

**U.S. District Court
District of Alaska (Anchorage)
CIVIL DOCKET FOR CASE #: 3:14-cv-00089-TMB**

Hamby et al v. Parnell et al
Assigned to: Timothy M. Burgess
Case in other court: 9CCA, 14-35856
Cause: 28:1983 Civil Rights

Date Filed: 05/12/2014
Date Terminated: 10/14/2014
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Matthew Hamby
a married couple

represented by **Allison E. Mendel**
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Plaintiff

Christopher Shelden
a married couple

represented by **Allison E. Mendel**
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LEAD ATTORNEY
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Caitlin Shortell
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Leigh Gardner
(See above for address)
LEAD ATTORNEY
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Plaintiff

Christina Laborde
a married couple

represented by **Allison E. Mendel**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Caitlin Shortell

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Heather Leigh Gardner

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Susan Tow

a married couple

represented by **Allison E. Mendel**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Caitlin Shortell

(See above for address)

LEAD ATTORNEY

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Heather Leigh Gardner

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

David Robinson

a married couple

represented by **Allison E. Mendel**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Caitlin Shortell

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Heather Leigh Gardner

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Sean Egan

a married couple

represented by **Allison E. Mendel**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Caitlin Shortell

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Heather Leigh Gardner

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

represented by

Tracey Wiese
a married couple

Allison E. Mendel
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Caitlin Shortell
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Leigh Gardner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Katrina Cortez
a married couple

represented by **Allison E. Mendel**
(See above for address)
LEAD ATTORNEY
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Caitlin Shortell
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LEAD ATTORNEY
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Heather Leigh Gardner
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LEAD ATTORNEY
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Plaintiff

Courtney Lamb
unmarried persons

represented by **Allison E. Mendel**
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Caitlin Shortell
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Heather Leigh Gardner
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Plaintiff

Stephanie Pearson
unmarried persons

represented by **Allison E. Mendel**
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LEAD ATTORNEY
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Caitlin Shortell
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Heather Leigh Gardner
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V.

Defendant

Sean C. Parnell

in his official capacity as Governor of Alaska

represented by **Kevin Todd Wakley**
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LEAD ATTORNEY
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Defendant

Michael Geraghty

in his official capacity as Attorney General of the State of Alaska

represented by **Kevin Todd Wakley**
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William E. Milks

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

William J. Streur

in his official capacity as Commissioner of the State of Alaska, Department of Health and Social Services

represented by **Kevin Todd Wakley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William E. Milks

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Defendant

Phillip Mitchell

in his official capacity as State Registrar and Licensing Officer, Alaska Bureau of Vital Statistics

represented by **Kevin Todd Wakley**
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LEAD ATTORNEY
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William E. Milks

