

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:11-cv-00734-ACK-KSC**

Jackson et al v. Abercrombie et al
Assigned to: JUDGE ALAN C KAY
Referred to: JUDGE KEVIN S.C. CHANG
Case in other court: 9CCA, CA 12-16995
9CCA, CA 12-16998
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 12/07/2011
Date Terminated: 10/23/2014
Jury Demand: None
Nature of Suit: 950 Constitutional – State
Statute
Jurisdiction: Federal Question

Plaintiff

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Plaintiff

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Plaintiff

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V.

Defendant

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V.

Intervenor Defendant

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Date Filed	#	Docket Text
12/07/2011	<u>1</u>	COMPLAINT, filed by Natasha N. Jackson, Janin Kleid. (Attachments: # <u>1</u> Summons (issued), # <u>2</u> Civil Cover Sheet)(eps) (Entered: 12/07/2011)
12/07/2011	<u>2</u>	Order Setting Rule 16 Scheduling Conference for 09:00AM on 3/12/2012 before JUDGE KEVIN S.C. CHANG.. by JUDGE SUSAN OKI MOLLWAY dated 12/7/11. (Attachments: # <u>1</u> Memo re: Corporate Disclosure Statements)(eps) (Entered: 12/07/2011)
12/07/2011	<u>3</u>	Filing fee: \$ 350.00,receipt number HI001985 re <u>1</u> (eps) (Entered: 12/07/2011)
12/08/2011	<u>4</u>	SUMMONS Returned Executed by Natasha N. Jackson, Janin Kleid. Neil S. Abercrombie served through Kendall J Moser, Deputy Atty General on 12/7/2011. (eps) . (Entered: 12/08/2011)
12/08/2011	<u>5</u>	SUMMONS Returned Executed by Natasha N. Jackson, Janin Kleid. Loretta J. Fuddy served through Kendall J Moser, Deputy Attorney General on 12/7/2011. (eps) . (Entered: 12/08/2011)
01/27/2012	<u>6</u>	AMENDED COMPLAINT ; <i>Certificate of Service</i> against All Defendants, filed by Natasha N. Jackson, Janin Kleid, Gary Bradley.(Lee, William) (Entered: 01/27/2012)
02/15/2012	7	EO: By agreement of counsel, Rule 16 Scheduling Conference set 3/12/12 shall be continued to 09:00AM on 4/17/2012 before JUDGE KEVIN S.C. CHANG. Harvey Henderson to notify all parties. (JUDGE KEVIN S.C. CHANG)(sna,) ^{No COS issued for this docket entry} (Entered: 02/15/2012)
02/21/2012	<u>9</u>	ANSWER to <u>6</u> First Amended Complaint ; Certificate of Service by Neil S. Abercrombie.(eps) (Entered: 02/21/2012)
02/21/2012	<u>10</u>	ANSWER to <u>6</u> First Amended Complaint ; Certificate of Service by Loretta J. Fuddy.(eps) (Entered: 02/21/2012)
02/22/2012	<u>11</u>	Errata Sheet to ANSWER; Certificate of Service re <u>6</u> First Amended Complaint on behalf of Defendant Neil S. Abercrombie. (eps) (Entered: 02/22/2012)
03/01/2012	<u>12</u>	APPLICATION TO APPEAR Pro Hac Vice – Lloyd James Hochberg, Jr (local counsel) and Brian W Raum (PHV) requesting to appear as to Intervenor Defendant Hawaii Family Forum (Attachments: # <u>1</u> Declaration of Counsel, # <u>2</u> Certificate of Service)(eps) (Entered: 03/01/2012)
03/01/2012	<u>13</u>	APPLICATION TO APPEAR Pro Hac Vice :Lloyd James Hochberg, Jr (Local Counsel) and Holly L Carmichael (PHV) requesting to appear for Intervenor Defendant Hawaii Family Forum (Attachments: # <u>1</u> Declaration of Counsel, # <u>2</u>

		Certificate of Service)(eps) (Entered: 03/01/2012)
03/01/2012	<u>14</u>	Filing fee: \$ 300.00,receipt number HI002911, \$ 300.00 receipt number HI002912 re <u>12</u> BRIAN W RAUM Pro Hac Vice, <u>13</u> HOLLY L CARMICHAEL Pro Hac Vice (eps) (Entered: 03/01/2012)
03/01/2012	<u>15</u>	MOTION to Intervene – Lloyd James Hochberg, Jr appearing for Intervenor Defendant Hawaii Family Forum (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Corporate Disclosure Statement, # <u>5</u> Certificate of Service)(eps) (Entered: 03/01/2012)
03/01/2012	<u>16</u>	PROPOSED ANSWER In Intervention of Hawaii Family Forum by Hawaii Family Forum.(eps) (Entered: 03/01/2012)
03/02/2012	<u>17</u>	NOTICE of Hearing on Motion <u>15</u> Intervenor Defendant Hawaii Family Forum's MOTION to Intervene set for 4/30/2012 10:00 AM before JUDGE ALAN C KAY. (lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 03/02/2012)
03/14/2012	<u>18</u>	ORDER ADMITTING BRIAN W. RAUM PRO HAC VICE re <u>12</u> . Signed by JUDGE KEVIN S.C. CHANG on 03/14/2012. (eps) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/14/2012)
03/14/2012	<u>19</u>	ORDER ADMITTING HOLLY L. CARMICHAEL PRO HAC VICE <u>13</u> . Signed by JUDGE KEVIN S.C. CHANG on 03/14/2012. (eps) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/14/2012)
03/23/2012	<u>20</u>	REPORT of Planning Meeting ; <i>Certificate of Service</i> . (Lee, William) (Entered: 03/23/2012)
03/29/2012	<u>22</u>	FIRST STIPULATION Regarding Deadline For Making Initial Disclosures AND ORDER. Signed by JUDGE KEVIN S.C. CHANG on 03/29/2012. (eps) — the time for making initial disclosures shall be set for 30 days after the court files its written order granting or denying Hawaii Family Forum's motion to intervene <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications will be served by first class mail on 03/30/2012 (Entered: 03/29/2012)
04/09/2012	<u>23</u>	MEMORANDUM in Support re <u>15</u> MOTION to Intervene <i>and certificate of service</i> filed by Loretta J. Fuddy. (Wynhoff, William) (Entered: 04/09/2012)
04/09/2012	<u>24</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Intervene filed by Gary Bradley, Natasha N. Jackson, Janin Kleid. (Attachments: # <u>1</u> Declaration Declaration of John J. D'Amato, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O)(D'Amato, John) (Entered: 04/09/2012)
04/09/2012	<u>25</u>	Additional Exhibits to <u>24</u> Memorandum in Opposition to Motion, <i>Certificate of Service</i> filed by Gary Bradley, Natasha N. Jackson, Janin Kleid. (Attachments: # <u>1</u> Exhibit P, # <u>2</u> Exhibit Q (1 of 4), # <u>3</u> Exhibit Q (2 of 4), # <u>4</u> Exhibit Q (3 of 4), # <u>5</u> Exhibit Q (4 of 4), # <u>6</u> Exhibit R (1 of 2), # <u>7</u> Exhibit R (2 of 2), # <u>8</u> Exhibit S, # <u>9</u>

