's 40 MOTION for Summary Judgment; denying Defendant Vera J. McCormick's 26 MOTION to Dismiss, Defendant Karen S. Cole's 31 MOTION to Dismiss, Defendants' 62 JOINT MOTION for Summary Judgment, the State of West Virginia's 66 CROSS-MOTION for Summary Judgment and the State of West Virginia's 85 MOTION to Dismiss; denying in part and denying as moot in part The State of West Virginia's 126 MOTION to Continue Merits Stay and to Calendar Oral Argument on Threshold Issues; denying as moot Plaintiff's 127 CROSS-MOTION to Lift Stay and Enter Judgment; granting Plaintiff's 131 MOTION to Lift Stay and Enter Judgment and 132 AMENDED MOTION to Lift Stay and Enter Judgment. Signed by Judge Robert C. Chambers on 11/7/2014. (cc: attys; any unrepresented parties) (mkw)
11/07/2014	140	JUDGMENT ORDER granting Plaintiff's 40 MOTION for Summary Judgment; denying Defendant Vera J. McCormick's 26 MOTION to Dismiss, Defendant Karen S. Cole's 31 MOTION to Dismiss, Defendants' 62 JOINT MOTION for Summary Judgment, the State of West Virginia's 66 CROSS-MOTION for Summary Judgment and the State of West Virginia's 85 MOTION to Dismiss; denying in part and denying as moot in part The State of West Virginia's 126 MOTION to Continue Merits Stay and to Calendar Oral Argument on Threshold Issues; denying as moot Plaintiff's 127 CROSS-MOTION to Lift Stay and Enter Judgment; granting Plaintiff's 131 MOTION to Lift Stay and Enter Judgment and 132 AMENDED MOTION to Lift Stay and Enter Judgment; further directing that this case be dismissed and stricken from the docket of this Court. Signed by Judge Robert C. Chambers on 11/7/2014. (cc: attys; any unrepresented parties) (mkw)
11/07/2014	141	TRANSMITTED CERTIFIED COPY of 140 Judgment Order to attorneys and any unrepresented parties. (mkw)
11/17/2014	142	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Extend Time to File for Attorneys' Fees and Costs to December 2, 2014 (Taylor, Camilla)
11/18/2014	143	AMENDED UNOPPOSED MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Extend Time to File for Attorneys' Fees and Costs to December 2, 2014 (Taylor, Camilla)
11/18/2014	144	ORDER granting 142 and 143 MOTION for Extension of Time to File for Attorney Fees and Costs; the Court extends the deadline for filing the petition for fees and costs to 12/02/2014. Signed by Judge Robert C. Chambers on 11/18/2014. (cc: attys; any unrepresented party) (skm)
12/02/2014	145	MOTION by Sarah Elizabeth Adkins, Jane Louise Fenton, A.S.M., William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Attorneys' Fees, Expenses and Costs (Tinney, John) (Modified on 12/3/2014 to add party filer)(skh).
12/02/2014	146	MEMORANDUM by Sarah Elizabeth Adkins, Jane Louise Fenton, A.S.M., William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock in support of 145 MOTION by Sarah Elizabeth Adkins, Jane Louise Fenton, A.S.M., William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Attorneys' Fees, Expenses and Costs (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Tinney, John) (Modified on 12/3/2014 to add party filer)(skh).
12/05/2014	147	UNOPPOSED JOINT MOTION by State of West Virginia, Karen S. Cole, Vera J. McCormick to Extend the Deadline to Respond to 145 MOTION by Sarah Elizabeth Adkins, Jane Louise Fenton, A.S.M., William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Attorneys' Fees, Expenses and Costs to January 16, 2015 (Warren, Julie) (Modified on 12/6/2014 to add party filers and to remove link to #146 memorandum) (skh).
12/16/2014	148	ORDER granting 147 UNOPPOSED JOINT MOTION by State of West Virginia, Karen S. Cole, Vera J. McCormick to Extend the Deadline to Respond to 145 MOTION by Sarah Elizabeth Adkins, Jane Louise Fenton, A.S.M., William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Attorneys' Fees,

		Expenses and Costs; Response due by 1/16/2015. Signed by Judge Robert C. Chambers on 12/11/2014. (cc: attys; any unrepresented parties) (mkw)
01/13/2015	<u>149</u>	MOTION by State of West Virginia to Exceed Page Limits for Response to Plaintiff's Motion for Attorney's Fees, Expenses, and Costs (Lin, Elbert)
01/14/2015	<u>150</u>	JOINT MOTION by Vera J. McCormick, Karen S. Cole to Exceed Page Limits For Response To Plaintiffs' Motion For Attorneys' Fees, Expenses And Costs (Bailey, Charles) (Modified on 1/14/2015 to add party filer) (skh).
