

**U.S. District Court  
Western District of Virginia (Harrisonburg)  
CIVIL DOCKET FOR CASE #: 5:13-cv-00077-MFU-RSB**

Harris et al v. Rainey et al  
Assigned to: District Judge Michael F. Urbanski  
Referred to: Magistrate Judge Robert S. Ballou  
Cause: 42:1983 Civil Rights Act

Date Filed: 08/01/2013  
Date Terminated: 02/18/2015  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Joanne Harris**  
*on behalf of themselves and all others  
similarly situated*

represented by **Amanda Chloe Goad**  
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**Plaintiff**

**Jessica Duff**  
*on behalf of themselves and all others*  
*similarly situated*

represented by **Amanda Chloe Goad**  
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**Tara Lynn Borelli**  
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**Plaintiff**

**Christy Berghoff**  
*on behalf of themselves and all others  
similarly situated*

represented by **Amanda Chloe Goad**  
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**Plaintiff**

**Victoria Kidd**  
*on behalf of themselves and all others*  
*similarly situated*

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LEAD ATTORNEY

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V.

**Defendant**

**Robert F. McDonnell**

*in his official capacity as Governor of  
Virginia*

*TERMINATED: 12/23/2013*

represented by **Earle Duncan Getchell, Jr.**

McGuireWoods LLP

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*TERMINATED: 12/30/2013*

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**Defendant**

**Janet M. Rainey**

*in her official capacity as State Registrar  
of Vital Records*

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**Michael Hugh Brady**  
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**Defendant**

**Thomas E. Roberts**  
*in his official capacity as Staunton Circuit  
Court Clerk*

represented by **Rosalie Pemberton Fessier**  
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Date Filed	#	Docket Text
08/01/2013	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against Robert F. McDonnell, Janet M. Rainey, Thomas E. Roberts (Filing & Administrative fee \$ 400; Rec #

		0423-1827759), filed by Joanne Harris, Jessica Duff, Victoria Kidd, Christy Berghoff. 100 Day Notice due by 11/12/2013 120 Day Service due by 11/29/2013 (Attachments: # <u>1</u> Civil Cover Sheet)(mab) Modified on 8/5/2013--receipt# added (mab).
08/01/2013	<u>2</u>	Summons Issued as to Robert F. McDonnell, Janet M. Rainey, Thomas E. Roberts.(mab)
08/01/2013	<u>3</u>	MOTION to Appear Pro Hac Vice <i>for attorney Joshua Block</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/01/2013	<u>4</u>	MOTION to Appear Pro Hac Vice <i>for attorney Tara Borelli</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/01/2013	<u>5</u>	MOTION to Appear Pro Hac Vice <i>for attorney James Esseks</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/01/2013	<u>6</u>	MOTION to Appear Pro Hac Vice <i>for attorney Mark Gaber</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/01/2013	<u>7</u>	MOTION to Appear Pro Hac Vice <i>for attorney Amanda Goad</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/01/2013	<u>8</u>	MOTION to Appear Pro Hac Vice <i>for attorney Greg Nevins</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/01/2013	<u>9</u>	MOTION to Appear Pro Hac Vice <i>for attorney Luke Platzer</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/01/2013	<u>10</u>	MOTION to Appear Pro Hac Vice <i>for attorney Paul Smith</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
08/02/2013	11	ORAL ORDER REFERRING CASE to Magistrate Judge Robert S. Ballou. Motions referred to Robert S. Ballou. Entered by District Judge Michael F. Urbanski on 8/2/2013. (jat)
08/02/2013	<u>12</u>	ORDER granting <u>10</u> MOTION for Paul M. Smith to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/02/2013	<u>13</u>	ORDER granting <u>3</u> MOTION for Joshua Block to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/02/2013	<u>14</u>	ORDER granting <u>4</u> MOTION for Tara L. Borelli to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/02/2013	<u>15</u>	ORDER granting <u>5</u> MOTION for James Esseks to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/02/2013	<u>16</u>	ORDER granting <u>6</u> MOTION for Mark P. Gaber to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/02/2013	<u>17</u>	ORDER granting <u>7</u> MOTION for Amanda Goad to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/02/2013	<u>18</u>	ORDER granting <u>8</u> MOTION for Gregory R. Nevins to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/02/2013	<u>19</u>	ORDER granting <u>9</u> MOTION for Luke C. Platzer to Appear Pro Hac Vice. Signed by Magistrate Judge Robert S. Ballou on 8/2/2013. (jat)
08/07/2013	<u>20</u>	AFFIDAVIT of Service for Summons and Complaint served on Robert F. McDonnell on August 6, 2013, filed by Christy Berghoff, Jessica Duff, Joanne