		Exhibit T, # <u>10</u> Exhibit U, # <u>11</u> Exhibit V, # <u>12</u> Exhibit W, # <u>13</u> Exhibit X, # <u>14</u> Exhibit Y)(D'Amato, John) (Entered: 04/09/2012)
04/09/2012	<u>26</u>	REQUEST for Judicial Notice; Certificate of Service by Gary Bradley, Natasha N. Jackson, Janin Kleid. (D'Amato, John) (Entered: 04/09/2012)
04/09/2012	<u>27</u>	MEMORANDUM in Opposition To re <u>15</u> MOTION to Intervene of Hawaii Family Forum – filed by Neil S. Abercrombie. (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Table of Authorities, # <u>3</u> Memorandum In Opposition, # <u>4</u> Declaration of Robert T Nakatsuji, # <u>5</u> Exhibit A, # <u>6</u> Exhibit B, # <u>7</u> Exhibit C, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, # <u>10</u> Certificate of Service)(eps) (Entered: 04/09/2012)
04/10/2012	<u>28</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid re <u>24</u> Memorandum in Opposition to Motion, (Lee, William) (Entered: 04/10/2012)
04/10/2012	<u>29</u>	Scheduling Conference Statement <i>Certificate of Service</i> . (D'Amato, John) (Entered: 04/10/2012)
04/10/2012	<u>30</u>	Scheduling Conference Statement <i>and certificate of service</i> . (Wynhoff, William) (Entered: 04/10/2012)
04/10/2012	<u>31</u>	Scheduling Conference Statement; Certificate of Service on behalf of Defendant Neil S Abercrombie. (eps) (Entered: 04/10/2012)
04/11/2012	<u>32</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid re: <i>Campaign Spending Comm'n</i> (D'Amato, John) (Entered: 04/11/2012)
04/12/2012	<u>33</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Notice of Depo Campaign Spndng Comm'n</i> (D'Amato, John) (Entered: 04/12/2012)
04/16/2012	<u>34</u>	REPLY to Response to Motion re <u>15</u> MOTION to Intervene filed by Hawaii Family Forum. (Attachments: # <u>1</u> Declaration of James Hochberg, # <u>2</u> Exhibit A)(Raum, Brian) (Entered: 04/16/2012)
04/17/2012	<u>35</u>	EP: Rule 16 Scheduling Conference held on 4/17/2012. Rule 16 Scheduling Conference Order to be issued. Court informed counsel for Defendant Fuddy that upon the filing of the Motion for Summary Judgment, Judge Kay will schedule the motion for 7/24/12. Bench Trial set for 4/23/2013 09:00 AM before JUDGE ALAN C KAY. Final Pretrial Conference set for 3/12/2013 09:00 AM before JUDGE KEVIN S.C. CHANG. Settlement Conference set for 1/15/2013 11:00 AM before JUDGE KEVIN S.C. CHANG. Motions due by 11/21/2012. Discovery due by 2/22/2013. (C5 – no record, 9:05–9:10am.) (JUDGE KEVIN S.C. CHANG)(sna,) ^{No COS issued for this docket entry} (Entered: 04/17/2012)
04/17/2012	<u>36</u>	Rule 16 SCHEDULING ORDER:. Signed by JUDGE KEVIN S.C. CHANG on 04/17/2012. (eps) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/17/2012)
04/19/2012	<u>37</u>	EO: Status Conference Re: filing of cross motion for summary judgment set for 4/20/2012 11:15 AM before JUDGE KEVIN S.C. CHANG. John D'Amato has notified all parties. (JUDGE KEVIN S.C. CHANG)(sna,) ^{No COS issued for this docket entry} (Entered: 04/19/2012)
04/19/2012	<u>38</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Ps' 1st Req for Ans to Interrogs</i> (D'Amato, John) (Entered: 04/19/2012)
04/20/2012	<u>39</u>	EP: Status Conference Conference Re: filing of cross motion for summary judgment held on 4/20/2012. Discussion held. Counsel agree to the following deadlines: 6/15/12: deadline to file Motions for Summary Judgment which will be heard by Judge Kay on 7/24/12. 6/29/12: deadline to file opposition and/or counter motions, if any. 7/10/12: reply deadline. (C5 – no record, 11:30–11:40am.) (JUDGE KEVIN S.C. CHANG)(sna,) ^{No COS issued for this docket entry} (Entered: 04/20/2012)

