

**U.S. District Court
North Carolina Middle District (NCMD)
CIVIL DOCKET FOR CASE #: 1:12-cv-00589-WO-JEP**

FISHER-BORNE et al v. SMITH et al
Assigned to: CHIEF JUDGE WILLIAM L. OSTEEEN JR.
Referred to: MAG/JUDGE JOI ELIZABETH PEAKE
Case in other court: 14-02228
Cause: 42:1983 Civil Rights Act

Date Filed: 06/13/2012
Date Terminated: 10/14/2014
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

MARCIE FISHER-BORNE
*for herself and as guardian ad litem for
M.F.-B., a minor*

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Intervenor

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*Pursuant to Order filed 10/8/2014,
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Date Filed	#	Docket Text
06/13/2012	1	COMPLAINT against JOHN W. SMITH, THE HONORABLE DAVID L. CHURCHILL, THE HONORABLE ARCHIE L. SMITH III, (Filing fee \$350 receipt number 0418-1131178), filed by MARCIE FISHER-BORNE, CHANTELE FISHER-BORNE, TERRI BECK, LESLIE ZANAGLIO, SHANA CARIGNAN, MEGAN PARKER, LEIGH SMITH, CRYSTAL HENDRIX, DANA DRAA, LEE KNIGHT CAFFERY, SHAWN LONG, CRAIG JOHNSON. (Entered: 06/13/2012)
06/13/2012	2	PETITION for Appointment of Guardian Ad Litem for M.F.-B. re 1 Complaint, filed by Plaintiff Marcie Fisher-Borne. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	3	PETITION for Appointment of Guardian Ad Litem for E.F.-B. re 1 Complaint, filed by Plaintiff Chantelle Fisher-Borne. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	4	PETITION for Appointment of Guardian Ad Litem for T.B.Z. re 1 Complaint, filed by Plaintiff LESLIE ZANAGLIO. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	5	PETITION for Appointment of Guardian Ad Litem for D.B.Z. re 1 Complaint, filed by Plaintiff LESLIE ZANAGLIO. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	6	PETITION for Appointment of Guardian Ad Litem for J.C. re 1 Complaint, filed by Plaintiff MEGAN PARKER. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	7	PETITION for Appointment of Guardian Ad Litem for J.H.-S. re 1 Complaint, filed by Plaintiff CRYSTAL HENDRIX. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	8	PETITION for Appointment of Guardian Ad Litem for M.M.C.D. re 1 Complaint, filed by Plaintiff LEE KNIGHT CAFFERY. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)

06/13/2012	9	PETITION for Appointment of Guardian Ad Litem for M.L.C.D. re 1 Complaint,, filed by Plaintiff LEE KNIGHT CAFFERY. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	10	PETITION for Appointment of Guardian Ad Litem for I.J.-L. re 1 Complaint,, filed by Plaintiff CRAIG JOHNSON. (Attachments: # 1 Text of Proposed Order)(SASSER, JONATHAN) (Entered: 06/13/2012)
06/13/2012	11	Summons Issued as to JOHN W. SMITH, DAVID L. CHURCHILL, ARCHIE L. SMITH III. (Attachments: # 1 Summons for David Churchill, # 2 Summons for Archie Smith, III) (Garland, Leah) (Entered: 06/13/2012)
06/13/2012	12	Notice of Right to Consent. Counsel shall serve the attached form on all parties. (Garland, Leah) (Entered: 06/13/2012)
06/13/2012		CASE REFERRED to Mediation pursuant to Local Rule 83.9b of the Rules of Practice and Procedure of this Court. Please go to our website under Attorney Information for a list of mediators which must be served on all parties. (Garland, Leah) (Entered: 06/13/2012)
06/14/2012		Case ASSIGNED to UNASSIGNED and MAG/JUDGE JOI ELIZABETH PEAKE. (Garland, Leah) (Entered: 06/14/2012)
06/14/2012		CASE REFERRED to Standing Order 30. (Garland, Leah) (Entered: 06/14/2012)
06/18/2012	13	NOTICE of Appearance by attorney CHRISTOPHER A. BROOK on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (BROOK, CHRISTOPHER) (Entered: 06/18/2012)
06/26/2012		CASE REFERRED RE: 8 Petition, 4 Petition, 7 Petition, 3 Petition, 5 Petition, 9 Petition, 2 Petition, 6 Petition, 10 Petition, to MAG/JUDGE JOI ELIZABETH PEAKE (Garrett, Kim) (Entered: 06/26/2012)
06/28/2012	14	NOTICE of Appearance by attorney MABEL Y. BULLOCK on behalf of Defendants DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III (BULLOCK, MABEL) (Entered: 06/28/2012)
06/28/2012	15	NOTICE of Appearance by attorney GRADY L. BALENTINE, JR on behalf of Defendants DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III (BALENTINE, GRADY) (Entered: 06/28/2012)
06/28/2012	16	MOTION for Extension of Time to File Answer re 1 Complaint, by DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III. (Attachments: # 1 Text of Proposed Order)(BULLOCK, MABEL) (Entered: 06/28/2012)
06/28/2012		ORDER granting 16 Motion for Extension of Time to Answer for DAVID L. CHURCHILL; JOHN W. SMITH; and ARCHIE L. SMITH III. Answer due by 8/6/2012. Signed by John Brubaker, Clerk of Court, on 06/28/12. (Brubaker, John) (Entered: 06/28/2012)
07/05/2012	17	NOTICE of Appearance by attorney WILLIAM R. A. KLEYTEUBER on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (KLEYTEUBER, WILLIAM) (Entered: 07/05/2012)
07/05/2012	18	NOTICE of Appearance by attorney GARRARD R. BEENEY on behalf of Plaintiffs

		TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (BEENEY, GARRARD) (Entered: 07/05/2012)
07/05/2012	19	NOTICE of Appearance by attorney DANIEL W. MEYLER on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (MEYLER, DANIEL) (Entered: 07/05/2012)
07/05/2012	20	NOTICE of Appearance by attorney JAMES D. ESSEKS on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (ESSEKS, JAMES) (Entered: 07/05/2012)
07/05/2012	21	NOTICE of Appearance by attorney DAVID A. CASTLEMAN on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (CASTLEMAN, DAVID) (Entered: 07/05/2012)
07/05/2012	22	NOTICE of Appearance by attorney CATHERINE M. BRADLEY on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (BRADLEY, CATHERINE) (Entered: 07/05/2012)
07/05/2012	23	NOTICE of Appearance by attorney ELIZABETH O. GILL on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (GILL, ELIZABETH) (Entered: 07/05/2012)
07/10/2012	24	NOTICE of Appearance by attorney ROSE A. SAXE on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (SAXE, ROSE) (Entered: 07/10/2012)
07/23/2012	25	NOTICE of Appearance by attorney JEREMY M. FALCONE on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (FALCONE, JEREMY) (Entered: 07/23/2012)
07/31/2012	26	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 7/30/12, that the Petitions [Doc. # 2 , # 3 , # 4 , # 5 , # 6 , # 7 , # 8 , # 9 , # 10] are GRANTED to the extent that Marcie Fisher-Borne is authorized to prosecute this civil action on behalf of minor M.F.-B.; Chantelle Fisher-Borne is authorized to prosecute this civil action on behalf of minor E.F.-B.; Leslie Zanaglio is authorized to prosecute this civil action on behalf of minor T.B.Z. and minor D.B.Z.; Megan Parker is authorized to prosecute this civil action on behalf of minor J.C.; Crystal Hendrix is authorized to prosecute this civil action on behalf of minor J.H.-S.; Lee Knight Caffrey is authorized to prosecute this civil action on behalf of minor M.M.C.-D. and minor M.L.C.-D.; and Craig Johnson is