		Harris, Victoria Kidd.(Glenberg, Rebecca)
08/07/2013	<u>21</u>	AFFIDAVIT of Service for Summons and Complaint served on Janet M. Raney on August 6, 2013, filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd.(Glenberg, Rebecca)
08/16/2013	<u>22</u>	SUMMONS Returned Executed by Joanne Harris, Jessica Duff, Victoria Kidd, Christy Berghoff. Thomas E. Roberts served on 8/13/2013, answer due 9/3/2013.(Glenberg, Rebecca)
08/16/2013	<u>23</u>	ANSWER to <u>1</u> Complaint, by Janet M. Rainey.(Getchell, Earle)
08/16/2013	<u>24</u>	MOTION to Dismiss <i>on Sovereign Immunity Grounds</i> by Robert F. McDonnell. (Getchell, Earle)
08/16/2013	<u>25</u>	Brief / Memorandum in Support re <u>24</u> MOTION to Dismiss <i>on Sovereign Immunity Grounds</i> . filed by Robert F. McDonnell. (Getchell, Earle)
08/16/2013	<u>26</u>	MOTION to Certify Class by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
08/16/2013	<u>27</u>	Brief / Memorandum in Support re <u>26</u> MOTION to Certify Class . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Exhibit 1–Harris Declaration, # <u>2</u> Exhibit 2–Duff Declaration, # <u>3</u> Exhibit 3–Berghoff Declaration, # <u>4</u> Exhibit 4–Kidd Declaration, # <u>5</u> Exhibit 5–Nevins Declaration, # <u>6</u> Exhibit 6–Esseks Declaration, # <u>7</u> Exhibit 7–Smith Declaration)(Glenberg, Rebecca)
08/28/2013	<u>28</u>	Brief / Memorandum in Opposition re <u>24</u> MOTION to Dismiss <i>on Sovereign Immunity Grounds</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
08/28/2013	<u>29</u>	NOTICE of Appearance by Rosalie Pemberton Fessier on behalf of Thomas E. Roberts (Fessier, Rosalie)
08/30/2013	<u>30</u>	Brief / Memorandum in Opposition re <u>26</u> MOTION to Certify Class , <u>27</u> Brief / Memorandum in Support, . filed by Robert F. McDonnell, Janet M. Rainey. (Attachments: # <u>1</u> Exhibit)(Getchell, Earle)
08/30/2013	<u>31</u>	REPLY to Response to Motion re <u>24</u> MOTION to Dismiss <i>on Sovereign Immunity Grounds</i> . filed by Robert F. McDonnell. (Getchell, Earle)
08/30/2013	<u>32</u>	MOTION to Dismiss by Thomas E. Roberts. (Fessier, Rosalie)
08/30/2013	<u>33</u>	Brief / Memorandum in Support re <u>32</u> MOTION to Dismiss . filed by Thomas E. Roberts. (Attachments: # <u>1</u> Exhibit A – Affidavit of Laura Moran)(Fessier, Rosalie)
09/03/2013	<u>34</u>	Magistrate Consent Notice to Parties. (jat)
09/03/2013	<u>35</u>	Scheduling Letter to counsel. (jat)
09/03/2013	<u>36</u>	RESPONSE in Opposition re <u>26</u> MOTION to Certify Class . filed by Thomas E. Roberts. (Fessier, Rosalie)
09/03/2013	<u>37</u>	NOTICE of Appearance by Charles Barnet Lustig on behalf of timothy bostic (Lustig, Charles)
09/03/2013	<u>38</u>	NOTICE by timothy bostic re <u>26</u> MOTION to Certify Class <i>Requesting that Proposed Class Definition be Amended to Exclude Four Individuals</i> (Lustig, Charles)
09/09/2013	<u>39</u>	REPLY to Response to Motion re <u>26</u> MOTION to Certify Class . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
09/09/2013	<u>40</u>	Response re <u>38</u> Notice (Other) <i>Re: Bostic Plaintiffs' Request To Be Excluded From Certified Class.</i> filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)