04/24/2012	<u>40</u>	SUPPLEMENT re <u>15</u> MOTION to Intervene filed by Hawaii Family Forum by Hawaii Family Forum (<i>pursuant to Local Rule 7.8</i>). (Attachments: # <u>1</u> Order, # <u>2</u> Form 990, # <u>3</u> Certificate of Service)(Raum, Brian) (Entered: 04/24/2012)
04/25/2012		CORRECTIVE ENTRY. The entry docket number <u>40</u> Supplement filed by Hawaii Family Forum is filed incorrectly in this case. The Main Document is incorrectly formatted. The Main Document is submitted in Letter Form rather than Pleading Form. Please refer to LR10.2 (b) and (c). The filing party shall re-submit a corrected filing. (eps) (Entered: 04/25/2012)
04/25/2012		ADVISORY ENTRY. The entry docket number <u>40</u> Supplement filed by Hawaii Family Forum pursuant to LR 7.8 is a Letter. The general practice is as follows: Letters to the Court are submitted via e-mail (refer to LR.100.9.3 for the hearing judge's e-mail) or by Fax (refer to USDC website, Judge's Contact List). Subsequently, at the Court's direction, the letter is entered on the docket by the Clerk's Office. The filing party is advised that no further follow-up action as to this entry is necessary. (eps) (Entered: 04/25/2012)
04/25/2012	<u>41</u>	SUPPLEMENT re <u>24</u> Memorandum in Opposition to Motion, filed by Janin Kleid, Gary Bradley, Natasha N. Jackson by Gary Bradley, Natasha N. Jackson, Janin Kleid ; <i>Certificate of Service</i> . (Attachments: # <u>1</u> Exhibit A)(D'Amato, John) (Entered: 04/25/2012)
04/30/2012	<u>42</u>	EP: Motion Hearing held on 4/30/2012 re <u>15</u> MOTION to Intervene filed by Hawaii Family Forum—Oral Discussion Held. Motion is hereby Granted. Court to issue a written Order.(Court Reporter Gloria Bediamol.) (JUDGE ALAN C KAY)(lls,)No COS issued for this docket entry (Entered: 04/30/2012)
05/02/2012	<u>43</u>	ORDER GRANTING HAWAII FAMILY FORUM'S MOTION TO INTERVENE re <u>42</u> , <u>15</u> . Signed by JUDGE ALAN C KAY on 05/02/2012. (eps) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/02/2012)</p>
05/09/2012	<u>44</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Req for Ans to Written Interrogs HFF</i> (D'Amato, John) (Entered: 05/09/2012)
05/11/2012	<u>45</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Notice of Depo. on Written Qs KITV</i> (D'Amato, John) (Entered: 05/11/2012)
05/11/2012	<u>46</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Notice of Taking Depo. on Written Qs KGMB</i> (D'Amato, John) (Entered: 05/11/2012)
05/11/2012	<u>47</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Notice of Taking Depo. on Written Qs KFVE</i> (D'Amato, John) (Entered: 05/11/2012)
05/11/2012	<u>48</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Notice of Taking Depo. on Written Qs KHON</i> (D'Amato, John) (Entered: 05/11/2012)
05/11/2012	<u>49</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Notice of Taking Depo. on Written Qs KHNL</i> (D'Amato, John) (Entered: 05/11/2012)
05/18/2012	<u>50</u>	MOTION for Pro Hac Vice of <i>Dale Schowengerdt</i> Brian W. Raum appearing for Intervenor Defendant Hawaii Family Forum (Raum, Brian) (Entered: 05/18/2012)
05/18/2012	<u>51</u>	CERTIFICATE OF SERVICE by Loretta J. Fuddy <i>for answers and objections to plaintiffs' interrogatories</i> (Wynhoff, William) (Entered: 05/18/2012)
05/21/2012	<u>52</u>	Filing fee: \$ 300.00,receipt number HI003828 re <u>50</u> Pro Hac Vice of <i>Dale Schowengerdt</i> (eps) (Entered: 05/21/2012)
05/22/2012	<u>53</u>	ORDER ADMITTING DALE SCHOWENGERDT PRO HAC VICE <u>50</u> . Signed by JUDGE KEVIN S.C. CHANG on 05/22/2012. (eps) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/22/2012)
05/23/2012	<u>54</u>	TRANSCRIPT of Proceedings Intervenor Dft. HFF Mt. to Intervene held on 4-30-12, - before Judge Alan C. Kay. Court Reporter/Transcriber Gloria T. Bediamol, Telephone number (808) 541-2060. Transcript may be viewed at the court public terminal or ordered through the Court Reporter/Transcriber before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a),FRCrP 49.1(a) and FRBP 9037(a) Redaction Request due 6/11/2012. Redacted Transcript Deadline set for 6/20/2012. Release of Transcript Restriction set for 8/20/2012. pp. 47. (gb@hid.uscourts.gov) (Entered: 05/23/2012)
05/30/2012	<u>55</u>	CERTIFICATE OF SERVICE by Gary Bradley, Natasha N. Jackson, Janin Kleid <i>Plaintiffs' Initial Disclosures</i> (D'Amato, John) (Entered: 05/30/2012)
06/01/2012	<u>56</u>	NOTICE of Appearance by Dale Schowengerdt on behalf of Hawaii Family Forum on behalf of Hawaii Family Forum. (Schowengerdt, Dale) (Entered: 06/01/2012)
06/01/2012	<u>57</u>	CERTIFICATE OF SERVICE by Hawaii Family Forum <i>for Rule 26(a) Initial Disclosures</i> (Schowengerdt, Dale) (Entered: 06/01/2012)
06/01/2012	<u>58</u>	INITIAL DISCLOSURES; Certificate of Service by Neil S. Abercrombie. (eps) (Entered: 06/01/2012)
06/01/2012	<u>59</u>	CERTIFICATE OF SERVICE by Loretta J. Fuddy <i>for initial disclosures</i> (Wynhoff, William) (Entered: 06/01/2012)
06/12/2012	<u>60</u>	CERTIFICATE OF SERVICE by Hawaii Family Forum <i>for Responses and Objections to Plaintiffs' First Set of Discovery Requests</i> (Schowengerdt, Dale) (Entered: 06/12/2012)
06/13/2012	<u>61</u>	MOTION for Leave to File Excess Pages Dale Schowengerdt appearing for Intervenor Defendant Hawaii Family Forum (Schowengerdt, Dale) (Entered: 06/13/2012)
06/14/2012	<u>62</u>	ORDER GRANTING LEAVE TO EXCEED WORD LIMITATION <u>61</u> . Signed by JUDGE ALAN C KAY on 06/14/2012. (eps) -- Defendant-Intervenor Hawaii Family Forum shall be permitted to file a memorandum of law in support of its motion for summary judgment of not more than 10,600 words. <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/14/2012)
06/15/2012	<u>63</u>	MOTION for Summary Judgment William J. Wynhoff appearing for Defendant Loretta J. Fuddy (Attachments: # <u>1</u> Memorandum in support of motion, # <u>2</u> certificate of compliance, # <u>3</u> certificate of service)(Wynhoff, William) (Entered: 06/15/2012)
06/15/2012	<u>64</u>	CONCISE STATEMENT in Support re <u>63</u> MOTION for Summary Judgment filed by Loretta J. Fuddy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Declaration of Loretta J. Fuddy, # <u>5</u> Declaration of William J. Wynhoff, # <u>6</u> certificate of service)(Wynhoff, William) (Entered: 06/15/2012)
06/15/2012	<u>65</u>	MOTION for Summary Judgment ; <i>Certificate of Compliance; Certificate of Service</i> John J. D'Amato appearing for Plaintiffs Gary Bradley, Natasha N. Jackson, Janin Kleid (Attachments: # <u>1</u> Memorandum In Support of Plaintiffs' Motion)(D'Amato, John) (Entered: 06/15/2012)
06/15/2012	<u>66</u>	CONCISE STATEMENT in Support re <u>65</u> MOTION for Summary Judgment ; <i>Certificate of Compliance; Certificate of Service Certificate of Service (CSF)</i> filed by Gary Bradley, Natasha N. Jackson, Janin Kleid. (Attachments: # <u>1</u> Declaration Of John J. D'Amato, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I)(D'Amato, John) (Entered: 06/15/2012)