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Amicus

American Civil Liberties Union of Alaska

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Amicus

**National Association for the
Advancement of Colored People,
Anchorage Branch**

represented by **Amanda Goad**
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LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joshua A. Decker
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Susan Orlansky
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas W. Stenson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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05/12/2014	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400.), filed by All Plaintiffs. (Attachments: # <u>1</u> Civil Cover Sheet)(Mendel, Allison) Modified on 5/13/2014 to add filers(PXS, COURT STAFF). (Entered: 05/12/2014)
05/13/2014	<u>2</u>	Unissued summons re Defendant Parnell, (Attachments: # <u>1</u> Unissued Summons re Defendant Geraghty, # <u>2</u> Unissued Summons re Defendant Mitchell, # <u>3</u> Unissued Summons re Defendant Streur)(TYM, COURT STAFF) (Entered: 05/13/2014)
05/13/2014		Summons Issued as to Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur. (TYM, COURT STAFF) (Entered: 05/13/2014)
05/20/2014	3	NOTICE: Upon Order of the Chief Judge, this case shall be referred to the Clerk's Office for random reassignment. (Jan, Chambers Staff) (Entered: 05/20/2014)
05/20/2014		Docket Annotation: Error re Order issued on 5/20/14, the parties are advised that the order was issued as a clerical error and as such, has been stricken from the record. Based upon the random reassignment, this action is reassigned to the Honorable H. Russel Holland for all further proceedings. Please use the following case number on all future filings: 3:14-cv-00089-HRH. (CLW, COURT STAFF) (Entered: 05/20/2014)
05/21/2014	4	ORDER OF RECUSAL. Judge H. Russel Holland recused. The clerk of court is directed to reassign this case to another district judge by random draw. Signed by Judge H. Russel Holland on 5/21/14. (CLW, COURT STAFF) (Entered: 05/21/2014)
05/21/2014		CLERK'S NOTICE; Based upon the random reassignment, this action is reassigned to the Honorable Timothy M. Burgess for all further proceedings. Please use the following case number on all future filings: 3:14-cv-00089-TMB. (CLW, COURT STAFF) (Entered: 05/21/2014)
06/04/2014	<u>5</u>	CERTIFICATE OF SERVICE by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese <i>on all Defendants</i> (Attachments: # <u>1</u> Exhibit Attachment 1 to Proof of Service)(Mendel, Allison) (Entered: 06/04/2014)
06/19/2014	<u>6</u>	ANSWER to <u>1</u> Complaint by All Defendants.(Milks, William) (Entered: 06/19/2014)
06/20/2014	<u>7</u>	INITIAL CASE STATUS REPORT/CASE SCHEDULING AND PLANNING ORDER: Counsel for plaintiff shall serve and file the Rule 26 Meeting Report within 28 days from service of order. (PXS, COURT STAFF) (Entered: 06/20/2014)
06/27/2014	<u>8</u>	ORDER Setting Scheduling Conference: There will be a scheduling and planning hearing on Tuesday, July 22, 2014 at 12:00 p.m. before Judge Timothy M. Burgess. (SRL, CHAMBERS STAFF) (Entered: 06/27/2014)
07/17/2014	<u>9</u>	MOTION for Leave to Appear Telephonically by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur.(Wakley, Kevin) (Entered: 07/17/2014)
07/18/2014	10	TMB TEXT ORDER GRANTING <u>9</u> Motion for Leave to Appear Telephonically. IT IS HEREBY ORDERED that Mr. Wakley is permitted to appear telephonically at the status conference on July 22, 2014 at 12:00 PM. Mr. Wakley is directed to call (907) 677-6225 to participate. (SRL, CHAMBERS STAFF) (Entered: 07/18/2014)
07/18/2014	<u>11</u>	STATUS REPORT <i>Joint Planning and Scheduling Report</i> by Matthew Hamby. (Mendel, Allison) (Entered: 07/18/2014)
07/22/2014	<u>12</u>	Minute Entry for proceedings held before Judge Timothy M. Burgess: Scheduling and Planning Conference held on 7/22/2014. Court ordered Plaintiffs to file Motion for Summary Judgment by 8/22/2014; Responses due by 9/19/2014; Replies due by 9/26/2014. Oral Argument re Motion for Summary Judgment set for 10/10/2014 at 1:00 PM in Anchorage Courtroom 1 before Timothy M. Burgess. Court ordered parties to file Revised Joint Planning and Scheduling Report by 7/30/2014. cc: USM, USPO. (NXL, COURT STAFF) (Entered: 07/22/2014)
07/30/2014	<u>13</u>	REPORT of Rule 26(f) Planning Meeting. (Mendel, Allison) (Entered: 07/30/2014)
08/20/2014	<u>14</u>	MOTION for Extension of Time to File <i>UNOPPOSED Motion for Extension of Time to file Plaintiffs' Motion for Summary Judgment</i> by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Attachments: # <u>1</u>