09/11/2013	<u>41</u>	NOTICE of Hearing on Motion <u>26</u> MOTION to Certify Class , <u>32</u> MOTION to Dismiss , <u>24</u> MOTION to Dismiss <i>on Sovereign Immunity Grounds</i> : Motion Hearing set for Tuesday 10/29/2013 10:00 AM in Harrisonburg before District Judge Michael F. Urbanski. (sd)
09/11/2013	<u>42</u>	RESPONSE in Opposition re <u>32</u> MOTION to Dismiss . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Exhibit Duff Declaration, # <u>2</u> Exhibit Harris Declaration)(Glenberg, Rebecca)
09/17/2013	<u>43</u>	SCHEDULING ORDER: Bench Trial set for 6/2/2014 – 6/13/2014 09:30 AM in Harrisonburg before District Judge Michael F. Urbanski. Signed by District Judge Michael F. Urbanski on 9/17/2013. (jat)
09/30/2013	<u>44</u>	MOTION for Summary Judgment by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
09/30/2013	<u>45</u>	AFFIDAVIT in Support re <u>44</u> MOTION for Summary Judgment <i>Graber Declaration</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
09/30/2013	<u>46</u>	AFFIDAVIT in Support re <u>44</u> MOTION for Summary Judgment <i>Harris Declaration</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
09/30/2013	<u>47</u>	AFFIDAVIT in Support re <u>44</u> MOTION for Summary Judgment <i>Duff Declaration</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
09/30/2013	<u>48</u>	AFFIDAVIT in Support re <u>44</u> MOTION for Summary Judgment <i>Kidd Declaration</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
09/30/2013	<u>49</u>	AFFIDAVIT in Support re <u>44</u> MOTION for Summary Judgment <i>Berghoff Declaration</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
09/30/2013	<u>50</u>	MOTION for Leave to File <i>Brief in Excess of 25 Pages</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Proposed Brief)(Glenberg, Rebecca)
10/01/2013	<u>51</u>	CERTIFICATE OF SERVICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>50</u> MOTION for Leave to File <i>Brief in Excess of 25 Pages</i> , <u>44</u> MOTION for Summary Judgment , <u>46</u> Affidavit in Support of Motion, <u>48</u> Affidavit in Support of Motion, <u>49</u> Affidavit in Support of Motion, <u>47</u> Affidavit in Support of Motion, <u>45</u> Affidavit in Support of Motion ( <i>amended</i> ) (Glenberg, Rebecca)
10/02/2013	<u>52</u>	ORDER granting <u>50</u> Motion for Leave to File Brief in Excess of 25 Pages. Signed by District Judge Michael F. Urbanski on 10/2/2013. (jat)
10/03/2013	<u>53</u>	MOTION to Stay re <u>44</u> MOTION for Summary Judgment by Robert F. McDonnell, Janet M. Rainey. Motions referred to Judge Robert S. Ballou. (Getchell, Earle)
10/03/2013	<u>54</u>	Brief/Memorandum <i>in Support of Motion to Suspend Scheduling Order, to Stay Briefing or in the alternative to Establish a Briefing Schedule</i> . filed by Robert F. McDonnell, Janet M. Rainey. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2)(Getchell, Earle)
10/04/2013	<u>55</u>	RESPONSE in Opposition re <u>53</u> MOTION to Stay re <u>44</u> MOTION for Summary Judgment . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Attachments: # <u>1</u> Exhibit A – Bostic Summary Judgment Brief)(Glenberg, Rebecca)
10/04/2013	<u>56</u>	REPORT of Rule 26(f) Planning Meeting (Getchell, Earle)
10/04/2013	<u>57</u>	NOTICE of Hearing by Attorney for Robert F. McDonnell, Janet M. Rainey re <u>53</u> MOTION to Stay re <u>44</u> MOTION for Summary Judgment , <u>54</u> Brief/Memorandum, <u>41</u> Notice of Hearing on Motion, Motion to be held on