01/14/2015	<u>151</u>	ORDER granting in part <u>149</u> MOTION by State of West Virginia to Exceed Page Limits for Response to Plaintiff's Motion for Attorney's Fees, Expenses, and Costs; granting <u>150</u> JOINT MOTION by Vera J. McCormick to Exceed Page Limit for Defendants Karen S. Cole And Vera J. McCormicks Motion To Exceed Page Limits For Response To Plaintiffs Motion For Attorneys Fees, Expenses And Costs; the parties are each permitted to file a response whose body is no more than 30 pages. Signed by Judge Robert C. Chambers on 1/14/2015. (cc: attys; any unrepresented parties) (mkw)
01/16/2015	<u>152</u>	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Extension of Time in Which to File Reply in Support of Plaintiffs' Motion for Attorneys Fees, Expenses, and Costs to 2/9/2015 (Taylor, Camilla)
01/16/2015	<u>153</u>	RESPONSE by Karen S. Cole, Vera J. McCormick in opposition to <u>145</u> MOTION by Sarah Elizabeth Adkins, Jane Louise Fenton, A.S.M., William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Attorneys' Fees, Expenses and Costs (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Certificate of Service)(Walling, Sarah) (Modified on 1/16/2015 to remove link to #146 memorandum)(skh).
01/16/2015	<u>154</u>	MOTION by West Virginia Association of County Officials for Leave to File Brief of Amicus Curiae West Virginia Association of County Officials In Support of Defendants Karen S. Cole and Vera J. McCormick's Opposition to Plaintiffs' Petition for Attorneys' Fees. (skm)
01/16/2015	<u>155</u>	RESPONSE by State of West Virginia in opposition to <u>145</u> MOTION by Sarah Elizabeth Adkins, Jane Louise Fenton, A.S.M., William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock for Attorneys' Fees, Expenses and Costs (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16)(Lin, Elbert)
01/26/2015	<u>156</u>	REPLY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to <u>153</u> Response In Opposition, <u>154</u> MOTION by West Virginia Association of County Officials for Leave to File Brief of Amicus Curiae West Virginia Association of County Officials In Support of Defendants Karen S. Cole and Vera J. McCormick's Opposition to Plaintiffs' Petition for Attorneys' Fees, <u>155</u> Response In Opposition. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Tinney, John)
03/06/2015	<u>157</u>	MOTION by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock to Submit Notice of Supplemental Authority (Attachment: # <u>1</u> Notice of Supplemental Authority)(Taylor, Camilla)
04/20/2015	<u>158</u>	UNOPPOSED MOTION by Karen S. Cole, Vera J. McCormick to Submit First Notice of Supplemental Authority re: <u>153</u> Response In Opposition (Attachment: # <u>1</u> Exhibit A)(Hall, Lee)
04/21/2015	<u>159</u>	ORDER granting Plaintiffs' <u>157</u> MOTION to Submit Notice of Supplemental Authority and Defendants Karen S. Cole and Vera J. McCormick's <u>158</u> UNOPPOSED MOTION to Submit First Notice of Supplemental Authority. Signed by Judge Robert C. Chambers on 4/21/2015. (cc: attys; any unrepresented parties) (mkw)

04/21/2015	<u>160</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by A.S.M., Sarah Elizabeth Adkins, Jane Louise Fenton, William Glavaris, Casie Jo McGee, Nancy Elizabeth Michael, Justin Murdock. (mkw)
04/21/2015	<u>161</u>	FIRST NOTICE <i>of Supplemental Authority</i> by Karen S. Cole, Vera J. McCormick (Hall, Lee)
07/16/2015	<u>162</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part Plaintiffs' <u>145</u> MOTION for Attorneys' Fees, Expenses, and Costs; denying as moot Plaintiffs' <u>152</u> MOTION for Extension of Time in Which to File Reply in Support of Motion for Attorneys' Fees, Expenses, and Costs; granting The West Virginia Association of County Officials' <u>154</u> MOTION for Leave to File Brief of Amicus Curiae. Signed by Judge Robert C. Chambers on 7/16/2015. (cc: attys; any unrepresented party) (skm)