		Proposed Order Proposed Order on Plaintiffs' Unopposed Motion for Extension of Time to File Motion for Summary Judgment)(Mendel, Allison) (Entered: 08/20/2014)
08/20/2014	<u>15</u>	AFFIDAVIT of <i>Allison Mendel</i> re <u>14</u> MOTION for Extension of Time to File <i>UNOPPOSED Motion for Extension of Time to file Plaintiffs' Motion for Summary Judgment</i> by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 08/20/2014)
08/21/2014	<u>16</u>	TMB ORDER granting <u>14</u> Motion for Extension of Time; Plaintiffs' Motion for Summary Judgment is now due no later than August 29, 2014. (RMC, COURT STAFF) (Entered: 08/21/2014)
08/22/2014	<u>17</u>	ORDER; Defendants response due 9/26/14, Plaintiffs reply due 10/3/14. Oral argument will take place at 1:00 p.m. on 10/10/14 in Anchorage Courtroom 1.. Signed by Judge Timothy M. Burgess on 8/22/14. (RMC, COURT STAFF) (Entered: 08/22/2014)
08/29/2014	<u>18</u>	MOTION for Leave to File <i>Amici Curiae Brief (Unopposed)</i> by American Civil Liberties Union of Alaska, National Association for the Advancement of Colored People, Anchorage Branch. (Attachments: # <u>1</u> Exhibit Amici Curiae Brief of the American Civil Liberties Union of Alaska and the National Association for the Advancement of Colored People, Anchorage Branch, # <u>2</u> Appendix A to Amici Curiae Brief of the American Civil Liberties Union of Alaska and the National Association for the Advancement of Colored People, Anchorage Branch, # <u>3</u> Proposed Order)(Decker, Joshua) (Entered: 08/29/2014)
08/29/2014	<u>19</u>	MOTION for Leave to Appear as Pro Hac Vice (Non-Resident) Attorney Amanda Goad by American Civil Liberties Union of Alaska, National Association for the Advancement of Colored People, Anchorage Branch.(Decker, Joshua) (Entered: 08/29/2014)
08/29/2014	<u>20</u>	MOTION for Summary Judgment by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Attachments: # <u>1</u> Proposed Order)(Mendel, Allison) (Entered: 08/29/2014)
08/29/2014	<u>21</u>	DECLARATION of <i>Matthew Hamby</i> re <u>20</u> MOTION for Summary Judgment by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 08/29/2014)
08/29/2014	<u>22</u>	DECLARATION of <i>Christopher Shelden</i> re <u>20</u> MOTION for Summary Judgment by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 08/29/2014)
08/29/2014	<u>23</u>	DECLARATION of <i>Sean Egan</i> re <u>20</u> MOTION for Summary Judgment by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 08/29/2014)
08/29/2014	<u>24</u>	DECLARATION of <i>Stephanie Pearson</i> re <u>20</u> MOTION for Summary Judgment by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 08/29/2014)
08/29/2014	<u>25</u>	DECLARATION of <i>Susan Tow</i> re <u>20</u> MOTION for Summary Judgment by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 08/29/2014)