		10/29/2013, at 10:00 a.m., at U.S. District Court, Harrisonburg, before Judge Urbanski. Confirmed with U.S. Clerk's Office. (Getchell, Earle)
10/04/2013	<u>58</u>	Objections by Plaintiffs Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>57</u> Notice of Hearing by Attorney, (Glenberg, Rebecca)
10/07/2013	<u>59</u>	Response re <u>58</u> Objections . filed by Robert F. McDonnell, Janet M. Rainey. (Getchell, Earle)
10/08/2013	<u>60</u>	Minute Entry for proceedings held before District Judge Michael F. Urbanski: Motion Hearing held on 10/8/2013 re <u>53</u> MOTION to Stay re <u>44</u> MOTION for Summary Judgment filed by Janet M. Rainey, Robert F. McDonnell. Order to follow. (Court Reporter Sonia Ferris.) (jat) (Entered: 10/09/2013)
10/10/2013	<u>62</u>	Brief in Support re <u>44</u> MOTION for Summary Judgment filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (ORDER entered on 10/2/2013 granting <u>50</u> Motion for Leave to File Brief in Excess of 25 Pages.) (jat)
10/17/2013	<u>64</u>	NOTICE by Robert F. McDonnell, Janet M. Rainey re <u>43</u> Scheduling Order <i>Rule 26(a) Initial Disclosures</i> (Getchell, Earle)
10/17/2013	<u>65</u>	DISCOVERY LETTER re: Certificate Regarding Discovery – Initial Disclosures by Thomas E. Roberts.(Fessier, Rosalie)
10/18/2013	66	Notice of Correction re <u>64</u> Notice (Other) – Deleted Rule 26(a)(3) Pretrial Disclosures 63 which was a Rule 26(a)(1) Initial Disclosure. Discovery does not get filed. (jat)
10/18/2013	<u>67</u>	MEMORANDUM OPINION. Signed by District Judge Michael F. Urbanski on 10/18/2013. (mab)
10/18/2013	<u>68</u>	ORDER granting in part and denying in part <u>53</u> Motion to Stay. Signed by District Judge Michael F. Urbanski on 10/18/2013. (mab)
10/18/2013	<u>69</u>	MOTION for Leave to File Excess Pages by Robert F. McDonnell, Janet M. Rainey.Motions referred to Judge Robert S. Ballou. (Getchell, Earle)
10/22/2013	<u>70</u>	ORDER granting <u>69</u> Motion for Leave to File Excess Pages. Signed by Magistrate Judge Robert S. Ballou on 10/22/2013. (jat)
10/22/2013	<u>71</u>	NOTICE of Hearing by Attorney for Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment Motion for Summary Judgment to be held on January 3rd, 2014, at 1:00pm, at U.S. District Court, 210 Franklin Road, Roanoke, Virginia, 24011, before Judge Urbanski. Confirmed with U.S. Clerk's Office. (Glenberg, Rebecca)
10/23/2013	<u>72</u>	NOTICE of Appearance by Norman Allan Thomas on behalf of Robert F. McDonnell, Janet M. Rainey (Thomas, Norman)
10/24/2013	<u>73</u>	Brief / Memorandum in Opposition re <u>44</u> MOTION for Summary Judgment . filed by Robert F. McDonnell, Janet M. Rainey. (Attachments: # <u>1</u> Attachment 1)(Getchell, Earle)
10/24/2013	<u>74</u>	RESPONSE in Opposition re <u>44</u> MOTION for Summary Judgment . filed by Thomas E. Roberts. (Fessier, Rosalie)
10/29/2013	<u>75</u>	Minute Entry for proceedings held before District Judge Michael F. Urbanski: Motion Hearing held on 10/29/2013 re <u>26</u> MOTION to Certify Class filed by Victoria Kidd, Joanne Harris, Jessica Duff, Christy Berghoff, <u>32</u> MOTION to Dismiss filed by Thomas E. Roberts, <u>24</u> MOTION to Dismiss <i>on Sovereign Immunity Grounds</i> filed by Robert F. McDonnell. Court will render an opinion. (Court Reporter Sonia Ferris.) (jat) (Additional attachment(s) added on 10/29/2013: # <u>1</u> Main Document) (jat).
10/29/2013	<u>76</u>	Notice of Correction re <u>75</u> Motion Hearing. Corrected minute sheet to correct a misspelled word. (jat)
10/29/2013	77	Notice of Cancellation of Motion for Summary Judgment Hearing set for January 3rd, 2014, at 1:00pm, at U.S. District Court, 210 Franklin Road, Roanoke,