06/15/2012	<u>67</u>	MOTION for Summary Judgment Dale Schowengerdt appearing for Intervenor Defendant Hawaii Family Forum (Attachments: # <u>1</u> Memorandum in Support)(Schowengerdt, Dale) (Entered: 06/15/2012)
06/15/2012	<u>68</u>	CONCISE STATEMENT in Support re <u>67</u> MOTION for Summary Judgment filed by Hawaii Family Forum. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19, # <u>21</u> Exhibit 20)(Schowengerdt, Dale) (Entered: 06/15/2012)
06/15/2012	<u>69</u>	Additional Exhibits to <u>67</u> MOTION for Summary Judgment, <u>68</u> Concise Statement in Support of Motion,, filed by Hawaii Family Forum. (Attachments: # <u>1</u> Exhibit 21, # <u>2</u> Exhibit 22, # <u>3</u> Exhibit 23, # <u>4</u> Exhibit 24, # <u>5</u> Exhibit 25)(Schowengerdt, Dale) (Entered: 06/15/2012)
06/15/2012	<u>70</u>	Additional Exhibits to <u>67</u> MOTION for Summary Judgment, <u>68</u> Concise Statement in Support of Motion,, filed by Hawaii Family Forum. (Attachments: # <u>1</u> Exhibit 26, # <u>2</u> Exhibit 27, # <u>3</u> Exhibit 28, # <u>4</u> Exhibit 29, # <u>5</u> Exhibit 30)(Schowengerdt, Dale) (Entered: 06/15/2012)
06/15/2012	<u>71</u>	Additional Exhibits to <u>67</u> MOTION for Summary Judgment, <u>68</u> Concise Statement in Support of Motion,, filed by Hawaii Family Forum. (Attachments: # <u>1</u> Exhibit 31, # <u>2</u> Exhibit 32, # <u>3</u> Exhibit 33, # <u>4</u> Exhibit 34)(Schowengerdt, Dale) (Entered: 06/15/2012)
06/15/2012	72	NOTICE of Hearing on Motions <u>67</u> Intervenor Defendant Hawaii Family Forum's MOTION for Summary Judgment, <u>63</u> Defendant Loretta J. Fuddy's MOTION for Summary Judgment and <u>65</u> Plaintiffs Gary Bradley, Natasha N. Jackson and Janin Kleid's MOTION for Summary Judgment set for Court Hearings on 7/24/2012 at 10:00 AM before JUDGE ALAN C KAY. (lls,) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 06/15/2012)</p>
06/19/2012	<u>73</u>	TRANSCRIPT of Proceedings Intervenor Dft. Hawaii Family Forum's Mt. to Intervene held on April 30, 2012, – before Judge Alan C. Kay. Court Reporter/Transcriber Gloria T. Bediamol, Telephone number (808) 541–2060. Transcript may be viewed at the court public terminal or ordered through the Court Reporter/Transcriber before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a), FRCrP 49.1(a) and FRBP 9037(a) Redaction Request due 7/9/2012. Redacted Transcript Deadline set for 7/17/2012. Release of Transcript Restriction set for 9/14/2012. pp. 47. (gb@hid.uscourts.gov) (Entered: 06/19/2012)
06/20/2012	<u>74</u>	MOTION for Leave to File A Single Combined Memorandum of 25,000 Words, In Support Of His Countermotion And In Opposition Or Response To All Three Parties' Motions – Girard D. Lau, Robert T. Nakatsuji, Harvey E. Henderson, Jr appearing for Defendant Neil S. Abercrombie (Attachments: # <u>1</u> Declaration of Girard D Lau, # <u>2</u> Certificate of Service)(eps) (Entered: 06/20/2012)
06/20/2012	<u>75</u>	EO: The Court GRANTS Defendant Abercrombies request filed 6/20/2012 (Doc. No. 74), to file a single combined memorandum of 25,000 words in support of his countermotion and in opposition or response to all three motions for summary judgment. In granting this request, the Court notes that under Local Rule 7.9: A partys memorandum in support of the counter motion must be combined into one document with the partys memorandum in opposition to the original motion and may not exceed the page or word limit for an opposition absent leave of court. The opposition to the counter motion shall be served and filed together with any reply in support of the original motion in accordance with LR 7.4. A partys opposition to the counter motion must be combined into one document with that partys reply in support of the original motion and may not exceed the page limit for a reply absent leave of court. In other words, the other parties each will be limited under Local Rule 7.5 to a combined opposition and reply memorandum of not more than 4,500