08/29/2014	<u>26</u>	DECLARATION of <i>Tracey Wiese</i> re <u>20</u> MOTION for Summary Judgment by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 08/29/2014)
08/29/2014	<u>27</u>	ADDITIONAL RELATED DOCUMENT <i>Attachment 1 to Plaintiffs' Rule 56 Motion for Summary Judgment</i> by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese re <u>20</u> MOTION for Summary Judgment . (Mendel, Allison) (Entered: 08/29/2014)
08/29/2014	<u>28</u>	Receipt of \$150.00 non-resident attorney payment for Amanda Goad as to Amici Curiae American Civil Liberties Union of Alaska and National Association for the Advancement of Colored People, Anchorage Branch. re <u>19</u> MOTION for Leave to Appear as Pro Hac Vice (Non-Resident) Attorney Amanda Goad (PXS, COURT STAFF) (Entered: 09/02/2014)
09/02/2014		Docket Annotation re <u>18</u> Motion to Participate as <i>Amicus Curiae</i> : The parties are advised that the role of the proposed <i>Amicus Curiae</i> has been changed from <i>Amicus Curiae</i> to Movant until the Motion to Participate has been decided. (PXS, COURT STAFF) (Entered: 09/02/2014)
09/02/2014	29	CLERK'S NOTICE re <u>19</u> Application to Appear Pro Hac Vice. The Application to Appear Pro Hac Vice by Amanda Goad, at docket <u>19</u> , is authorized under D.Ak. LR 83.1(d). (PXS, COURT STAFF) (Entered: 09/02/2014)
09/05/2014	<u>30</u>	ORDER GRANTING <u>18</u> Motion for Leave to File Amici Curiae Brief. Signed by Judge Timothy M. Burgess on 9/5/14. (SRL, CHAMBERS STAFF) (Entered: 09/05/2014)
09/26/2014	<u>31</u>	RESPONSE in Opposition re <u>20</u> MOTION for Summary Judgment filed by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur. (Wakley, Kevin) (Entered: 09/26/2014)
10/03/2014	<u>32</u>	REPLY to Response to Motion re <u>20</u> MOTION for Summary Judgment filed by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 10/03/2014)
10/03/2014	<u>33</u>	ERRATA <i>And Filing of Corrected Reply</i> by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese <u>32</u> Reply to Response to Motion, filed by Katrina Cortez, Christina Laborde, Stephanie Pearson, Susan Tow, Matthew Hamby, Tracey Wiese, Christopher Shelden, Courtney Lamb, David Robinson, Sean Egan. (Attachments: # <u>1</u> Supplement Corrected Reply)(Gardner, Heather) Modified on 10/6/2014 to create relationship to document #20 (PXS, COURT STAFF). (Entered: 10/03/2014)
10/06/2014		Docket Annotation ERROR re: <u>33</u> Errata,, filed by Katrina Cortez, Christina Laborde, Stephanie Pearson, Susan Tow, Matthew Hamby, Tracey Wiese, Christopher Shelden, Courtney Lamb, David Robinson, Sean Egan ; the document is not in compliance with D.Ak. LR 5.1 which may result in the document being stricken if not corrected within seven (7) days. CORRECTION: Attorney to file proof of service for the document referenced above. (PXS, COURT STAFF) (Entered: 10/06/2014)
10/06/2014	<u>34</u>	CERTIFICATE OF SERVICE by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese re <u>33</u> Errata,, <i>And Filing of Corrected Reply</i> (Gardner, Heather) (Entered: 10/06/2014)
10/07/2014	35	TMB TEXT ORDER RE Oral Argument: Oral Argument set for Friday, October 10, 2014 at 01:00 PM in Anchorage Courtroom 1 before Judge Timothy M. Burgess will be broadcast live in both Juneau and Fairbanks courtrooms. (SRL, CHAMBERS STAFF) (Entered: 10/07/2014)