		Virginia, 24011, before Judge Urbanski. (No Interpreter requested) (jat)
10/30/2013	<u>79</u>	MOTION to Amend/Correct <i>Amend Class Definition</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd.Motions referred to Judge Robert S. Ballou. (Glenberg, Rebecca)
10/30/2013	<u>80</u>	Brief / Memorandum in Support re <u>79</u> MOTION to Amend/Correct <i>Amend Class Definition</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
11/04/2013	<u>81</u>	NOTICE of Change of Address by Tara Lynn Borelli (Borelli, Tara)
11/04/2013	<u>82</u>	MOTION for Leave to File Excess Pages <i>Summary Judgement Reply Brief</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd.Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Text of Proposed Order)(Glenberg, Rebecca)
11/05/2013	<u>83</u>	RESPONSE in Opposition re <u>79</u> MOTION to Amend/Correct <i>Amend Class Definition</i> . filed by Robert F. McDonnell, Janet M. Rainey. (Getchell, Earle)
11/05/2013	<u>84</u>	ORDER granting <u>82</u> Motion for Leave to File Brief in Excess Pages. Signed by Magistrate Judge Robert S. Ballou on 11/5/13. (kld)
11/07/2013	<u>85</u>	TRANSCRIPT REQUEST (Expedited–7 calendar days Service) by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd for proceedings held on <b>10/29/2013</b> reported by Court Reporter Sonia Ferris before Judge Urbanski. Following Transcript due date is an estimated deadline pending deposit, if required by Court Reporter: Transcript due by 11/14/2013. (Glenberg, Rebecca)
11/07/2013	<u>86</u>	REPLY to Response to Motion re <u>44</u> MOTION for Summary Judgment . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
11/12/2013	<u>87</u>	TRANSCRIPT of Proceedings: Motion Hearing held on <b>10/29/2013</b> before Judge Michael F. Urbanski. Court Reporter/Transcriber Sonia Ferris. Telephone number SoniaF@vawd.uscourts.gov 540.434.3181 Ext. 8510. <b>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vawd.uscourts.gov</b> 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 12/3/2013. Redacted Transcript Deadline set for 12/13/2013. Release of Transcript Restriction set for 2/10/2014. (sf)
11/12/2013	<u>88</u>	REPLY to Response to Motion re <u>79</u> MOTION to Amend/Correct <i>Amend Class Definition</i> . filed by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd. (Glenberg, Rebecca)
11/19/2013	<u>89</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Whitewood opinion)(Glenberg, Rebecca)
12/16/2013	<u>90</u>	DISCOVERY LETTER re: Rule 26(a)(2) Disclosures by Thomas E. Roberts.(Fessier, Rosalie)
12/16/2013	<u>91</u>	NOTICE by Robert F. McDonnell, Janet M. Rainey re <u>43</u> Scheduling Order <i>Rule 26(a)(2) Initial Expert Disclosures</i> (Getchell, Earle)
12/20/2013	<u>92</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A – Griego Opinion)(Glenberg, Rebecca)
12/23/2013	<u>93</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A–Kitchen v Herbert Opinion)(Glenberg, Rebecca)