		words unless otherwise authorized by the Court. (JUDGE ALAN C KAY)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/21/2012)
06/25/2012	<u>76</u>	MOTION for Leave to File Excess Pages <i>and Single Opposition to Motions for Summary Judgment of Defendant Director Fuddy and Defendant-Intervenor Hawaii Family Forum; Certificate of Service</i> John J. D'Amato appearing for Plaintiffs Gary Bradley, Natasha N. Jackson, Janin Kleid (D'Amato, John) (Entered: 06/25/2012)
06/26/2012	<u>77</u>	EO: The Court grants Plaintiffs unopposed motion to file a single opposition of 12,200 words in response to the motions for summary judgment of Defendant Director Fuddy and Defendant-Intervenor Hawaii Family Forum (Doc. No. 76). (JUDGE ALAN C KAY)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/26/2012)
06/29/2012	<u>78</u>	MEMORANDUM in Opposition to <i>Plaintiffs' Motion for Summary Judgment</i> filed by Loretta J. Fuddy. (Attachments: # <u>1</u> Certificate of Service)(Quinn, Rebecca) (Entered: 06/29/2012)
06/29/2012	<u>79</u>	RESPONSE to <i>Plaintiffs' Concise Statement of Facts in support of Motion for Summary Judgment</i> filed by Loretta J. Fuddy. (Attachments: # <u>1</u> Declaration of William J. Wynhoff, # <u>2</u> : RESTRICTED FROM PUBLIC VIEW Exhibit 4, # <u>3</u> Certificate of Compliance, # <u>4</u> Certificate of Service)(Quinn, Rebecca) Modified on 7/2/2012 : restricting Exhibit 4 because it is a transcript that has not been released for public viewing <u>54</u> (eps). (Entered: 06/29/2012)
06/29/2012	<u>80</u>	STATEMENT of No Opposition to <i>Defendant-Intervenor Hawaii Family Forum's Motion for Summary Judgment</i> filed by Loretta J. Fuddy. (Attachments: # <u>1</u> Certificate of Service)(Quinn, Rebecca) (Entered: 06/29/2012)
06/29/2012	<u>81</u>	NOTICE of Appearance by Clyde J. Wadsworth on behalf of Equality Hawai'i, Hawai'i LGBT Legal Association on behalf of Equality Hawai'i, Hawai'i LGBT Legal Association. (Wadsworth, Clyde) (Entered: 06/29/2012)
06/29/2012	<u>82</u>	MEMORANDUM in Opposition re <u>65</u> MOTION for Summary Judgment ; <i>Certificate of Compliance; Certificate of Service</i> filed by Hawaii Family Forum. (Schowengerdt, Dale) (Entered: 06/29/2012)
06/29/2012	<u>83</u>	MOTION LEAVE TO FILE BRIEF OF AMICI CURIAE EQUALITY HAWAII AND HAWAII LGBT LEGAL ASSOCIATION IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT LORETTA J. FUDDY AND DEFENDANT-INTERVENOR HAWAII FAMILY FORUM'S MOTIONS FOR SUMMARY JUDGMENT re <u>67</u> MOTION for Summary Judgment, <u>65</u> MOTION for Summary Judgment ; <i>Certificate of Compliance; Certificate of Service</i> , <u>63</u> MOTION for Summary Judgment Clyde J. Wadsworth appearing for Defendant Equality Hawai'i, Amicus Hawai'i LGBT Legal Association (Attachments: # <u>1</u> Brief of Amici Curiae Equality Hawai'i and Hawai'i LGBT Legal Association in Support of Plaintiffs' Opposition to Defendants Loretta J. Fuddy and Hawaii Family Forum's Motions for Summary Judgment, # <u>2</u> Certificate of Service)(Wadsworth, Clyde) (Entered: 06/29/2012)
06/29/2012	<u>84</u>	Concise Statement in Opposition re <u>66</u> Concise Statement in Support of Motion, filed by Hawaii Family Forum. (Schowengerdt, Dale) (Entered: 06/29/2012)
06/29/2012	<u>85</u>	STATEMENT of No Opposition re <u>63</u> MOTION for Summary Judgment filed by Hawaii Family Forum. (Schowengerdt, Dale) (Entered: 06/29/2012)
06/29/2012	<u>86</u>	MEMORANDUM in Opposition re <u>67</u> MOTION for Summary Judgment, <u>63</u> MOTION for Summary Judgment ; <i>Certificate of Service</i> filed by Gary Bradley,

		Natasha N. Jackson, Janin Kleid. (D'Amato, John) (Entered: 06/29/2012)
06/29/2012	<u>89</u>	CONCISE STATEMENT OF Facts in Opposition To Defendant Loretta J Fuddy's <u>63</u> MOTION for Summary Judgment ; Certificate of Service – filed by Neil S. Abercrombie. (eps) (Entered: 07/02/2012)
06/29/2012	<u>90</u>	CONCISE STATEMENT Of Facts in Opposition To Defendant–Intervenor Hawaii Family Forum's <u>67</u> MOTION for Summary Judgment ; Certificate of Service – filed by Neil S. Abercrombie. (eps) (Entered: 07/02/2012)
06/29/2012	<u>91</u>	CONCISE STATEMENT of Facts In Response To Plaintiffs' <u>65</u> MOTION for Summary Judgment Re: Count Two: Violation Of Plaintiffs' Right To Equal Protection; Certificate of Service – filed by Neil S. Abercrombie. (eps) (Entered: 07/02/2012)
06/29/2012	<u>92</u>	COUNTERMOTION for Partial Summary Judgment – Girard D. Lau, Robert T. Nakatsuji, Harvey E. Henderson, Jr appearing for Defendant Neil S. Abercrombie (Attachments: # <u>1</u> Memorandum In Support of Defendant Governor Neil S Abercrombie's CounterMotion For Partial Summary Judgment, In Response To Plaintiffs' Motion For Summary Judgment Re Count Two, And In Opposition To Defendant Loretta J Fuddy's And Defendant–Intervenor Hawaii Family Forum's Motions For Summary Judgment, # <u>2</u> Certificate of Compliance, # <u>3</u> Certificate of Service)(eps) (Entered: 07/02/2012)
06/29/2012	<u>93</u>	CONCISE STATEMENT Of Facts in Support Of Defendant Governor Neil S Abercrombie's <u>92</u> COUNTER–MOTION for Partial Summary Judgment filed by Neil S. Abercrombie. (Attachments: # <u>1</u> Declaration of Girard D Lau, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Declaration Of Gregory M Herek, Ph.D, # <u>18</u> Exhibit A, # <u>19</u> Exhibit B, # <u>20</u> Declaration of George Chauncey, Ph.D, # <u>21</u> Chauncey Bibliography, # <u>22</u> Exhibit A, # <u>23</u> Declaration of Michael E Lamb, Ph.D, # <u>24</u> Lamb Bibliography, # <u>25</u> Exhibit A, # <u>26</u> Exhibit B, # <u>27</u> Declaration of Gary M Segura, Ph.D, # <u>28</u> Exhibit A, # <u>29</u> Exhibit B, # <u>30</u> Certificate of Service)(eps) (Entered: 07/02/2012)
07/02/2012	<u>87</u>	CONCISE STATEMENT in Opposition re <u>67</u> MOTION for Summary Judgment, <u>63</u> MOTION for Summary Judgment <i>Response to Concise Statement of Facts of Defendant Fuddy and Defendant–Intervenor Hawaii Family Forum</i> ; Certificate of Service; filed by Gary Bradley, Natasha N. Jackson, Janin Kleid. (D'Amato, John) (Entered: 07/02/2012)
07/02/2012	<u>88</u>	Errata re <u>83</u> MOTION LEAVE TO FILE BRIEF OF AMICI CURIAE EQUALITY HAWAII AND HAWAII LGBT LEGAL ASSOCIATION IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT LORETTA J. FUDDY AND DEFENDANT–INTERVENOR HAWAII FAMILY FORUM'S MOTIONS FOR SUMMARY JU. (Attachments: # <u>1</u> [CORRECTED] Pages 8 and 9 of BRIEF of Amici Curiae, # <u>2</u> Certificate of Service)(Wadsworth, Clyde) (Entered: 07/02/2012)
07/02/2012	<u>94</u>	EO: The Court GRANTS Equality Hawaii and Hawaii LGBT Legal Association's motion for leave to file brief of amici curiae (Doc. No. 83).(JUDGE ALAN C KAY)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/03/2012)
07/03/2012	<u>95</u>	NOTICE of Hearing on Motion <u>92</u> Defendant Neil S. Abercrombie's COUNTER–MOTION for Partial Summary Judgment set for Court Hearing on 7/24/2012 at 10:00 AM before JUDGE ALAN C KAY. (lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were