10/08/2014	<u>36</u>	ORDER Regarding Oral Argument set for October 10, 2014. Signed by Judge Timothy M. Burgess on 10/8/14. (SRL, CHAMBERS STAFF) (Entered: 10/08/2014)
10/10/2014	<u>37</u>	Minute Entry for proceedings held before Judge Timothy M. Burgess: Hearing on Motion for Summary Judgment <u>20</u> held on 10/10/2014. Matter taken UNDER ADVISEMENT, written ruling to issue. (DJE, COURT STAFF) (Entered: 10/10/2014)
10/12/2014	<u>38</u>	ORDER granting <u>20</u> Motion for Summary Judgment. Signed by Judge Timothy M. Burgess on 10/12/14. (Burgess, Timothy) (Entered: 10/12/2014)
10/13/2014	<u>39</u>	NOTICE OF APPEAL by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur. Filing fee \$ 505, receipt number 097—1827646. (Milks, William) Modified on 10/14/2014 to create relationships to documents #38 and #43. (PRR, COURT STAFF). (Entered: 10/13/2014)
10/13/2014	<u>40</u>	MOTION to Stay <i>Pending Appeal (Emergency)</i> by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur.(Milks, William) (Entered: 10/13/2014)
10/14/2014	<u>41</u>	USCA Case Number 14-35856 for <u>39</u> Notice of Appeal filed by Michael Geraghty, Sean C. Parnell, William J. Streur, Phillip Mitchell. (Attachments: # <u>1</u> USCA Opening Packet, # <u>2</u> USCA Mediation Letter, # <u>3</u> USCA Mediation Questionnaire)(BJK, COURT STAFF) (Entered: 10/14/2014)
10/14/2014	<u>42</u>	USCA Scheduling Order as to <u>39</u> Notice of Appeal filed by Michael Geraghty, Sean C. Parnell, William J. Streur, Phillip Mitchell. (BJK, COURT STAFF) (Entered: 10/14/2014)
10/14/2014	<u>43</u>	JUDGMENT declaring Alaska's same-sex marriage laws unconstitutional for violating Due Process and Equal Protection Clauses of the 14th Amendment to the US Constitution; state of Alaska enjoined from enforcing Alaska Constitution Article 1, Section 25 and Alaska Statute Sections 25.05.011 and 25.05.013 to the extent the laws prohibit otherwise qualified same-sex couples from marriage and refusing to recognize lawful same-sex marriages entered in other states. Signed by Judge Timothy M. Burgess on 10/14/14. (PRR, COURT STAFF) (Additional attachment(s) added on 4/15/2015: # <u>1</u> Judgment with atty fees, costs and expenses added and redistributed on 4/15/15.) (RMC, COURT STAFF). (Entered: 10/14/2014)
10/14/2014	<u>44</u>	TMB TEXT ORDER denying the Emergency Motion to Stay Pending Appeal filed at docket <u>40</u> . (PRR, COURT STAFF) (Entered: 10/14/2014)
10/15/2014	<u>45</u>	USCA ORDER as to <u>39</u> Notice of Appeal, filed by Michael Geraghty, Sean C. Parnell, William J. Streur, Phillip Mitchell. The court GRANTS a temporary stay of the district courts October 12, 2014 order, until 12:00 p.m. (noon) PDT on Friday, October 17, 2014, to afford appellants an opportunity to seek a stay from the United States Supreme Court. Barring any such stay from the Supreme Court, this courts temporary stay dissolves at 12:00 p.m. PDT on October 17, 2014. Appellants corrected emergency motion for a stay of the district courts October 12, 2014 order pending appeal is otherwise DENIED. The briefing schedule established previously remains in effect. OSCANNLAIN, Circuit Judge, concurring in part and dissenting in part: While I concur in affording the state of Alaska the opportunity to seek a stay from the Supreme Court, I would grant the stay pending appeal in this court. (TYM, COURT STAFF) (Entered: 10/15/2014)
10/28/2014	<u>46</u>	First MOTION for Attorney Fees by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, National Association for the Advancement of Colored People, Anchorage Branch, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Attachments: # <u>1</u> Proposed Order)(Mendel, Allison) (Entered: 10/28/2014)
10/28/2014	<u>47</u>	MEMORANDUM <i>in Support of Motion for Attorneys' Fees</i> by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese <u>46</u> First MOTION for Attorney Fees filed by Katrina Cortez, Christina Laborde, Stephanie Pearson, Susan Tow, Matthew Hamby, National Association for the Advancement of Colored People, Anchorage Branch, Tracey Wiese, Christopher Shelden, Courtney Lamb, David Robinson, Sean Egan. (Mendel, Allison) (Entered: 10/28/2014)