12/23/2013	<u>94</u>	MEMORANDUM OPINION. Signed by District Judge Michael F. Urbanski on 12/23/2013. (jat)
12/23/2013	<u>95</u>	ORDER granting <u>24</u> Motion to Dismiss; denying <u>32</u> Motion to Dismiss. Signed by District Judge Michael F. Urbanski on 12/23/2013. (jat)
12/24/2013	<u>96</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A–Obergefell)(Glenberg, Rebecca)
12/30/2013	<u>97</u>	NOTICE by Janet M. Rainey ( <i>Withdrawal of Atty</i> ) (Getchell, Earle)
01/07/2014	<u>98</u>	NOTICE of Appearance by Catherine Crooks Hill on behalf of Janet M. Rainey (Hill, Catherine) (Additional attachment(s) added on 1/9/2014: # <u>1</u> Main Document) (jat).
01/09/2014	<u>99</u>	Notice of Correction re <u>98</u> Notice of Appearance – Replaced fillable document with one that was converted to.pdf. (jat)
01/15/2014	<u>100</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A – Bishop Opinion)(Glenberg, Rebecca)
01/15/2014	<u>101</u>	NOTICE by Janet M. Rainey [ <i>of Withdrawal of Counsel</i> ] (Thomas, Norman)
01/22/2014	<u>102</u>	NOTICE of Appearance by Stuart Allen Raphael on behalf of Janet M. Rainey (Raphael, Stuart)
01/22/2014	<u>103</u>	MOTION for Extension of Time to File Answer by Thomas E. Roberts.Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Text of Proposed Order)(Fessier, Rosalie)
01/22/2014	<u>104</u>	ANSWER to <u>1</u> Complaint, by Thomas E. Roberts.(Fessier, Rosalie)
01/23/2014	<u>105</u>	ORDER granting <u>103</u> Motion for Extension of Time to Answer. Signed by District Judge Michael F. Urbanski on 1/23/14. (kld)
01/23/2014	<u>106</u>	MOTION to Withdraw as Attorney by Janet M. Rainey.Motions referred to Judge Robert S. Ballou. (Brady, Michael)
01/23/2014	<u>107</u>	NOTICE of Change of Address by Amanda Chloe Goad (Goad, Amanda)
01/24/2014	<u>108</u>	Oral ORDER granting <u>106</u> Motion to Withdraw as Attorney. Attorney Michael Hugh Brady terminated from the docket as counsel for Defendant Janet M. Rainey by Magistrate Judge Robert S. Ballou on 1/24/14. (mka)
01/24/2014	<u>109</u>	NOTICE of Appearance by Trevor Stephen Cox on behalf of Janet M. Rainey (Cox, Trevor)
01/27/2014	<u>110</u>	NOTICE by Janet M. Rainey re <u>44</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Memorandum in Support of Change in Position)(Raphael, Stuart)
01/27/2014	<u>111</u>	<i>Amended</i> ANSWER to <u>1</u> Complaint, by Janet M. Rainey.(Raphael, Stuart)
01/27/2014	<u>112</u>	MOTION to Withdraw as Attorney by Janet M. Rainey.Motions referred to Judge Robert S. Ballou. (Thomas, Norman)
01/29/2014	<u>113</u>	RESPONSE to Motion re <u>44</u> MOTION for Summary Judgment ( <i>Supplemental</i> ). filed by Thomas E. Roberts. (Fessier, Rosalie)
01/30/2014	<u>114</u>	Oral ORDER granting <u>112</u> Motion to Withdraw as Attorney. Attorney Norman A. Thomas terminated from the docket as counsel for Defendant Janet M. Rainey. Entered by Magistrate Judge Robert S. Ballou on 1/30/14. (mka)
01/31/2014	<u>115</u>	MEMORANDUM OPINION. Signed by District Judge Michael F. Urbanski on 1/31/14. (mka)
01/31/2014	<u>116</u>	ORDER granting <u>26</u> Motion to Certify Class; granting <u>79</u> Motion to Amend/Correct. Signed by District Judge Michael F. Urbanski on 1/31/14. (mka)