		served by first class mail on the date of this docket entry. (Entered: 07/03/2012)
07/03/2012	<u>96</u>	MEMORANDUM re <u>86</u> Memorandum in Opposition to Motion [<i>BRIEF OF AMICI CURIAE EQUALITY HAWAII AND HAWAII LGBT LEGAL ASSOCIATION IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS LORETTA J. FUDDY AND HAWAII FAMILY FORUM'S MOTIONS FOR SUMMARY JUDGMENT</i>] filed by Equality Hawai'i, Hawai'i LGBT Legal Association. (Wadsworth, Clyde) (Entered: 07/03/2012)
07/09/2012	<u>97</u>	MOTION for Leave to File Excess Pages Dale Schowengerdt appearing for Intervenor Defendant Hawaii Family Forum (Schowengerdt, Dale) (Entered: 07/09/2012)
07/09/2012	<u>98</u>	EO: The Court grants <u>97</u> Hawaii Family Forum's unopposed motion to file a combined opposition to Defendant Abercrombie's motion for summary judgment, reply to Plaintiffs' opposition, and response to the brief of Amici Equality Hawaii, not to exceed 12,000 words. (JUDGE ALAN C KAY)(lls,) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/09/2012)
07/10/2012	<u>99</u>	RESPONSE re <u>93</u> Concise Statement in Support of Motion,,, <i>Response to Defendant Governor Neil S. Abercrombie's Concise Statement of Facts (ECF 93)</i> filed by Loretta J. Fuddy. (Attachments: # <u>1</u> Declaration of William J. Wynhoff, # <u>2</u> Exhibit 5, # <u>3</u> Certificate of Service)(Quinn, Rebecca) (Entered: 07/10/2012)
07/10/2012	<u>100</u>	MEMORANDUM re <u>96</u> Memorandum, <u>86</u> Memorandum in Opposition to Motion, <u>92</u> COUNTER-MOTION for Partial Summary Judgment <i>Consolidated Memorandum in Opposition and Reply to 1) Defendant Governor Neil S. Abercrombie's Countermotion for Partial Summary Judgment (ECF 92); 2) Plaintiffs' Memorandum in Opposition (ECF 86); and Brief of Amici Curiae (ECF 96)</i> filed by Loretta J. Fuddy. (Attachments: # <u>1</u> Certificate of Compliance, # <u>2</u> Declaration of William J. Wynhoff Re FRCP 56(d), # <u>3</u> Certificate of Service)(Quinn, Rebecca) (Entered: 07/10/2012)
07/10/2012	<u>101</u>	REPLY re <u>67</u> MOTION for Summary Judgment, <u>92</u> COUNTER-MOTION for Partial Summary Judgment filed by Hawaii Family Forum. (Schowengerdt, Dale) (Entered: 07/10/2012)
07/10/2012	<u>102</u>	Concise Statement in Opposition re <u>93</u> Concise Statement in Support of Motion,,, filed by Hawaii Family Forum. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 35, # <u>3</u> Exhibit 36, # <u>4</u> Exhibit 37, # <u>5</u> Exhibit 38, # <u>6</u> Exhibit 39, # <u>7</u> Exhibit 40)(Schowengerdt, Dale) (Entered: 07/10/2012)
07/10/2012	<u>103</u>	REPLY re <u>82</u> Memorandum in Opposition to Motion ; <i>Certificate of Compliance; Certificate of Service</i> ; filed by Gary Bradley, Natasha N. Jackson, Janin Kleid. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Declaration John D'Amato)(D'Amato, John) (Entered: 07/10/2012)
07/10/2012	<u>104</u>	REPLY re <u>78</u> Memorandum in Opposition to Motion ; <i>Certificate of Compliance; Certificate of Service</i> ; filed by Gary Bradley, Natasha N. Jackson, Janin Kleid. (Attachments: # <u>1</u> Declaration John D'Amato)(D'Amato, John) (Entered: 07/10/2012)
07/10/2012	<u>105</u>	STATEMENT of No Opposition re <u>92</u> COUNTER-MOTION for Partial Summary Judgment ; <i>Certificate of Service</i> ; filed by Gary Bradley, Natasha N. Jackson, Janin Kleid. (D'Amato, John) (Entered: 07/10/2012)
07/11/2012	<u>106</u>	MOTION for Leave to File A Reply Memorandum Of 10,000 Words, In Support Of His Countermotion – Girard D. Lau, Robert T. Nakatsuji, Harvey E. Henderson, Jr appearing for Defendant Neil S. Abercrombie (Attachments: # <u>1</u> Declaration of Girard D Lau, # <u>2</u> Certificate of Service)(eps) (Entered: 07/11/2012)
07/12/2012	<u>107</u>	EO:The Court grants Defendant Abercrombie's unopposed motion for leave to file a single reply memorandum of 10,000 words in support of his countermotion (Doc.