10/28/2014	<u>48</u>	AFFIDAVIT of <i>Laurence Blakely</i> re <u>46</u> First MOTION for Attorney Fees by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 10/28/2014)
10/28/2014	<u>49</u>	DECLARATION of <i>Caitlin Shortell</i> re <u>46</u> First MOTION for Attorney Fees by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 10/28/2014)
10/28/2014	<u>50</u>	DECLARATION of <i>Heather Gardner</i> re <u>46</u> First MOTION for Attorney Fees by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Mendel, Allison) (Entered: 10/28/2014)
11/05/2014	<u>51</u>	DESIGNATION of Record on Appeal by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur re <u>39</u> Notice of Appeal, (Wakley, Kevin) (Entered: 11/05/2014)
11/05/2014	<u>52</u>	TRANSCRIPT REQUEST by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur re <u>39</u> Notice of Appeal, (Wakley, Kevin) (Entered: 11/05/2014)
11/07/2014	<u>53</u>	Joint STIPULATION TO EXTEND STATE DEFENDANTS DEADLINE TO FILE OPPOSITION TO PLAINTIFFS MOTION FOR REASONABLE ATTORNEYS FEES AND EXPENSES by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur.(Wakley, Kevin) (Entered: 11/07/2014)
11/12/2014	<u>54</u>	TMB TEXT ORDER GRANTING <u>53</u> Joint STIPULATION TO EXTEND STATE DEFENDANTS DEADLINE TO FILE OPPOSITION TO PLAINTIFFS' MOTION FOR REASONABLE ATTORNEYS FEES AND EXPENSES. IT IS HEREBY ORDERED that the deadline for State Defendants to file their opposition to Motion at Docket 46 is 11/25/14. (SRL, CHAMBERS STAFF) (Entered: 11/12/2014)
11/21/2014	<u>55</u>	TRANSCRIPT of Proceedings ; Oral Argument on Motion for Summary Judgment held on October 10, 2014, before Judge Timothy M. Burgess. Realtime Court Reporter: R. Joy Stancel. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy by calling Realtime Court Reporter, R. Joy Stancel, 907-677-6104. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. 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 may be made remotely electronically available to the public without redaction after Release of Transcript Restriction deadline of 2/19/2015. (RJS,) (Entered: 11/21/2014)
11/25/2014	<u>56</u>	RESPONSE in Opposition re <u>46</u> First MOTION for Attorney Fees filed by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur. (Attachments: # <u>1</u> Proposed Order)(Milks, William) (Entered: 11/25/2014)
11/25/2014	<u>57</u>	DECLARATION of <i>William Milks</i> re <u>56</u> Response in Opposition to Motion by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur. (Milks, William) (Entered: 11/25/2014)
12/02/2014	<u>58</u>	REPLY to Response to Motion re <u>46</u> First MOTION for Attorney Fees filed by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3)(Gardner, Heather) (Entered: 12/02/2014)
12/02/2014	<u>59</u>	DECLARATION of <i>Caitlin Shortell (Amended)</i> re <u>58</u> Reply to Response to Motion, by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb, Stephanie Pearson, David Robinson, Christopher Shelden, Susan Tow, Tracey Wiese. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Declaration of C. Shortell)(Gardner, Heather) (Entered: 12/02/2014)