		authorized to prosecute this civil action on behalf of minor I.J.-L. (Law, Trina) (Entered: 07/31/2012)
08/06/2012	27	MOTION TO DISMISS 1 COMPLAINT filed by DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III. (BULLOCK, MABEL) Modified on 8/7/2012 to edit text to accurately reflect document title. (Lloyd, Donna) (Entered: 08/06/2012)
08/06/2012	28	MEMORANDUM OF LAW IN SUPPORT OF 27 MOTION TO DISMISS 1 COMPLAINT filed by DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III. (BULLOCK, MABEL) Modified on 8/7/2012 to edit text to accurately reflect document title. (Lloyd, Donna) (Entered: 08/06/2012)
08/13/2012		Set/Response Deadline as to 27 MOTION TO DISMISS. Responses due by 8/30/2012. (Taylor, Abby) (Entered: 08/13/2012)
08/23/2012	29	Consent MOTION for Extension of Time to File Response as to 27 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, 28 Memorandum by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Text of Proposed Order)(FALCONE, JEREMY) (Entered: 08/23/2012)
08/24/2012		Motions Referred: RE: 29 Consent MOTION for Extension of Time to File Response/Reply as to 27 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM MOTION to Dismiss for Lack of Jurisdiction , 28 Memorandum , to MAG/JUDGE JOI ELIZABETH PEAKE (Garrett, Kim) (Entered: 08/24/2012)
08/29/2012	30	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 8/28/12, that Plaintiffs' Consent Motion for Extension of Time to Respond to Motion to Dismiss [Doc. # 29] is GRANTED and Plaintiff has to and including September 20, 2012, within which to file a response. Responses due by 9/20/2012. (Law, Trina) (Entered: 08/29/2012)
09/17/2012	31	Consent MOTION for Leave to File Excess Pages <i>to Respond to Defendants' Motion to Dismiss</i> by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Text of Proposed Order)(SASSER, JONATHAN) (Entered: 09/17/2012)
09/18/2012		Motions Referred: RE: 31 Consent MOTION for Leave to File Excess Pages <i>to Respond to Defendants' Motion to Dismiss</i> , to MAG/JUDGE JOI ELIZABETH PEAKE (Garrett, Kim) (Entered: 09/18/2012)
09/20/2012	32	MEMORANDUM in Opposition re 27 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM MOTION to Dismiss for Lack of Jurisdiction filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Replies due by 10/9/2012. (SASSER, JONATHAN) (Entered: 09/20/2012)
09/24/2012	33	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 9/24/12, that Plaintiff's Consent Motion for Extension of Page Limit to Respond to Defendants' Motion to Dismiss [Doc. # 31] is GRANTED, and Plaintiffs are permitted to file a Response Brief of up to 25 pages in response to Defendants' Motion to Dismiss. (Law, Trina) (Entered: 09/24/2012)
10/04/2012	34	REPLY to Response to 27 MOTION TO DISMISS FOR FAILURE TO STATE A

		CLAIM filed by DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III. (BULLOCK, MABEL) (Entered: 10/04/2012)
10/12/2012		Motions Referred: RE: 27 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM MOTION to Dismiss for Lack of Jurisdiction , to MAG/JUDGE JOI ELIZABETH PEAKE (Garrett, Kim) (Entered: 10/12/2012)
10/19/2012	35	Suggestion of Subsequently Decided Authority re 32 Response in Opposition to Motion, by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Exhibit Decision)(SASSER, JONATHAN) (Entered: 10/19/2012)
01/17/2013	36	Notice to Parties RE: SO30. Responses due by 2/19/2013 (Winchester, Robin) (Entered: 01/17/2013)
02/22/2013		Case Reassigned to CHIEF JUDGE WILLIAM L. OSTEEN JR. UNASSIGNED no longer assigned to the case. (Powell, Gloria) (Entered: 02/22/2013)
03/07/2013	37	Suggestion of Subsequently Decided Authority re 27 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM MOTION to Dismiss for Lack of Jurisdiction by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (SASSER, JONATHAN) (Entered: 03/07/2013)
07/12/2013	38	Consent MOTION to Amend 1 Complaint by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Responses due by 8/5/2013. (Attachments: # 1 Exhibit A - Proposed Amended Complaint, # 2 Text of Proposed Order) (SASSER, JONATHAN) Modified on 7/15/2013 to add text. (Lloyd, Donna) (Entered: 07/12/2013)
07/15/2013		Motions Referred: RE: 38 MOTION to Amend 1 Complaint, , to MAG/JUDGE JOI ELIZABETH PEAKE - (Williamson, Wanda) (Entered: 07/15/2013)
07/19/2013	39	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 7/19/2013, that Plaintiffs' Motion to Amend the Complaint [Doc. # 38] is GRANTED, and Plaintiffs shall promptly file and serve the First Amended Complaint attached as Exhibit A to their Motion. (Lloyd, Donna) (Entered: 07/19/2013)
07/19/2013	40	First AMENDED COMPLAINT against defendant DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III, ROY COOPER, William Covington, Jeff Thigpen, filed by LESLIE ZANAGLIO, LEIGH SMITH, SHANA CARIGNAN, CRYSTAL HENDRIX, CHANTELE FISHER-BORNE, DANA DRAA, LEE KNIGHT CAFFERY, MARCIE FISHER-BORNE, SHAWN LONG, MEGAN PARKER, CRAIG JOHNSON, TERRI BECK.(SASSER, JONATHAN) (Entered: 07/19/2013)
07/22/2013	41	Summons Issued as to ROY COOPER, WILLIAM COVINGTON, JEFF THIGPEN. (Attachments: # 1 Summons to William Covington, # 2 Summons to Jeff Thigpen) (Garland, Leah) (Entered: 07/22/2013)
07/30/2013	42	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Defendants DAVID L. CHURCHILL, ROY COOPER, JOHN W. SMITH, ARCHIE L. SMITH III. OLGA E. VYSOTSKAYA DE BRITO is substituted as counsel for Defendants. Attorney GRADY L. BALENTINE, JR terminated. <i>Special Deputy Attorney</i>

		<i>General, Charles G. Whitehead, is also substituted and appears as counsel for the above Defendants. Notice of Appearance is attached.</i> (VYSOTSKAYA DE BRITO, OLGA) (Entered: 07/30/2013)
08/05/2013	43	MOTION for Extension of Time To File Motion to Answer or Otherwise Respond to the 40 First Amended Complaint until September 4, 2013, by DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III. (Attachments: # 1 Text of Proposed Order) (VYSOTSKAYA DE BRITO, OLGA) Modified on 8/7/2013 to remove duplicate text. (Lloyd, Donna) (Entered: 08/05/2013)
08/05/2013		Motion Referred: re: 43 MOTION for Extension of Time To File Answer or Otherwise Respond to the First Amended Complaint until September 4, 2013 to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 08/05/2013)
08/05/2013	44	NOTICE of Appearance by attorney CHARLES GIBSON WHITEHEAD on behalf of Defendants DAVID L. CHURCHILL, ROY COOPER, JOHN W. SMITH, ARCHIE L. SMITH III. (WHITEHEAD, CHARLES) (Entered: 08/05/2013)
08/05/2013	45	*** DOCUMENT STRICKEN *** MOTION TO DISMISS FIRST 40 AMENDED COMPLAINT by DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III. Responses due by 8/29/2013. (VYSOTSKAYA DE BRITO, OLGA) Modified on 8/6/2013 to edit text. (Lloyd, Donna) Modified on 8/7/2013 to reflect document stricken. See 48 Order for Court's ruling. (Lloyd, Donna) (Entered: 08/05/2013)
08/05/2013	46	MOTION FOR EXTENSION OF TIME TO FILE A BRIEF IN SUPPORT OF 45 MOTION TO DISMISS 40 FIRST AMENDED COMPLAINT filed by DAVID L. CHURCHILL, JOHN W. SMITH, ARCHIE L. SMITH III. (Attachments: # 1 Text of Proposed Order) (VYSOTSKAYA DE BRITO, OLGA) Modified on 8/6/2013 to edit text. (Lloyd, Donna) (Entered: 08/05/2013)
08/06/2013	47	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 8/6/2013, that Defendants John W. Smith, The Honorable David L. Churchill, and The Honorable Archie L. Smith III's Motion for Extension of Time to Answer or otherwise Respond to the First Amended Complaint [Doc. # 43] is GRANTED, and these Defendants have to and including September 4, 2013, within which to Answer or otherwise respond to Plaintiffs' First Amended Complaint. Answer due by 9/4/2013. (Lloyd, Donna) (Entered: 08/06/2013)
08/06/2013		Motion Referred: re: 46 MOTION for Extension of Time to File Brief in support of Defendants' motion to dismiss to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 08/06/2013)
08/07/2013	48	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 8/7/2013, that Defendants John W. Smith, The Honorable David L. Churchill, and The Honorable Archie L. Smith III's Motion to Dismiss First Amended Complaint [Doc. # 45] is STRICKEN without prejudice to Defendants refiling their Motion to Dismiss accompanied by a supporting brief by September 4, 2013. FURTHER, that Defendants' Motion for Extension of Time to File a Brief in Support of Motion to Dismiss First Amended Complaint [Doc. # 46] is DENIED as moot. Defendants' Dispositive Motion due by 9/4/2013. (Lloyd, Donna) (Entered: 08/07/2013)
08/08/2013	49	SUMMONS Returned Executed by LEIGH SMITH, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, SHAWN LONG, LESLIE ZANAGLIO, SHANA CARIGNAN, CRYSTAL HENDRIX, LEE KNIGHT CAFFERY, DANA DRAA, CRAIG JOHNSON, MEGAN PARKER, TERRI BECK as to JEFF THIGPEN served on 7/29/2013, answer due 8/19/2013. (SASSER, JONATHAN) (Entered: 08/08/2013)
08/08/2013	50	SUMMONS Returned Executed by LEIGH SMITH, CHANTELE FISHER-BORNE,