		<p>No. 106). (JUDGE ALAN C KAY)(l/s,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/12/2012)</p>
07/17/2012	<u>108</u>	<p>REPLY MEMORANDUM in Support Defendant Governor Neil S Abercrombie's <u>92</u> MOTION for Partial Summary Judgment filed by Neil S. Abercrombie. (Attachments: # <u>1</u> Certificate of Compliance With Word Count Limitation, # <u>2</u> Declaration of Girard D Lau, # <u>3</u> Exhibit P, # <u>4</u> Exhibit Q, # <u>5</u> Exhibit R, # <u>6</u> Certificate of Service)(eps) (Entered: 07/17/2012)</p>
07/18/2012	<u>109</u>	<p>EO: The Court concludes that it will be helpful to set forth the order of and time allotment for presentations at the hearing on the parties three motions and one countermotion for summary judgment set for Tuesday, 7/24/2012. The Court will initially hear arguments on Hawaii Family Forums (HFF) Motion to Dismiss Defendant Abercrombie. As it is HFFs motion, they may present their argument first, followed by Defendant Abercrombie and any other party that wishes to present argument on this issue. The Court will allow each party five minutes to present argument on this motion. HFF will have an additional three minutes for rebuttal. With respect to the summary judgment motions and countermotion, the Court will allow each party to have thirty minutes total. This allowance includes initial presentation and rebuttal arguments. The order of arguments, based on the order in which the motions were filed, will be as follows: (1) Defendant Fuddy, (2) Plaintiffs, (3) HFF, and (4) Defendant Abercrombie. After the initial arguments, the Court will allow amici curiae, Equality Hawaii and Hawaii LGBT Legal Association, to present ten minutes total of argument in support of their amicus brief if they wish to do so. The parties will then be allowed to present rebuttal arguments. The order of rebuttal arguments will be slightly modified as follows: (1) HFF, (2) Defendant Abercrombie, (3) Plaintiffs, and (4) Defendant Fuddy. Accordingly, if each party uses all of the time allowed, the hearing will last over two hours. (JUDGE ALAN C KAY)(l/s,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/18/2012)</p>
07/20/2012	<u>110</u>	<p>Errata re <u>103</u> Reply, <i>Corrected Page 10 to Reply to Hawaii Family Forum; Certificate of Service</i>; (D'Amato, John) (Entered: 07/20/2012)</p>
07/20/2012	<u>111</u>	<p>EO: Motions for Summary Judgment are set for Court Hearing on Tuesday, 7/24/2012 at 10:00 a.m. before the Honorable Alan C. Kay. The following listed Attorneys are authorized to bring into the courthouse their laptops for the purpose of use at the Court Hearing. This Court Hearing will take place in Courtroom Aha Kaulike on the 4th Floor of the PJKK U.S. Courthouse Building. List of Attorneys: John J. DAmato, Dale Schowengerdt, Clyde J. Wadsworth and William J. Wynhoff (JUDGE ALAN C KAY)(l/s,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/20/2012)</p>
07/24/2012	<u>112</u>	<p>EP: Evidentiary Hearing/Dispositive Motions Hearing held on 7/24/2012– Oral Discussion Held. Intervenor Defendant Hawaii Family Forums Motion to Dismiss (Doc. 67), Defendant Loretta J. Fuddys Motion for Summary Judgment (Doc. 63), Plaintiffs Motion for Summary Judgment (Doc. 65), Intervenor Defendant Hawaii Family Forums Motion for Summary Judgment (Doc. 67) and Defendant Neil S. Abercrombies CounterMotion for Partial Summary Judgment (Doc.92) All Motions' are hereby taken under advisement. (Court Reporter Debra Chun.) (JUDGE ALAN C KAY)(l/s,)No COS issued for this docket entry (Entered: 07/24/2012)</p>

07/30/2012	<u>113</u>	MOTION for Leave to File 1 1/2 Page Supplemental Memorandum To Fully Respond To Court's Question – Girard D. Lau appearing for Defendant Neil S. Abercrombie (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Certificate of Service)(eps) (Entered: 07/30/2012)
07/31/2012	<u>114</u>	EO: The Court grants Defendant Abercrombie's motion for leave to file a supplemental memorandum to respond to one of the Courts questions (Doc. No. 113). The Court has considered the matter and directs the parties not to file any further memorandums. (JUDGE ALAN C KAY)(lts,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/31/2012)
07/31/2012	<u>115</u>	SUPPLEMENTAL MEMORANDUM filed by Neil S. Abercrombie. (eps) (Entered: 07/31/2012)
08/06/2012	<u>116</u>	NOTICE by Loretta J. Fuddy <i>of Withdrawal of Rebecca E. Quinn as Counsel to Defendant</i> Loretta J. Fuddy. (Quinn, Rebecca) (Entered: 08/06/2012)
08/08/2012	<u>117</u>	ORDER GRANTING HFF'S MOTION FOR SUMMARY JUDGMENT AND DEFENDANT FUDDY'S MOTION FOR SUMMARY JUDGMENT, DENYING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND HFF'S MOTION TO DISMISS DEFENDANT ABERCROMBIE, AND DENYING AS MOOT DEFENDANT ABERCROMBIE'S MOTION FOR SUMMARY JUDGMENT re <u>63</u> , <u>65</u> , <u>67</u> , <u>92</u> . Signed by JUDGE ALAN C KAY on 08/08/2012. (eps) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/08/2012)
08/08/2012	<u>118</u>	CLERK'S JUDGMENT : entered in favor of Defendants pursuant to the "Order Granting HFF'S Motion for Summary Judgment and Defendant Fuddy's Motion for Summary Judgment, Denying Plaintiffs' Motion For Summary Judgment and HFF'S Motion to Dismiss Defendant Abercrombie, and Denying as Moot Defendant Abercrombie's Motion For Summary Judgment" filed August 8, 2012.. (eps) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/08/2012)
08/20/2012	<u>119</u>	NOTICE of Appearance by Daniel A. Morris on behalf of Neil S. Abercrombie, Loretta J. Fuddy on behalf of Neil S. Abercrombie, Loretta J. Fuddy. (Morris, Daniel) (Entered: 08/20/2012)
08/20/2012	<u>120</u>	NOTICE by Loretta J. Fuddy <i>Errata to Notice of Appearance of Counsel</i> Loretta J. Fuddy. (Morris, Daniel) (Entered: 08/20/2012)
08/22/2012		ADVISORY ENTRY. The entry docket number <u>119</u> Notice of Appearance filed by Daniel A Morris for Neil S. Abercrombie was filed in error and the counsel association will be removed from the docket. The <u>120</u> Errata filed by counsel Daniel A Morris as to Loretta J. Fuddy serves as the formal appearance of counsel. (eps) (Entered: 08/22/2012)
09/07/2012	<u>121</u>	NOTICE OF APPEAL as to <u>117</u> Order on Motion for Summary Judgment,, Order on Motion for Partial Summary Judgment,,,,,, <u>118</u> Clerk's Judgment,, by Gary Bradley, Natasha N. Jackson, Janin Kleid. (D'Amato, John) -- CA 12-16995 Modified on 9/10/2012 -- adding court of appeals case number (eps). (Entered: 09/07/2012)
09/07/2012	<u>123</u>	NOTICE OF APPEAL as to <u>117</u> , <u>118</u> by Neil S. Abercrombie. Filing fee \$ 455. (Attachments: # <u>1</u> Representation Statement, # <u>2</u> Certificate of Service)(eps) --