12/03/2014	<u>60</u>	Notice to Counsel re <u>58</u> Reply to Response to Motion, filed by Katrina Cortez, Christina Laborde, Stephanie Pearson, Susan Tow, Matthew Hamby, Tracey Wiese, Christopher Shelden, Courtney Lamb, David Robinson, Sean Egan. A review of the document submitted at dkt 58 confirms that it is over 25 pages in length. If a CHAMBERS copy of the document has not been forwarded to the Court, counsel is reminded that, pursuant to D.Ak.LR 10.1(b) and the Administrative Policies and Procedures, you are required to provide the court with a CHAMBERS copy of your filing at dkt 58. The CHAMBERS copy must be attached to a copy of the Notice of Electronic Filing and must be printed with the ECF pdf footer on each page. (RMC, COURT STAFF) (Entered: 12/03/2014)
03/03/2015	<u>61</u>	USCA ORDER as to <u>39</u> Notice of Appeal, filed by Michael Geraghty, Sean C. Parnell, William J. Streur, Phillip Mitchell. The appellants opposed motion to stay appellate proceedings pending the Supreme Court decision in DeBoer v. Snyder, Supreme Court Docket No. 14-571, is GRANTED. Appellate proceedings are stayed until 14 days after the decision issues in DeBoer or June 30, 2015, whichever occurs first. At or prior to the expiration of the stay of appellate proceedings, the appellants shall file the opening brief or file a motion for appropriate relief. If the opening brief is filed, the answering brief will be due July 30, 2015. The optional reply brief is due within 14 days after service of the answering brief. In the absence of a motion, the stay of appellate proceedings will terminate without further notice. (TYM, COURT STAFF) (Entered: 03/03/2015)
04/15/2015	<u>62</u>	ORDER granting in part <u>46</u> Motion for Attorney Fees in the amount of \$127,262.50 and \$458.40 in costs and expenses for a total of \$127,720.90. Signed by Judge Timothy M. Burgess on 4/15/15. (RMC, COURT STAFF) (Entered: 04/15/2015)
05/13/2015	<u>63</u>	MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees <i>by and on behalf of Shortell and Gardner</i> by Katrina Cortez, Sean Egan, Matthew Hamby, Christina Laborde, Courtney Lamb. (Attachments: # <u>1</u> Proposed Order Order Granting Reconsideration, # <u>2</u> Affidavit Declaration Gardner, # <u>3</u> Affidavit Declaration Holen, # <u>4</u> Declaration Legacki, # <u>5</u> Declaration Hedges, # <u>6</u> Declaration Shortell)(Shortell, Caitlin) (Entered: 05/13/2015)
05/14/2015	<u>64</u>	Notice to Counsel re <u>63</u> MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees <i>by and on behalf of Shortell and Gardner</i> filed by Katrina Cortez, Christina Laborde, Matthew Hamby, Courtney Lamb, Sean Egan. A review of the document submitted at dkt 63 confirms that it is over 25 pages in length. If a CHAMBERS copy of the document has not been forwarded to the Court, counsel is reminded that, pursuant to D.Ak.LR 10.1(b) and the Administrative Policies and Procedures, you are required to provide the court with a CHAMBERS copy of your filing at dkt 63. The CHAMBERS copy must be attached to a copy of the Notice of Electronic Filing and must be printed with the ECF pdf footer on each page. (PXS, COURT STAFF) (Entered: 05/14/2015)
05/20/2015	<u>65</u>	TMB TEXT ORDER re <u>63</u> MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees. Defendants shall file a response to the Motion for Reconsideration on or before June 3, 2015. Oral argument will be set once the motion has been fully briefed. (RMC, COURT STAFF) (Entered: 05/20/2015)
06/03/2015	<u>66</u>	RESPONSE in Opposition re <u>63</u> MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees <i>by and on behalf of Shortell and Gardner</i> filed by Michael Geraghty, Phillip Mitchell, Sean C. Parnell, William J. Streur. (Wakley, Kevin) (Entered: 06/03/2015)
07/01/2015	<u>67</u>	USCA ORDER as to <u>39</u> Notice of Appeal, filed by Michael Geraghty, Sean C. Parnell, William J. Streur, Phillip Mitchell. The stipulation to dismiss the appeal under Federal Rules of Appellate Procedure 42(b) is GRANTED. The costs shall be allocated pursuant to the stipulation. A copy of this order shall act as and for the MANDATE of this court. (TYM, COURT STAFF) (Entered: 07/02/2015)
09/02/2015	<u>68</u>	ORDER DENYING <u>63</u> Motion for Reconsideration re <u>62</u> Order on Motion for Attorney Fees <i>by and on behalf of Shortell and Gardner</i> . Signed by Judge Timothy M. Burgess on 9/2/15. (SRL, CHAMBERS STAFF) (Entered: 09/02/2015)