		MARCIE FISHER-BORNE, SHAWN LONG, LESLIE ZANAGLIO, SHANA CARIGNAN, CRYSTAL HENDRIX, LEE KNIGHT CAFFERY, DANA DRAA, CRAIG JOHNSON, MEGAN PARKER, TERRI BECK as to WILLIAM COVINGTON served on 7/30/2013, answer due 8/20/2013. (SASSER, JONATHAN) (Entered: 08/08/2013)
08/12/2013	51	NOTICE of Appearance by attorney KATHY R. EVERETT-PERRY on behalf of Defendant WILLIAM COVINGTON (EVERETT-PERRY, KATHY) (Entered: 08/12/2013)
08/12/2013	52	First MOTION for Extension of Time to File Answer re 40 Amended Complaint, by WILLIAM COVINGTON. (Attachments: # 1 Text of Proposed Order)(EVERETT-PERRY, KATHY) (Entered: 08/12/2013)
08/12/2013		ORDER granting 52 Motion for Extension of Time to Answer Amended Complaint for WILLIAM COVINGTON. Answer due by 9/11/2013. Signed by John Brubaker, Clerk of Court, on 08/12/2013. (Brubaker, John) (Entered: 08/12/2013)
08/12/2013	53	ACKNOWLEDGEMENT OF SERVICE of summons and complaint <i>sent by electronic means only</i> by Defendant ROY COOPER on 08/05/2013 (VYSOTSKAYA DE BRITO, OLGA) (Entered: 08/12/2013)
08/12/2013	54	CERTIFICATE OF SERVICE by ROY COOPER re 53 Acknowledgment of Service (VYSOTSKAYA DE BRITO, OLGA) (Entered: 08/12/2013)
08/13/2013	55	First MOTION for Extension of Time to File Answer <i>to First Amended Complaint</i> by JEFF THIGPEN. (Attachments: # 1 Text of Proposed Order)(PAYNE, JOHN) (Entered: 08/13/2013)
08/13/2013		ORDER granting 55 Motion for Extension of Time to Answer Amended Complaint for JEFF THIGPEN. Answer due by 9/11/2013. Signed by John Brubaker, Clerk of Court, on 8/13/2013. (Brubaker, John) (Entered: 08/13/2013)
08/14/2013	56	Consent MOTION for Extension of Time <i>and for a Scheduling Order</i> by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Text of Proposed Order)(SASSER, JONATHAN) (Entered: 08/14/2013)
08/20/2013		Motion Referred: re: 56 Consent MOTION for Extension of Time and for a Scheduling Order, to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 08/20/2013)
08/22/2013	57	NOTICE of Appearance by attorney MABEL Y. BULLOCK on behalf of Defendant ROY COOPER. (BULLOCK, MABEL) (Entered: 08/22/2013)
08/26/2013	58	Consent MOTION to Modify <i>the Case Caption</i> by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Responses due by 9/19/2013 (Attachments: # 1 Text of Proposed Order)(SASSER, JONATHAN) (Entered: 08/26/2013)
08/26/2013		Motion Referred: re: 58 Consent MOTION to Modify the Case Caption, to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 08/26/2013)
08/27/2013	59	Telephone Notice held on 8/27/2013 with Attorney Sasser as to 58 amending caption as to William Covington. Amended Motion forthcoming. (Powell, Gloria) (Entered: 08/27/2013)

08/27/2013	60	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 8/27/2013, granting 56 Motion for Extension of Time for a Scheduling Order; that Plaintiffs' Consent Motion for Scheduling Order [Doc. # 56] is GRANTED, and the following briefing schedule is established: All Defendants answer or otherwise respond to the First Amended Complaint due September 11, 2013; Plaintiffs' opposition to any motions due October 15, 2013; Moving Defendants' replies due November 15, 2013. (Lloyd, Donna) (Entered: 08/27/2013)
08/27/2013	61	Amended MOTION to Modify <i>the Case Caption with Consent</i> by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Responses due by 9/20/2013 (Attachments: # 1 Text of Proposed Order)(SASSER, JONATHAN) (Entered: 08/27/2013)
08/27/2013		Motion Referred: re: 61 Amended MOTION to Modify the Case Caption with Consent, to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 08/27/2013)
08/29/2013	62	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 8/29/2013, that Plaintiffs' Amended Consent Motion to Modify the Case Caption [Doc. # 61] is GRANTED, and the case caption is modified to name Mr. Covington correctly as "Willie Covington, in his official capacity as Register of Deeds for Durham County." (Lloyd, Donna) (Entered: 08/29/2013)
09/10/2013	63	MOTION TO DISMISS PLAINTIFFS' 40 AMENDED COMPLAINT by WILLIE COVINGTON. (EVERETT-PERRY, KATHY) Modified on 9/11/2013 to edit text and add document link. (Lloyd, Donna) (Entered: 09/10/2013)
09/10/2013	64	MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT COVINGTON'S 63 MOTION TO DISMISS PLAINTIFFS' 40 AMENDED COMPLAINT. (EVERETT-PERRY, KATHY) Modified on 9/11/2013 to edit text. (Lloyd, Donna) (Entered: 09/10/2013)
09/11/2013		Set Response Deadline to DEFENDANT COVINGTON'S 63 MOTION TO DISMISS PLAINTIFFS' 40 AMENDED COMPLAINT: Responses due by 10/4/2013. (Lloyd, Donna) (Entered: 09/11/2013)
09/11/2013	65	MOTION TO DISMISS PLAINTIFF'S 40 FIRST AMENDED COMPLAINT by DAVID L. CHURCHILL, ROY COOPER, JOHN W. SMITH, ARCHIE L. SMITH III. Responses due by 10/15/2013. (VYSOTSKAYA DE BRITO, OLGA) Modified on 9/12/2013 to edit text. (Lloyd, Donna) (Entered: 09/11/2013)
09/11/2013	66	STATE DEFENDANTS' BRIEF re 65 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM MOTION to Dismiss for Lack of Jurisdiction . (VYSOTSKAYA DE BRITO, OLGA) (Entered: 09/11/2013)
09/11/2013	67	ANSWER to 40 Amended Complaint by JEFF THIGPEN. (PAYNE, JOHN) Modified on 9/12/2013 to add document link. (Lloyd, Donna) (Entered: 09/11/2013)
09/11/2013		Reset Response Deadline to DEFENDANT COVINGTON'S 63 MOTION TO DISMISS PLAINTIFFS' 40 AMENDED COMPLAINT: Responses due by 10/15/2013. See 60 Order for Court's ruling. (Lloyd, Donna) (Entered: 09/12/2013)
10/14/2013	68	Consent MOTION to Amend <i>Caption with Respect to Defendant Roy Cooper and to Grant Motion to Intervene</i> by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Responses due by 11/7/2013