		<p>CA 12-16998</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry Modified on 9/10/2012 : adding court of appeals case number (eps) . (Entered: 09/07/2012)</p>
09/07/2012	122	USCA Appeal Fees received \$ 455 receipt number HI005107 re 121 Notice of Appeal filed by Plaintiffs Janin Kleid, Gary Bradley, Natasha N. Jackson (eps) ^{No} COS issued for this docket entry (Entered: 09/07/2012)
09/07/2012	124	USCA Appeal Fees # 1 received \$ 455 receipt number HI005106 re 123 Notice of Appeal, filed by Neil S. Abercrombie (eps). Modified on 9/10/2012 : applicable receipt, PDF attached (eps). (Entered: 09/07/2012)
09/10/2012	125	USCA Case Number CA 12-16995 for 121 Notice of Appeal filed by Janin Kleid, Gary Bradley, Natasha N. Jackson. (eps)
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/10/2012)</p>
09/10/2012	126	USCA Time Schedule Order CA 12-16995 as to 121 Notice of Appeal filed by Janin Kleid, Gary Bradley, Natasha N. Jackson. (eps)
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/10/2012)</p>
09/10/2012	127	USCA Case Number CA 12-16998 for 123 Notice of Appeal, filed by Neil S. Abercrombie. (eps)
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/10/2012)</p>
09/10/2012	128	USCA Time Schedule Order as to CA 12-16998 re 123 Notice of Appeal, filed by Neil S. Abercrombie. (eps)
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/10/2012)</p>
09/10/2012	129	Attorney Appeal Packet re 121 Notice of Appeal CA 12-16995, 123 Notice of Appeal CA 12-16998, (Attachments: # 1 Instructions Civil Appeal, # 2 Instructions Transcript Designation, # 3 Additional Instructions TDOF, # 4 Transcript Designation & Ordering Form, # 5 APPEAL CA 12-16995, # 6 APPEAL CA 12-16998, # 7 District Court Docket Sheet)(eps)
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/10/2012)</p>
09/12/2012	130	TRANSCRIPT of Proceedings Various Motions held on 7/24/12 before Judge Alan C. Kay. Court Reporter Debra Chun, Telephone number 808 541-2061. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a), FRCrP 49.1(a), and FRBP 9037(a). Redaction Request due 10/1/2012. Redacted Transcript Deadline set for

		10/10/2012. Release of Transcript Restriction set for 12/10/2012. (dc@hid.uscourts.gov) pp. 96. (Entered: 09/12/2012)
10/05/2012	<u>131</u>	TRANSCRIPT Designation and Ordering Form by Neil S. Abercrombie for proceedings held on 04/30/2012 (Gloria Bediamol) before Judge ALAN C KAY: CA 16009 and CA 12-16995 (eps) ^{No COS issued for this docket entry} (Entered: 10/05/2012)
10/05/2012	<u>132</u>	TRANSCRIPT Designation and Ordering Form by Neil S. Abercrombie for proceedings held on 07/24/2012 (Debra Chun) before Judge ALAN C KAY: CA 12-16998 and CA 12-16995 (eps) ^{No COS issued for this docket entry} (Entered: 10/05/2012)
10/09/2012	<u>133</u>	TRANSCRIPT REQUEST <i>and Certificate of Service</i> by Gary Bradley, Natasha N. Jackson, Janin Kleid for proceedings held on 7/24/2012 (Motions for Summary Judgment, Debra Chun, reporter) before Judge Alan C. Kay.. (D'Amato, John) Modified on 10/10/2012 : <u>Refer to docket entry 135</u> (eps). (Entered: 10/09/2012)
10/09/2012	<u>134</u>	TRANSCRIPT REQUEST <i>and Certificate of Service</i> by Gary Bradley, Natasha N. Jackson, Janin Kleid for proceedings held on 4/30/2012 (Hearing on Motion to Intervene, Gloria T. Bediamol, reporter) before Judge Alan C. Kay.. (D'Amato, John) Modified on 10/10/2012 : <u>Refer to docket entry 136</u> (eps) . (Entered: 10/09/2012)
10/09/2012	<u>135</u>	TRANSCRIPT Designation and Ordering Form by Natasha N. Jackson, Janin Kleid for proceedings held on 07/24/2012 (Debra Chun) before Judge ALAN C KAY, (eps) --- <u>RE-ENTERED by the Clerk's Office (incorrect event selected by the filing party formerly entry 133)</u> ^{No COS issued for this docket entry} (Entered: 10/10/2012)
10/09/2012	<u>136</u>	TRANSCRIPT Designation and Ordering Form by Natasha N. Jackson, Janin Kleid for proceedings held on 04/30/2012 (Gloria T Bediamol) before Judge ALAN C KAY, (eps) --- <u>RE-ENTERED by the Clerk's Office (incorrect event selected by the filing party formerly entry 134)</u> ^{No COS issued for this docket entry} (Entered: 10/10/2012)
10/18/2012	<u>137</u>	Certificate of Record re <u>121</u> Notice of Appeal, <u>123</u> Notice of Appeal,, USCA Number: 12-16995 (Img,) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/18/2012)</p>
12/31/2012	<u>138</u>	ORDER of USCA as to <u>121</u> Notice of Appeal, filed by Janin Kleid, Gary Bradley, Natasha N. Jackson, <u>123</u> Notice of Appeal,, filed by Neil S. Abercrombie (eps) (Entered: 12/31/2012)
03/19/2014	<u>139</u>	USCA Briefing Schedule - Order (CA 12-16995, 12-16998) as to <u>121</u> Notice of Appeal, filed by Janin Kleid, Gary Bradley, Natasha N. Jackson, <u>123</u> Notice of Appeal,, filed by Neil S. Abercrombie. (gab,) ^{No COS issued for this docket entry} (Entered: 03/19/2014)
05/12/2014	<u>140</u>	ORDER of USCA as to <u>121</u> Notice of Appeal, filed by Janin Kleid, Gary Bradley, Natasha N. Jackson, <u>123</u> Notice of Appeal,, filed by Neil S. Abercrombie 9CCA NOS. 12-16995, 12-16998. (emt,) ^{No COS issued for this docket entry} (Entered: 05/12/2014)
10/10/2014	<u>141</u>	MEMORANDUM of USCA as to <u>121</u> Notice of Appeal, filed by Natasha N. Jackson, Janin Kleid, and Gary Bradley (9CCA No. 12-16995); and <u>123</u> Notice of Appeal, filed by Neil S. Abercrombie (9CCA No. 12-16998). The Judgment of the District Court is VACATED and REMANDED with directions to DISMISS. (afc) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/10/2014)</p>
10/23/2014	<u>142</u>	ORDER DISMISSING CASE AS MOOT. Signed by JUDGE ALAN C KAY on 10/23/2014.

		<p><i>related: <u>141</u> USCA Memorandum. (afc)</i></p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/23/2014)</p>
10/23/2014	<u>143</u>	<p>CLERK'S JUDGMENT IN A CIVIL CASE ~ The case is DISMISSED AS MOOT. <i>re: <u>142</u> . (afc)</i></p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/23/2014)</p>
11/04/2014	<u>144</u>	<p>MANDATE of USCA as to <u>121</u> Notice of Appeal, filed by Janin Kleid, Gary Bradley, Natasha N. Jackson, <u>123</u> Notice of Appeal, filed by Neil S. Abercrombie ~ 9CCA NOS. 12-16995, 12-16998. "The judgment of this Court, entered October 10, 2014, takes effect this date. This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure." (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/04/2014)</p>