01/31/2014	<u>117</u>	ORDER directing parties to set a Status Conference. Signed by District Judge Michael F. Urbanski on 1/31/14. (mka)
02/03/2014	118	NOTICE of Hearing: Status Conference set for 2/12/2014 02:00 PM in Harrisonburg before District Judge Michael F. Urbanski. (sd)
02/03/2014	<u>119</u>	NOTICE of Appearance by Rhodes Beahm Ritenour on behalf of Janet M. Rainey (Ritenour, Rhodes) (Additional attachment(s) added on 2/3/2014: # <u>1</u> Main Document) (jat).
02/03/2014	<u>120</u>	Notice of Correction re <u>119</u> Notice of Appearance – Replaced fillable document with one that was compressed by Adobe. (jat)
02/10/2014	121	Notice Rescheduling Hearing (No Interpreter requested) previously set for 2/12/2014 at 2:00 PM before Judge Urbanski in Harrisonburg: TELEPHONIC Status Conference set for 2/12/2014 02:00 PM in Harrisonburg before District Judge Michael F. Urbanski. Reporter required. Parties have been emailed the call in information. (jat)
02/10/2014	<u>122</u>	STATUS REPORT <i>filed jointly</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd, Janet M. Rainey, Thomas E. Roberts (Attachments: # <u>1</u> Exhibit A. Transcript of summary judgment argument, Bostic v. Rainey, No. 5:13-cv-77 (E.D. Va. Feb. 4, 2014))(Raphael, Stuart)
02/12/2014	123	Notice of Cancellation of Status Conference set for 2/12/2014 @ 2:00 PM (No Interpreter requested). (jat)
02/12/2014	124	NOTICE of Hearing: Status Conference set for 2/19/2014 11:00 AM in Harrisonburg before District Judge Michael F. Urbanski. (mfu-lc2, )
02/12/2014	<u>125</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A–Bourke Opinion)(Glenberg, Rebecca)
02/14/2014	<u>126</u>	NOTICE by Janet M. Rainey re <u>44</u> MOTION for Summary Judgment , <u>110</u> Notice (Other) <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Opinion in Bostic v. Rainey)(Raphael, Stuart)
02/19/2014	<u>127</u>	Minute Entry for proceedings held before District Judge Michael F. Urbanski: Status Conference held on 2/19/2014. (Court Reporter Sonia Ferris.) (jat)
02/26/2014	<u>128</u>	NOTICE by Janet M. Rainey <i>of Supplemental Authority</i> (Attachments: # <u>1</u> E.D. Va. Judgment, # <u>2</u> 4th Cir. Briefing Order)(Raphael, Stuart)
02/27/2014	<u>130</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd re <u>44</u> MOTION for Summary Judgment <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A – De Leon opinion)(Glenberg, Rebecca)
02/27/2014	<u>131</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd <i>of filing motion to intervene on appeal in Bostic</i> (Attachments: # <u>1</u> Exhibit A – Motion to Intervene)(Glenberg, Rebecca)
02/28/2014	<u>132</u>	TRANSCRIPT REQUEST (Expedited–7 calendar days Service) by Janet M. Rainey for proceedings held on <b>02/19/2014</b> reported by Court Reporter Sonia Ferris before Judge Urbanski. Following Transcript due date is an estimated deadline pending deposit, if required by Court Reporter: Transcript due by 3/7/2014. (Cox, Trevor)
02/28/2014	<u>133</u>	TRANSCRIPT of Proceedings: Status Hearing held on <> <b>2/19/2014</b> before Judge Michael F. Urbanski. Court Reporter/Transcriber Sonia Ferris, Telephone number SoniaF@vawd.uscourts.gov 540.434.3181 Ext. 7. <b>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at <a href="http://www.vawd.uscourts.gov">www.vawd.uscourts.gov</a></b> 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 3/21/2014. Redacted