		(Attachments: # 1 Text of Proposed Order)(SASSER, JONATHAN) (Entered: 10/14/2013)
10/15/2013	69	RESPONSE entitled "MEMORANDUM OF LAW" in Opposition to 65 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Replies due by 11/1/2013. (Attachments: # 1 Exhibit 1 - Darby, # 2 Exhibit 2 - Garden State) (SASSER, JONATHAN) Modified on 10/16/2013 to edit text. (Lloyd, Donna) (Entered: 10/15/2013)
10/15/2013	70	RESPONSE entitled "MEMORANDUM OF LAW" in Opposition to 63 MOTION to Dismiss for Lack of Jurisdiction <i>and For Failure To State A Claim</i> filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Replies due by 11/1/2013. (SASSER, JONATHAN) Modified on 10/16/2013 to edit text. (Lloyd, Donna) (Entered: 10/15/2013)
10/25/2013		Motion Referred: re: 68 Consent MOTION to Amend Caption with Respect to Defendant Roy Cooper and to Grant Motion to Intervene to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 10/25/2013)
11/13/2013	71	REPLY to 70 RESPONSE to 63 MOTION to Dismiss for Lack of Jurisdiction <i>and For Failure To State A Claim</i> filed by WILLIE COVINGTON. (EVERETT-PERRY, KATHY) Modified on 11/15/2013 to edit text. (Lloyd, Donna) (Entered: 11/13/2013)
11/15/2013	72	REPLY BRIEF to 70 RESPONSE to 65 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by DAVID L. CHURCHILL, ROY COOPER, JOHN W. SMITH, ARCHIE L. SMITH III. (VYSOTSKAYA DE BRITO, OLGA) Modified on 11/18/2013 to edit text. (Lloyd, Donna) (Entered: 11/15/2013)
11/20/2013	73	Suggestion of Subsequently Decided Authority re 69 Response in Opposition to Motion, by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Exhibit 1. Whitewood v. Wolf)(FALCONE, JEREMY) (Entered: 11/20/2013)
01/21/2014	74	Suggestion of Subsequently Decided Authority re 69 Response in Opposition to Motion, by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Exhibit 1. Kitchen v. Herbert, # 2 Exhibit 2. Bishop v. US)(SASSER, JONATHAN) (Entered: 01/21/2014)
02/07/2014		Motions Referred: re: 63 MOTION to Dismiss for Lack of Jurisdiction and For Failure To State A Claim, 65 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM MOTION to Dismiss for Lack of Jurisdiction, to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 02/07/2014)
04/09/2014	75	MOTION FOR PRELIMINARY INJUNCTION - EXPEDITED REVIEW REQUESTED by SHANA CARIGNAN, MEGAN PARKER. Responses due by 5/5/2014. (SASSER, JONATHAN) Modified on 4/10/2014 to add text. (Lloyd, Donna) (Entered: 04/09/2014)
04/09/2014	76	MEMORANDUM OF LAW IN SUPPORT OF 75 MOTION FOR PRELIMINARY INJUNCTION - EXPEDITED REVIEW REQUESTED filed by SHANA CARIGNAN,

		MEGAN PARKER. (SASSER, JONATHAN) Modified on 4/10/2014 to edit text. (Lloyd, Donna) (Entered: 04/09/2014)
04/09/2014	77	AFFIDAVIT IN SUPPORT OF 75 MOTION FOR PRELIMINARY INJUNCTION filed by MEGAN PARKER. Replies due by 4/28/2014. (SASSER, JONATHAN) (Entered: 04/09/2014)
04/09/2014	78	AFFIDAVIT IN SUPPORT OF 75 MOTION FOR PRELIMINARY INJUNCTION filed by SHANA CARIGNAN. Replies due by 4/28/2014. (SASSER, JONATHAN) (Entered: 04/09/2014)
04/09/2014	79	MOTION FOR EXPEDITED CONSIDERATION OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION by SHANA CARIGNAN, MEGAN PARKER. (Attachments: # 1 Text of Proposed Order) (SASSER, JONATHAN) (Entered: 04/09/2014)
04/09/2014	80	MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' 79 MOTION FOR EXPEDITED CONSIDERATION OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION filed by SHANA CARIGNAN, MEGAN PARKER. (SASSER, JONATHAN) Modified on 4/10/2014 to edit text to accurately reflect to document title. (Lloyd, Donna) (Entered: 04/09/2014)
04/09/2014	81	Consent MOTION to Withdraw as Attorney on behalf of DAVID L. CHURCHILL, ROY COOPER, JOHN W. SMITH, ARCHIE L. SMITH III by MABEL BULLOCK. (Attachments: # 1 Text of Proposed Order) (BULLOCK, MABEL) Modified on 4/10/2014 to add text. (Lloyd, Donna) (Entered: 04/09/2014)
04/09/2014		Motions Referred: re: 81 Consent MOTION to Withdraw as Attorney MABEL Y. BULLOCK, 79 MOTION FOR EXPEDITED CONSIDERATION OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION to MAG/JUDGE JOI ELIZABETH PEAKE. (Welch, Kelly) (Entered: 04/09/2014)
04/10/2014	82	CERTIFICATE OF SERVICE by SHANA CARIGNAN, MEGAN PARKER re 78 Affidavit in Support of Motion, 77 Affidavit in Support of Motion (SASSER, JONATHAN) (Entered: 04/10/2014)
04/11/2014	83	ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 4/11/2014, that Plaintiffs' Motion to Expedite Briefing (doc. 79) is GRANTED IN PART to the extent that Defendants' response to Plaintiffs' Motion for Preliminary Injunction must be filed on or before April 28, 2014, and Plaintiffs' reply must be filed on or before May 5, 2014. As noted above, the briefs should specifically address whether consideration of Plaintiffs' Motion for Preliminary Injunction should be stayed pending the Fourth Circuit's decision in <u>Bostic v. Schaefer</u> , Case No. 14-1167 (4th Cir. 2014). (Lloyd, Donna) (Entered: 04/11/2014)
04/11/2014		Reset Response Deadline as to 75 MOTION FOR PRELIMINARY INJUNCTION: Responses due by 4/28/2014. (See 83 Order for Court's ruling. (Lloyd, Donna) (Entered: 04/11/2014)
04/11/2014	84	MOTION TO STAY PROCEEDINGS - EXPEDITED REVIEW REQUESTED - filed by DAVID L. CHURCHILL, ROY COOPER, JOHN W. SMITH, ARCHIE L. SMITH III. Responses due by 5/5/2014. (VYSOTSKAYA DE BRITO, OLGA) Modified on 4/14/2014 to edit text. (Lloyd, Donna) (Entered: 04/11/2014)
04/11/2014	85	BRIEF IN SUPPORT OF 84 MOTION TO STAY PROCEEDINGS - EXPEDITED REVIEW REQUESTED. (Attachments: # 1 Exhibit A - recent stay issued by the U.S. Supreme Court) (VYSOTSKAYA DE BRITO, OLGA) Modified on 4/14/2014 to edit text. (Lloyd, Donna) (Entered: 04/11/2014)

04/14/2014		TEXT ORDER by MAG/JUDGE JOI ELIZABETH PEAKE on 04/14/14, granting 81 Consent Motion to Withdraw as Attorney as to JOHN W. SMITH, DAVID L. CHURCHILL, ARCHIE L. SMITH III and ROY COOPER. Attorney MABEL Y. BULLOCK terminated. (Garrett, Kim) (Entered: 04/14/2014)
04/21/2014	86	NOTICE of Appearance by attorney AMY E. RICHARDSON on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (RICHARDSON, AMY) (Entered: 04/21/2014)
04/24/2014	87	Additional Attachment (Text of Proposed Order) to 84 MOTION to Stay <i>Proceedings (Expedited Review Requested)</i> . (VYSOTSKAYA DE BRITO, OLGA) Modified on 4/28/2014 to edit text. (Lloyd, Donna) (Entered: 04/24/2014)
04/24/2014		Motion Referred: re: 84 MOTION to Stay Proceedings (Expedited Review Requested) to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 04/24/2014)
04/25/2014		TEXT ORDER by MAG/JUDGE JOI ELIZABETH PEAKE on 04/25/14. The Court will consider the State Defendants' 84 Motion to Stay Proceedings after the Plaintiffs have had an opportunity to respond and the matter has been fully briefed.(Garrett, Kim) (Entered: 04/25/2014)
04/28/2014	88	RESPONSE in Opposition re 75 MOTION for Preliminary Injunction filed by DAVID L. CHURCHILL, ROY COOPER, JOHN W. SMITH, ARCHIE L. SMITH III. Replies due by 5/5/2014. (VYSOTSKAYA DE BRITO, OLGA) (Entered: 04/28/2014)
04/28/2014	89	RESPONSE to 75 MOTION for Preliminary Injunction and 84 MOTION TO STAY PROCEEDINGS - EXPEDITED REVIEW REQUESTED entitled "MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION AND IN SUPPORT OF STATE DEFENDANTS MOTION TO STAY THE PROCEEDINGS" filed by WILLIE COVINGTON. Replies due by 5/5/2014. (EVERETT-PERRY, KATHY) Modified on 4/29/2014 to edit text. (Lloyd, Donna) (Entered: 04/28/2014)
05/05/2014	90	NOTICE of Change of Address by AMY E. RICHARDSON (RICHARDSON, AMY) (Entered: 05/05/2014)
05/05/2014	91	CONSOLIDATED MEMORANDUM OF LAW IN SUPPORT OF 75 MOTION FOR PRELIMINARY INJUNCTION - EXPEDITED REVIEW REQUESTED AND IN OPPOSITION TO DEFENDANTS' 84 MOTION TO STAY PROCEEDINGS - EXPEDITED REVIEW REQUESTED filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (RICHARDSON, AMY) Modified on 5/6/2014 to edit text. (Lloyd, Donna) (Entered: 05/05/2014)
05/06/2014		Set Reply Deadline as to 91 CONSOLIDATED MEMORANDUM OF LAW IN SUPPORT OF 75 MOTION FOR PRELIMINARY INJUNCTION - EXPEDITED REVIEW REQUESTED AND IN OPPOSITION TO DEFENDANTS' 84 MOTION TO STAY PROCEEDINGS - EXPEDITED REVIEW REQUESTED: Replies due by 5/22/2014. (Lloyd, Donna) (Entered: 05/06/2014)
05/08/2014	92	Suggestion of Subsequently Decided Authority by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO.

		(Attachments: # 1 Exhibit 1 - Baskin v. Bogan) (RICHARDSON, AMY) Modified on 5/9/2014 to remove duplicate text. (Lloyd, Donna) (Entered: 05/08/2014)
05/21/2014	93	Suggestion of Subsequently Decided Authority re 91 Memorandum, by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Exhibit 1- Evans v. Utah)(RICHARDSON, AMY) (Entered: 05/21/2014)
05/21/2014	94	Suggestion of Subsequently Decided Authority re 91 Memorandum, by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Exhibit 1- Whitewood v. Kitzhaber)(RICHARDSON, AMY) (Entered: 05/21/2014)
05/21/2014	95	Suggestion of Subsequently Decided Authority re 91 Memorandum, by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Exhibit 1- Gieger v. Kitzhaber)(RICHARDSON, AMY) (Entered: 05/21/2014)
05/22/2014	96	REPLY to 91 RESPONSE IN OPPOSITION TO 84 MOTION TO STAY PROCEEDINGS - EXPEDITED REVIEW REQUESTED W. SMITH. (Attachments: # 1 Exhibit A - McCrory v. State, # 2 Exhibit B - Latta v. Otter) (VYSOTSKAYA DE BRITO, OLGA) Modified on 5/27/2014 to edit text. (Lloyd, Donna) (Entered: 05/22/2014)
05/23/2014		Motions Referred: re: 75 MOTION for Preliminary Injunction, 84 MOTION to Stay Proceedings (Expedited Review Requested) to MAG/JUDGE JOI ELIZABETH PEAKE (Welch, Kelly) (Entered: 05/23/2014)
06/02/2014	97	RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE JOI ELIZABETH PEAKE signed on 6/2/2014, RECOMMENDING that the Motion to Stay (Doc. # 84) be GRANTED , that all proceedings in this case, including consideration of Defendants' pending Motions to Dismiss and Plaintiffs' Motion for Preliminary Injunction, be stayed pending the Fourth Circuit's decision in <u>Bostic v. Schaefer</u> , Case No. 14-1167 (4th Cir. 2014), and that the parties be directed to notify the Court in writing of their position on the course of future proceedings within 10 days following issuance of a decision by the Court of Appeals for the Fourth Circuit in <u>Bostic</u> . (Daniel, J) (Entered: 06/02/2014)
06/02/2014	98	Notice of Mailing Recommendation. Objections to R&R due by 6/19/2014. (Daniel, J) (Entered: 06/02/2014)
06/13/2014	99	OBJECTION TO 97 RECOMMENDED RULING - MAGISTRATE JUDGE filed by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Response to Objections to R&R due by 6/30/2014. (RICHARDSON, AMY) (Entered: 06/13/2014)
06/30/2014	100	RESPONSE TO 99 OBJECTION to 97 RECOMMENDATION filed by DAVID L. CHURCHILL, ROY COOPER, ARCHIE L. SMITH, III, JOHN W. SMITH. (VYSOTSKAYA DE BRITO, OLGA) (Entered: 06/30/2014)

06/30/2014	101	RESPONSE TO 99 OBJECTION TO 97 RECOMMENDED RULING - MAGISTRATE JUDGE filed by WILLIE COVINGTON. (EVERETT-PERRY, KATHY) Modified on 7/3/2014 to edit text. (Lloyd, Donna) (Entered: 06/30/2014)
07/10/2014		CASE REFERRED re: 97 RECOMMENDED RULING - MAGISTRATE JUDGE to CHIEF JUDGE WILLIAM L. OSTEEN JR. (Welch, Kelly) (Entered: 07/10/2014)
07/30/2014	102	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEN JR. on 7/30/2014, that: (1) The parties shall file briefs within fourteen (14) days of the date of this Order stating their respective positions on the course of future proceedings in this action; (2) The briefs shall further address the extent to which <i>Bostic v. Schaefer</i> , Nos. 14-1167, 14-1169, 14-1173, ___ F.3d ___, 2014 WL 3702493 (4th Cir. 2014), applies or does not apply to the challenged North Carolina constitutional and statutory provisions; (3) Each party's brief shall be limited to fifteen (15) pages although two or more parties may file a joint brief (also limited to fifteen (15) pages); (4) No response briefing pursuant to this Order is required or permitted; and (5) This Order shall not affect any pending deadlines in this action. (Butler, Carol) (Entered: 07/30/2014)
08/12/2014	103	BRIEF re 102 Order, <i>From Judge Osteen Dated July 30, 2014</i> filed by WILLIE COVINGTON entitled " SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT COVINGTONS MOTION TO DISMISS IN LIGHT OF BOSTIC V. SCHAEFER". (EVERETT-PERRY, KATHY) (Entered: 08/12/2014)
08/13/2014	104	<i>State Defendants'</i> BRIEF re 102 Order, . (VYSOTSKAYA DE BRITO, OLGA) (Entered: 08/13/2014)
08/13/2014	105	RESPONSE re 102 Order, <i>of July 30, 2014</i> filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Replies due by 9/2/2014. (RICHARDSON, AMY) (Entered: 08/13/2014)
08/13/2014	106	BRIEF entitled "DEFENDANT JEFF THIGPEN'S BRIEF ON THE GUILFORD COUNTY REGISTER OF DEED'S POSITION ON THE COURSE OF FUTURE PROCEEDINGS FOLLOWING THE DECISION OF THE COURT OF APPEALS FOR THE FOURTH CIRCUIT IN BOSTIC v. SCHAEFER filed by JEFF THIGPEN. (PAYNE, JOHN) (Entered: 08/13/2014)
08/14/2014	107	NOTICE of Intent to File Dispositive Motions by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (RICHARDSON, AMY) (Entered: 08/14/2014)
08/27/2014	108	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEN JR. on 8/27/2014. This court has conducted a de novo review of the matters to which objections were made and finds that the Recommendations should be adopted and these matters stayed. In light of the Supreme Court's stay of the Fourth Circuit's mandate, this court modifies the Recommendations to stay these matters pending termination of the stay granted in <i>McQuigg v. Bostic</i> , No. 14A196 (Fourth Circuit Case No. 14-1167). The parties are directed to notify this court within twenty (20) days of the denial of the petition for a writ of certiorari or the sending down of the judgment of the Supreme Court. Associated Cases: 1:14-cv-00299-WO-JEP. (Butler, Carol) (Entered: 08/27/2014)
08/27/2014		Case Stayed Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(Powell, Gloria) (Entered: 09/15/2014)
09/10/2014	109	MOTION for Reconsideration re 108 Order on Report and Recommendations,, by TERRI

		BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Responses due by 10/6/2014 (RICHARDSON, AMY) (Entered: 09/10/2014)
09/10/2014	110	MEMORANDUM filed by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO re 109 MOTION for Reconsideration re 108 Order on Report and Recommendations,, filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Exhibit A.)(RICHARDSON, AMY) (Entered: 09/10/2014)
10/06/2014	111	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 10/6/2014, as set out herein. (Butler, Carol) (Entered: 10/06/2014)
10/07/2014	112	STATUS REPORT by DAVID L. CHURCHILL, ROY COOPER, ARCHIE L. SMITH, III, JOHN W. SMITH, AL JEAN BOGLE. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(VYSOTSKAYA DE BRITO, OLGA) (Entered: 10/07/2014)
10/07/2014	113	STATUS REPORT by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(RICHARDSON, AMY) (Entered: 10/07/2014)
10/08/2014	114	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 10/8/2014, that the stay is lifted and State Defendants shall file an Answer to Plaintiffs' First Amended Complaint in 1:12CV589 (Doc. 40) and to Plaintiffs' Complaint in 1:14CV299 (Doc. 1). FURTHER that pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, the consent motions of Plaintiffs and Defendant Roy Cooper to amend the caption of the First Amended Complaint to dismiss Mr. Cooper as a Party-Defendant is GRANTED. (Doc. 68 in 1:12CV589; Doc. 69 in 1:14CV299.) The motion for Mr. Cooper to intervene pursuant to Rule 24 of the Federal Rules of Civil Procedure is GRANTED, and Mr. Cooper shall appear in this matter, in a representative capacity, as an Intervenor on behalf of the State of North Carolina for presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of constitutionality of North Carolina's statutes and constitutional amendment challenged in this action. FURTHER that all prior pending motions (Docs. 63 , 65 , 84 , and 109 in 1:12CV589; Docs. 23 , 30 , 37 , and 64 in 1:14CV299), except the motions for preliminary injunction, in each of these cases are DENIED AS MOOT. Upon the filing of an Answer in each of these cases by the State Defendant's, Plaintiff's may file any motions they deem appropriate without necessity of an accompanying brief. This court will review the filed pleadings in light of the prior briefs, status reports, and orders of this court. (Butler, Carol) Modified on 10/8/2014 to add text. (Butler, Carol) (Entered: 10/08/2014)
10/08/2014	115	<i>State Defendants'</i> ANSWER to Amended Complaint by DAVID L. CHURCHILL, ROY COOPER, ARCHIE L. SMITH, III, JOHN W. SMITH. (VYSOTSKAYA DE BRITO, OLGA) (Entered: 10/08/2014)
10/08/2014	116	MOTION for Judgment on the Pleadings by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA. Responses due by 11/3/2014 (Attachments: # 1 Text of Proposed Order Proposed Judgment)(RICHARDSON, AMY) (Entered: 10/08/2014)
10/09/2014	117	NOTICE by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA

		DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO re 116 MOTION for Judgment on the Pleadings ; <i>Supplemental Notice of Consent</i> (RICHARDSON, AMY) (Entered: 10/09/2014)
10/09/2014	118	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 10/9/2014, as set out herein, to the extent any party should disagree with this court's understanding of the parties respective positions, notice of any such dispute shall be filed with this court on or before 5:00 p.m. today. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP (Butler, Carol) (Entered: 10/09/2014)
10/09/2014	119	MOTION to Intervene by THOM TILLIS, PHIL BERGER. Responses due by 11/3/2014 Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(POTTER, ROBERT) (Additional attachment(s) added on 10/9/2014: # 1 Exhibit Proposed Order; NEF Regenerated) (Welch, Kelly). (Entered: 10/09/2014)
10/09/2014	120	MEMORANDUM re (119 in 1:12-cv-00589-WO-JEP, 75 in 1:14-cv-00299-WO-JEP) MOTION to Intervene by Intervenor Defendant PHIL BERGER, Select Role Types THOM TILLIS, THOM TILLIS. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(POTTER, ROBERT) (Entered: 10/09/2014)
10/09/2014	121	RESPONSE re 118 Order, filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN. Replies due by 10/27/2014. (Attachments: # 1 Text of Proposed Order Modified Proposed Judgment)(RICHARDSON, AMY) (Entered: 10/09/2014)
10/09/2014	122	RESPONSE filed by Defendants DAVID L. CHURCHILL, ROY COOPER, ARCHIE L. SMITH, III, JOHN W. SMITH, Intervenor ROY COOPER re 116 MOTION for Judgment on the Pleadings filed by DANA DRAA, TERRI BECK, SHANA CARIGNAN, LEE KNIGHT CAFFERY filed by DAVID L. CHURCHILL, ROY COOPER, ROY COOPER, ARCHIE L. SMITH, III, JOHN W. SMITH. (WHITEHEAD, CHARLES) (Entered: 10/09/2014)
10/09/2014	123	MOTION for Extension of Time to File Answer re 119 MOTION to Intervene by <i>THOM TILLIS and</i> by PHIL BERGER. (Attachments: # 1 Proposed Order)(POTTER, ROBERT) (Entered: 10/09/2014)
10/09/2014	124	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 10/9/2014 that the motions for extension (1:12CV589 (Doc. 123); 1:14CV299 (Doc. 79)) are DENIED.This court finds the motion for extension of time should be denied as requested. The motion to intervene is presently under consideration by this court and the Intervenors shall have until 12:00 noon on Friday, October 10, 2014, to file a completed motion to intervene, including a pleading that sets out the claim or defense for which intervention is sought. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(Welch, Kelly) (Entered: 10/09/2014)
10/10/2014	125	Defendants-Intervenors Answer and Defenses filed by THOM TILLIS, PHIL BERGER. (POTTER, ROBERT) (Entered: 10/10/2014)
10/10/2014	126	REQUEST by Intevenors THOM TILLIS, PHIL BERGER for Oral Argument re (119 in 1:12cv589, 75 in 1:14cv299) MOTION to Intervene. (Attachments: # 1 Proposed Order) Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(POTTER, ROBERT) (Entered: 10/10/2014)
10/10/2014	127	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 10/10/2014,this court directs that Plaintiffs in each of these cases and the North Carolina Attorney General respond to the motion to intervene as set out herein no later than Monday, October 13, 2014, at 3:00 p.m. and that Movants' Request for Oral Argument on Motions for Intervention (1:14CV299 (Doc. 82); 1:12CV589 (Doc. 126)) is DENIED . Associated

		Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP (Butler, Carol) (Entered: 10/10/2014)
10/10/2014	128	MOTION to Withdraw as Attorney DAVID A. CASTLEMAN on behalf of TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELLE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Responses due by 11/3/2014 (Attachments: # 1 Text of Proposed Order) (RICHARDSON, AMY) (Entered: 10/10/2014)
10/10/2014	129	NOTICE of Appearance by attorney JOSEPH A. VANDERHULST on behalf of Intervenor Defendants PHIL BERGER, THOM TILLIS, PHIL BERGER, THOM TILLIS Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(VANDERHULST, JOSEPH) (Entered: 10/10/2014)
10/11/2014	130	NOTICE of Appearance by attorney JOHN C. EASTMAN on behalf of Intervenor Defendants PHIL BERGER, THOM TILLIS Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(EASTMAN, JOHN) (Entered: 10/11/2014)
10/13/2014	131	RESPONSE re 127 Order, <i>Plaintiffs' Response to October 10 Order</i> filed by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN. Replies due by 10/30/2014. (Attachments: # 1 Affidavit Declaration of Chris Brooks, # 2 Exhibit Exhibit 1 to Declaration of Chris Brooks)(RICHARDSON, AMY) (Entered: 10/13/2014)
10/13/2014	132	RESPONSE re (83 in 1:14-cv-00299-WO-JEP) Order, filed by ROY COOPER. Replies due by 10/30/2014. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(VYSOTSKAYA DE BRITO, OLGA) (Entered: 10/13/2014)
10/14/2014		Motions Submitted: (84 in 1:14cv299) MOTION to Withdraw as Attorney DAVID A. CASTLEMAN, (128 in 1:12cv589) MOTION to Withdraw as Attorney DAVID A. CASTLEMAN to CHIEF JUDGE WILLIAM L. OSTEEN JR. (Welch, Kelly) (Entered: 10/14/2014)
10/14/2014	133	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEN JR. on 10/14/2014, that the motions to withdraw are GRANTED and that Attorney Castleman is hereby terminated as counsel of record for Plaintiffs. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(Butler, Carol) (Entered: 10/14/2014)
10/14/2014	134	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEN JR. on 10/14/2014, that the Motion for Intervention (1:12CV589 (Doc. 75); 1:14CV299 (Doc. 119)) is GRANTED for the limited purposes expressed herein. FURTHER that Movants' answers and defenses in each of these two cases are deemed TIMELY FILED . FURTHER that Movants' objections to this court's jurisdiction, to the application of <i>Bostic</i> , and to the grant of the pending motion for judgment on the pleadings are NOTED and OVERRULED . Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(Butler, Carol) (Entered: 10/14/2014)
10/14/2014	135	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEN JR. on 10/14/2014, that North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen. Stat. § 51-2 are declared UNCONSTITUTIONAL to the extent those laws prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples' lawful out-of-state marriages.4 FURTHER that the State of North Carolina, the Attorney General, and all officers, agents, and employees of the State of North Carolina are hereby ENJOINED from implementing or enforcing any provisions of North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen. Stat. § 51-2 which prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples lawful out-of-state marriages. FURTHER that Plaintiffs' claims (i) concerning