		<b>Transcript Deadline set for 3/31/2014. Release of Transcript Restriction set for 5/29/2014. (sf)</b>
03/03/2014	<u>134</u>	NOTICE by Janet M. Rainey re <u>127</u> Status Conference, <u>128</u> Notice (Other), <u>131</u> Notice (Other) of <i>Fourth Circuit Filings Regarding this Case</i> (Attachments: # <u>1</u> Exhibit 1: Consent Motion to Approve Parties Proposed Expedited Briefing Schedule, Bostic v. Schaefer (4th Cir. Feb. 27, 2014), # <u>2</u> Exhibit 2: Rainey Opp. to Harris Plfs Motion to Intervene, Bostic v. Schaefer (4th Cir. Mar. 3, 2014), # <u>3</u> Exhibit 3: Bostic Opp. to Harris Plfs Motion to Intervene, Bostic v. Schaefer (4th Cir. Mar. 3, 2014), # <u>4</u> Exhibit 4: Schaefer Opp. to Harris Plfs Motion to Intervene, Bostic v. Schaefer (4th Cir. Mar. 3, 2014), # <u>5</u> Exhibit 5: McQuigg Opp. to Harris Plfs Motion to Intervene, Bostic v. Schaefer (4th Cir. Mar. 3, 2014))(Raphael, Stuart)
03/04/2014	<u>135</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd Of <i>Additional 4th Circuit Filings</i> (Attachments: # <u>1</u> Exhibit A–Reply In Support of Motion to Intervene)(Glenberg, Rebecca)
03/10/2014	<u>136</u>	NOTICE by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd of <i>Fourth Circuit Intervention and Scheduling Orders</i> (Attachments: # <u>1</u> Exhibit A – Order Expediting Case and Granting Intervention, # <u>2</u> Exhibit B – Briefing Schedule)(Borelli, Tara)
03/31/2014	<u>137</u>	MEMORANDUM OPINION. Signed by District Judge Michael F. Urbanski on 3/31/2014. (jat)
03/31/2014	<u>138</u>	ORDER STAYING CASE. Signed by District Judge Michael F. Urbanski on 3/31/2014. (jat)
04/01/2014	139	Notice of Cancellation of Bench Trial set for 6/2/2014 – 6/13/2014 09:30 AM in Harrisonburg. (No Interpreter requested) (jat)
10/16/2014	<u>140</u>	MOTION to Lift Stay and Enter Judgment by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd.Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Exhibit A)(Borelli, Tara)
10/21/2014	141	ORAL ORDER Vacating referral on motion re: MOTION to Lift Stay and Enter Judgment <u>140</u> filed by Victoria Kidd, Joanne Harris, Jessica Duff, Christy Berghoff. Entered by District Judge Michael F. Urbanski on 10/21/2014. (jat)
10/29/2014	<u>142</u>	MOTION to Dismiss by Thomas E. Roberts. (Fessier, Rosalie)
10/29/2014	<u>143</u>	Brief / Memorandum in Support re <u>142</u> MOTION to Dismiss , Brief / Memorandum in Opposition to <u>140</u> MOTION to Lift Stay and Enter Judgment. filed by Thomas E. Roberts. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Fessier, Rosalie)
10/29/2014	<u>144</u>	MOTION to Dismiss for Lack of Jurisdiction <i>as moot</i> by Janet M. Rainey. (Raphael, Stuart)
10/29/2014	<u>145</u>	Brief / Memorandum in Support re <u>140</u> MOTION to Lift Stay and Enter Judgment , <u>144</u> MOTION to Dismiss for Lack of Jurisdiction <i>as moot</i> , <u>142</u> MOTION to Dismiss ( <i>but opposing Plaintiffs' Mot. to Enter J., No. 140</i> ). filed by Janet M. Rainey. (Attachments: # <u>1</u> Exhibit 1: Judgment, Bostic v. Rainey (Feb. 24, 2014), # <u>2</u> Exhibit 2: Statement of Attorney General (Oct. 6, 2014), # <u>3</u> Exhibit 3: Statement of Governor McAuliffe (Oct. 6, 2014), # <u>4</u> Exhibit 4: Executive Order No. 30 (Oct. 7, 2014), # <u>5</u> Exhibit 5: Same–Sex Spouses can now Legally Adopt (Oct. 10, 2014), # <u>6</u> Exhibit 6: Roberts Declaration, # <u>7</u> Exhibit 7: Consent Order Bostic v. Rainey (Oct. 21, 2014))(Raphael, Stuart)
11/04/2014	<u>146</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>140</u> MOTION to Lift Stay and Enter Judgment , <u>144</u> MOTION to Dismiss for Lack of Jurisdiction <i>as moot</i> , <u>142</u> MOTION to Dismiss by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd.Motions referred to Judge Robert S. Ballou. (Glenberg, Rebecca)
11/10/2014	<u>147</u>	ORDER granting <u>146</u> Motion for Extension of Time to File Response/Reply – Responses due by 11/19/2014. Signed by Magistrate Judge Robert S. Ballou on

		11/6/2014. (jat)
11/12/2014	148	NOTICE of Hearing: Oral Argument Hearing set for 12/11/2014 02:30 PM in Harrisonburg before District Judge Michael F. Urbanski. (jat)
11/14/2014	<u>149</u>	Consent MOTION to Continue <i>Suspend Briefing and Argument</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd.Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Exhibit A–Proposed Consent Order in Bostic)(Glenberg, Rebecca)
11/17/2014	<u>150</u>	ORDER granting <u>149</u> Motion to Continue Suspend Briefing and Argument. Status Report due 12/17/2014. Signed by District Judge Michael F. Urbanski on 11/17/2014. (jat)
11/19/2014	151	Notice of Cancellation of 12/11/2014 @ 2:30 PM Oral Argument (No Interpreter requested) (jat)
12/17/2014	<u>152</u>	STATUS REPORT <i>Pursuant to November 17, 2014 Order</i> by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd, Janet M. Rainey (Attachments: # <u>1</u> Exhibit A – Bostic Status Report)(Glenberg, Rebecca)
02/18/2015	<u>153</u>	STIPULATION of Dismissal by Christy Berghoff, Jessica Duff, Joanne Harris, Victoria Kidd, Janet M. Rainey, Thomas E. Roberts (Raphael, Stuart)
02/18/2015	<u>154</u>	ORDER DISMISSING CASE With Prejudice. Signed by District Judge Michael F. Urbanski on 2/18/2015. (jat)