		<p>the adoption laws of North Carolina (Plaintiffs' First, Second, Third, Fourth, and Fifth Claims for Relief in Fisher-Borne v. Smith, First Amended Complaint, 1:12CV589 (Doc. 40) (July 19, 2013)); and Plaintiffs' Fourth, Fifth, Sixth, and Seventh Claims for Relief in Gerber v. Cooper, Complaint, 1:14CV299 (Doc. 1) (Apr. 9, 2014)), and (ii) against the Clerk of the Superior Court for Guilford County, the Clerk of the Superior Court for Durham County, and the Clerk of the Superior Court for Catawba County, are DISMISSED WITHOUT PREJUDICE as MOOT and/or NOT RIPE. FURTHER that the pending motions for preliminary injunction (1:12CV589 (Doc. 75); 1:14CV299 (Doc. 3)) are DENIED as MOOT. FURTHER that any claim by Plaintiffs for attorneys' fees and costs pursuant to 42 U.S.C. § 1988 is severed and will be considered upon appropriate motions of the parties. A judgment shall be entered contemporaneously with this Order. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(Butler, Carol) (Entered: 10/14/2014)</p>
10/14/2014	136	<p>JUDGMENT signed by CHIEF JUDGE WILLIAM L. OSTEEN JR. on 10/14/2014, for the reasons set forth in the Order filed contemporaneously with this Judgment, that North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen. Stat. § 51-2 are declared UNCONSTITUTIONAL to the extent those laws prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples lawful out-of-state marriages. FURTHER that the State of North Carolina, the Attorney General, and all officers, agents, and employees of the State of North Carolina are hereby ENJOINED from implementing or enforcing any provisions of North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen. Stat. § 51-2 which prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples lawful out-of-state marriages. FURTHER that Plaintiffs' claims (i) concerning the adoption laws of North Carolina (Plaintiffs' First, Second, Third, Fourth, and Fifth Claims for Relief in Fisher-Borne v. Smith, First Amended Complaint, 1:12CV589 (Doc. 40) (July 19, 2013)); and Plaintiffs' Fourth, Fifth, Sixth, and Seventh Claims for Relief in Gerber v. Cooper, Complaint, 1:14CV299 (Doc. 1) (Apr. 9, 2014)), and (ii) against the Clerk of the Superior Court for Guilford County, the Clerk of the Superior Court for Durham County, and the Clerk of the Superior Court for Catawba County, are DISMISSED WITHOUT PREJUDICE as MOOT and/or NOT RIPE. FURTHER that the pending motions for preliminary injunction (1:12CV589 (Doc. 75); 1:14CV299 (Doc. 3)) are DENIED as MOOT. Any claim by Plaintiffs for attorneys' fees and costs pursuant to 42 U.S.C. § 1988 is severed and will be considered upon appropriate motions of the parties. Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(Butler, Carol) (Entered: 10/14/2014)</p>
10/14/2014	137	<p>NOTICE of Appearance by attorney NOEL H. JOHNSON on behalf of Intervenor Defendants THOM TILLIS, PHIL BERGER Associated Cases: 1:12-cv-00589-WO-JEP, 1:14-cv-00299-WO-JEP(JOHNSON, NOEL) (Entered: 10/14/2014)</p>
10/15/2014	138	<p>AMENDED ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEN JR. on 10/15/2014, that North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen. Stat. § 51-1.2 are declared UNCONSTITUTIONAL to the extent those laws prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples lawful out-of- state marriages.⁵ FURTHER that the State of North Carolina, the Attorney General, and all officers, agents, and employees of the State of North Carolina are hereby ENJOINED from implementing or enforcing any provisions of North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen. Stat. § 51-1.2 which prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples' lawful out-of-state marriages. FURTHER that Plaintiffs' claims (i) concerning the adoption laws of North Carolina (Plaintiffs' First, Second, Third, Fourth, and Fifth Claims for Relief in Fisher-Borne v. Smith, First Amended Complaint, 1:12CV589 (Doc. 40) (July 19, 2013)); and Plaintiffs'</p>

		Fourth, Fifth, Sixth, and Seventh Claims for Relief in Gerber v. Cooper, Complaint, 1:14CV299 (Doc. 1) (Apr. 9, 2014)), and (ii) against the Clerk of the Superior Court for Guilford County, the Clerk of the Superior Court for Durham County, and the Clerk of the Superior Court for Catawba County, are DISMISSED WITHOUT PREJUDICE as MOOT and/or NOT RIPE . FURTHER that the pending motions for preliminary injunction (1:12CV589 (Doc. 75); 1:14CV299 (Doc. 3)) are DENIED as MOOT . FURTHER that any claim by Plaintiffs for attorneys' fees and costs pursuant to 42 U.S.C. § 1988 is severed and will be considered upon appropriate motions of the parties. A judgment shall be entered contemporaneously with this Order. (Butler, Carol) (Entered: 10/15/2014)
10/15/2014	139	AMENDED JUDGMENT signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 10/15/2014, for the reasons set forth in the Order filed contemporaneously with this Judgment, that North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen.Stat. § 51-1.2 are declared UNCONSTITUTIONAL to the extent those laws prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples lawful out-of-state marriages. FURTHER that the State of North Carolina, the Attorney General, and all officers, agents, and employees of the State of North Carolina are hereby ENJOINED from implementing or enforcing any provisions of North Carolina Const. art. XIV, § 6, N.C. Gen. Stat. § 51-1, and N.C. Gen. Stat. § 51-1.2 which prevent same-sex couples from marrying and prohibit the State of North Carolina from recognizing same-sex couples lawful out-of-state marriages. FURTHER that Plaintiffs' claims (i) concerning the adoption laws of North Carolina (Plaintiffs' First, Second, Third, Fourth, and Fifth Claims for Relief in Fisher-Borne v. Smith , First Amended Complaint, 1:12CV589 (Doc. 40) (July 19, 2013)); and Plaintiffs' Fourth, Fifth, Sixth, and Seventh Claims for Relief in Gerber v. Cooper , Complaint, 1:14CV299 (Doc. 1) (Apr. 9, 2014)), and (ii) against the Clerk of the Superior Court for Guilford County, the Clerk of the Superior Court for Durham County, and the Clerk of the Superior Court for Catawba County, are DISMISSED WITHOUT PREJUDICE as MOOT and/or NOT RIPE . FURTHER that the pending motions for preliminary injunction (1:12CV589 (Doc. 75); 1:14CV299 (Doc. 3)) are DENIED as MOOT . Any claim by Plaintiffs for attorneys' fees and costs pursuant to 42 U.S.C. § 1988 is severed and will be considered upon appropriate motions of the parties. (Butler, Carol) (Entered: 10/15/2014)
11/06/2014	140	NOTICE OF APPEAL as to 138 Order, 135 Order, 139 Judgment, 136 Judgment, by THOM TILLIS. Filing fee \$ 505, receipt number 0418-1603698. Appeal Record due by 11/20/2014. (POTTER, ROBERT) (Entered: 11/06/2014)
11/07/2014	141	Electronic Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 140 Notice of Appeal. (Butler, Carol) (Entered: 11/07/2014)
11/12/2014	142	NOTICE of Docketing Notice of Appeal from USCA re 140 Notice of Appeal filed by THOM TILLIS. USCA Case Number 14-2228. Case Manager: RJ Warren. (Butler, Carol) (Entered: 11/12/2014)
11/12/2014	143	ORDER of USCA as to 140 Notice of Appeal filed by THOM TILLIS. The court consolidates Case No. 14-2228 and Case No. 14-2230. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case. USCA No. 14-2228 (L) and USCA No. 14-2230. (Butler, Carol) (Entered: 11/12/2014)
11/14/2014	144	NOTICE OF CROSS APPEAL by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN. Filing fee \$ 505, receipt number 0418-1607464. Appeal Record due by 12/22/2014. (RICHARDSON, AMY) (Entered: 11/14/2014)
11/19/2014	145	Electronic Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re

		144 Notice of Cross Appeal. (Butler, Carol) (Entered: 11/19/2014)
11/21/2014	146	ORDER of USCA as to 140 Notice of Appeal filed by THOM TILLIS, 144 Notice of Cross Appeal filed by TERRI BECK, SHANA CARIGNAN, LEE KNIGHT CAFFERY. The court consolidates Cases 14-2228 and 14-2230 with Cases 14-2278 and 14-2279 as cross appeals. The appellants in Cases 14-2228 and 14-2230 shall be considered the appellants for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in any secondary case. USCA No. 14-2279. (Butler, Carol) (Entered: 11/21/2014)
12/05/2014	147	USCA ORDER that the court consolidates Case No. 14-2225(L) with Case Nos. 14- 2228 and 14-2230. Case Nos. 14-2278 and 14-2279 are consolidated with the lead case as cross appeals. The appellant in Case No. 14-2225(L) shall be considered the appellant for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties in the lead case are deemed filed in secondary cases. The court rescinds the current briefing schedules. The clerk shall establish a new cross appeal briefing schedule by separate order. (Butler, Carol) (Entered: 12/05/2014)
12/11/2014	148	MOTION to Continue <i>the Deadline for Plaintiffs' Motion for Attorneys' Fees</i> by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Text of Proposed Order)(BROOK, CHRISTOPHER) (Entered: 12/11/2014)
12/12/2014		Motion Submitted: 148 MOTION to Continue <i>the Deadline for Plaintiffs' Motion for Attorneys' Fees</i> to CHIEF JUDGE WILLIAM L. OSTEEEN JR. (Welch, Kelly) (Entered: 12/12/2014)
12/16/2014	149	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 12/16/2014, that Plaintiffs' Unopposed Motions to Toll the Deadline for Plaintiffs' Motion for Attorneys' Fees (1:12CV589, Doc. 148 ; 1:14CV299, Doc. 103) is GRANTED and that Plaintiffs motion to award statutory attorneys fees, if necessary, is due 60 days after the conclusion of any and all appeals associated with this case. (Butler, Carol) (Entered: 12/16/2014)
02/10/2015	150	USCA ORDER The court places this case in abeyance pending the United States Supreme Court's decision in Obergefell v. Hodges, No. 14-556, Tanco v. Haslam, No. 14-562, DeDoer v. Synder, No 14-571, and Bourke v. Beshear, No. 14-574.The parties shall immediately notify this court in writing when the Supreme Court has issued an opinion in these consolidated cases. USCA Case Numbers 14-2225(L), 14-2228, 14-2230, 14-2278 and 14-2279. (Sheets, Jamie) (Entered: 02/11/2015)
08/12/2015	151	ORDER OF THE USCA re 140 Notice of Appeal filed by THOM TILLIS. Upon considerations of submission relative to the motion to remand to the district court for further proceedings, the court denies the motion. USCA Case Numbers; 14-2279, 14-2278, 14-2230, 14-2228, and 14-2225(L). (Coyne, Michelle) (Entered: 08/12/2015)
08/12/2015	152	MANDATE of USCA as to 140 Notice of Appeal filed by THOM TILLIS. The Court's Order dismissing these appeals takes effect today. USCA Case Numbers; 14-2279, 14-2278, 14-2230, 14-2228, and 14-2225(L). (Coyne, Michelle) (Entered: 08/12/2015)
09/14/2015	153	BILL OF COSTS by Plaintiff TERRI BECK. Objection to Bill of Costs due by 9/28/2015. (Attachments: # 1 Exhibit A-C)(RICHARDSON, AMY) (Entered: 09/14/2015)
09/14/2015		Reset Deadlines: Objection to Bill of Costs due by 10/1/2015. (Coyne, Michelle)

		(Entered: 09/15/2015)
10/01/2015	154	TAXATION OF COSTS in the amount of \$1,807.00 are allowed and taxed against Defendants and included in the judgment. Signed by Clerk of Court, John S. Brubaker, on 10/01/2015. (Coyne, Michelle) (Entered: 10/01/2015)
10/13/2015	155	MOTION for Attorney Fees by TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. Responses due by 11/6/2015 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N) (RICHARDSON, AMY) (Entered: 10/13/2015)
10/13/2015	156	MEMORANDUM filed by Plaintiffs CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER re 155 MOTION for Attorney Fees filed by CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N) (RICHARDSON, AMY) (Entered: 10/13/2015)
10/21/2015	157	SETTLEMENT AGREEMENT <i>NOTICE</i> by LEE KNIGHT CAFFERY, SHANA CARIGNAN. (Attachments: # 1 Exhibit Settlement Agreement)(RICHARDSON, AMY) (Entered: 10/21/2015)
10/21/2015	158	NOTICE of Appearance by attorney PATRICK P. O'DONNELL on behalf of Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO (O'DONNELL, PATRICK) (Entered: 10/21/2015)
10/30/2015	159	Consent MOTION for Extension of Time to File Response/Reply as to 155 MOTION for Attorney Fees by ROY COOPER. (Attachments: # 1 Text of Proposed Order.pdf version of proposed order)(VYSOTSKAYA DE BRITO, OLGA) (Entered: 10/30/2015)
10/30/2015		Motion Submitted: 159 Consent MOTION for Extension of Time to File Response/Reply as to 155 MOTION for Attorney Fees to CHIEF JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 10/30/2015)
11/05/2015	160	ORDER signed by CHIEF JUDGE WILLIAM L. OSTEEN, JR on 11/5/2015, that Defendant's motion for extension is GRANTED and that Defendant State of North Carolina shall have up to and including November 20, 2015, in which to file a response to Plaintiffs' motion for attorneys' fees under 42U.S.C. § 1988. Responses due by 11/20/2015. (Butler, Carol) (Entered: 11/05/2015)
11/20/2015	161	RESPONSE in Opposition re 155 MOTION for Attorney Fees filed by ROY COOPER, ROY COOPER. Replies due by 12/7/2015. (Attachments: # 1 Exhibit State Exh A, # 2 Exhibit State Exh B, # 3 Exhibit State Exh C, # 4 Exhibit State Exh D, # 5 Exhibit State Exh E)(VYSOTSKAYA DE BRITO, OLGA) (Entered: 11/20/2015)
11/25/2015	162	Consent MOTION for Extension of Time to File Response/Reply as to 161 Response in Opposition to Motion, <i>for Attorneys' Fees</i> by LEE KNIGHT CAFFERY, SHANA CARIGNAN. (Attachments: # 1 Text of Proposed Order)(RICHARDSON, AMY) (Entered: 11/25/2015)

11/25/2015		Motion Submitted: 162 Consent MOTION for Extension of Time to File Response/Reply as to 161 Response in Opposition to Motion for Attorneys' Fees, to CHIEF JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 11/25/2015)
12/04/2015	163	REPLY, filed by Plaintiffs LEE KNIGHT CAFFERY, SHANA CARIGNAN, to Response to 155 MOTION for Attorney Fees filed by LEE KNIGHT CAFFERY, SHANA CARIGNAN. (Attachments: # 1 Exhibit A)(RICHARDSON, AMY) (Entered: 12/04/2015)
12/07/2015		Motions Submitted: 155 MOTION for Attorney Fees to CHIEF JUDGE WILLIAM L. OSTEEN, JR. (Winchester, Robin) (Entered: 12/07/2015)
12/10/2015	164	ORDER signed by Chief Judge William L. Osteen on 12/10/2015 that Plaintiffs' Motion for Extension 162 is GRANTED and Plaintiffs' Reply is deemed timely filed as of December 4, 2015. (1:12CV589 DOC. 162 , 1:14CV299 DOC. 115)(Coyne, Michelle) (Entered: 12/10/2015)
01/20/2016	165	ORDER re 155 MOTION for Attorney Fees signed by CHIEF JUDGE WILLIAM L. OSTEEN, JR on 01/20/2016. (Associated Case: 14CV299) (Coyne, Michelle) (Entered: 01/20/2016)
08/01/2017	166	Suggestion of Subsequently Decided Authority re 156 Memorandum,, by Plaintiffs TERRI BECK, LEE KNIGHT CAFFERY, SHANA CARIGNAN, DANA DRAA, CHANTELE FISHER-BORNE, MARCIE FISHER-BORNE, CRYSTAL HENDRIX, CRAIG JOHNSON, SHAWN LONG, MEGAN PARKER, LEIGH SMITH, LESLIE ZANAGLIO. (Attachments: # 1 Supplement Miller v. Davis)(RICHARDSON, AMY) (Entered: 08/01/2017)

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