



SUPREME COURT
OF THE UNITED STATES

No. 12-307
Vide 12-63, 12-785

Title: United States, Petitioner

v.

Edith Schlain Windsor, in Her Capacity as Executor of the Estate of Thea Clara Spyer, et al.

Docketed: September 11, 2012

Lower Ct: United States Court of Appeals for the Second Circuit

Case Nos.: (12-2335, 12-2435)

Decision Date: October 18, 2012

Rule 11

Questions Presented

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~

Sep 11 2012 Petition for a writ of certiorari before judgment filed. (Response due October 11, 2012)

Sep 18 2012 Order extending time to file response to petition to and including October 19, 2012, for all respondents.

Oct 10 2012 Brief of respondent Edith Schlain Windsor, in Her Capacity as Executor of the Estate of Thea Clara Spyer in opposition filed.

Oct 18 2012 Judgment entered by the United States Court of Appeals for the Second Circuit.

Oct 19 2012 Brief of respondent Bipartisan Legal Advisory Group of the United States House of Representatives in opposition filed.

Oct 26 2012 Supplemental brief of petitioner United States filed.

Oct 29 2012 DISTRIBUTED for Conference of November 20, 2012.

Oct 29 2012 Supplemental brief of respondent Edith Schlain Windsor, in Her Capacity as Executor of the Estate of Thea Clara Spyer filed. (Distributed)

Nov 1 2012 Supplemental brief of respondent Bipartisan Legal Advisory Group of the United States House of Representatives filed. VIDED. (Distributed)

Nov 8 2012 Reply of petitioner United States filed. (Distributed)

Nov 13 2012 DISTRIBUTED for Conference of November 30, 2012.

Dec 3 2012 DISTRIBUTED for Conference of December 7, 2012.

Dec 7 2012 Petition for a writ of certiorari GRANTED. In addition to the question presented by the petition, the parties are directed to brief and argue the following

questions: Whether the Executive Branch's agreement with the court below that DOMA is unconstitutional deprives this Court of jurisdiction to decide this case; and whether the Bipartisan Legal Advisory Group of the United States House of Representatives has Article III standing in this case.

- Dec 11 2012 Vicki C. Jackson, Esq., of Cambridge, Massachusetts, is invited to brief and argue this case, as amicus curiae, in support of the positions that the Executive Branch's agreement with the court below that DOMA is unconstitutional deprives this Court of jurisdiction to decide this case, and that the Bipartisan Legal Advisory Group of the United States House of Representatives lacks Article III standing in this case.
- Dec 13 2012 Briefing proposal of the parties and Court-appointed amicus curiae filed.
- Dec 14 2012 Upon consideration of the letter of December 13, 2012, from the Solicitor General on behalf of the litigants and the amicus curiae invited to brief and argue this case, the following briefing schedule is adopted. On the merits, the brief of the Bipartisan Legal Advisory Group of the United States House of Representatives, not to exceed 15,000 words, is to be filed on or before Tuesday, January 22, 2013. The brief of the Solicitor General, not to exceed 15,000 words, is to be filed on or before Friday, February 22, 2013. The brief of Edith Windsor, not to exceed 15,000 words, is to be filed on or before Tuesday, February 26, 2013. The reply brief of the Bipartisan Legal Advisory Group of the United States House of Representatives, not to exceed 6,000 words, is to be filed in accordance with Rule 25.3 of the Rules of this Court. On the jurisdictional questions, the brief of the Court-appointed amicus curiae, not to exceed 10,000 words, is to be filed on or before January 22, 2013. The briefs of the Solicitor General, the Bipartisan Legal Advisory Group of the United States House of Representatives, and Edith Windsor, not to exceed 10,000 words each, are to be filed on or before Wednesday, February 20, 2013. Reply briefs of the litigants and the Court-appointed amicus curiae, not to exceed 4,000 words, are to be filed in accordance with Rule 25.3 of the Rules of this Court.
- Dec 14 2012 Other amici curiae briefs shall be filed within the time allowed under Rule 37.3(a) of the Rules of this Court, except that amici curiae briefs on the merits in support of the positions of the Solicitor General and/or Edith Windsor shall be filed within 7 days after the brief of the Solicitor General on the merits is filed. The litigants, Court-appointed amicus curiae, and other amici curiae shall indicate on the cover of each brief filed which issue or issues are addressed in that particular brief in addition to the information required by Rule 37.3 of the Rules of this Court.
- Jan 2 2013 Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for respondent Bipartisan Legal Advisory Group of the U.S. House of Representatives.
- Jan 7 2013 SET FOR ARGUMENT ON Wednesday, March 27, 2013
- Jan 8 2013 The time to file the brief, on the jurisdictional questions, of the Court-appointed amicus curiae is extended to and including January 24, 2013.
- Jan 8 2013 The time to file the briefs, on the jurisdictional questions, of the Solicitor General, the Bipartisan Legal Advisory Group of the United States House of Representatives, and Edith Windsor, is extended to and including February 22, 2013.

Jan 10 2013 Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the petitioner.

Jan 22 2013 Joint appendix filed. (Distributed) (Statement of costs received.)

Jan 22 2013 Brief of respondent Bipartisan Legal Advisory Group of the United States House of Representatives (Merits) filed. (Distributed)

Jan 23 2013 CIRCULATED.

Jan 24 2013 Brief amicus curiae of Court-appointed amicus curiae (Jurisdiction) filed. (Distributed)

Jan 24 2013 Brief amicus curiae of Family Research Council (Merits) filed. (Distributed)

Jan 24 2013 Brief amicus curiae of Dr. Paul McHugh (Merits) filed. VIDED. (Distributed)

Jan 24 2013 Brief amici curiae of Law Professors (Merits) filed. (Distributed)

Jan 24 2013 Brief amicus curiae of National Organization for Marriage (Merits) filed. (Distributed)

Jan 25 2013 Brief amicus curiae of Westboro Baptist Church in support of neither party (Merits) filed. (Distributed)

Jan 25 2013 Brief amici curiae of Liberty, Life and Law Foundation, et al. (Merits) filed. VIDED. (Distributed)

Jan 28 2013 Brief amicus curiae of International jurists and academics (Merits) filed. VIDED. (Distributed)

Jan 28 2013 Brief amicus curiae of Manhattan Declaration (Merits) filed. (Distributed)

Jan 28 2013 Brief amicus curiae of The Becket Fund for Religious Liberty (Merits) filed. VIDED. (Distributed)

Jan 29 2013 Brief amicus curiae of Coalition for the Protection of Marriage (Merits) filed. VIDED. (Distributed)

Jan 29 2013 Brief amicus curiae of Eagle Forum Education & Legal Defense Fund, Inc. (Merits) filed. (Distributed)

Jan 29 2013 Brief amici curiae of Citizens United's National Committee for Family, Faith and Prayer, et al. (Merits) filed. (Distributed)

Jan 29 2013 Brief amicus curiae of United States Conference of Catholic Bishops (Merits) filed. (Distributed)

Jan 29 2013 Brief amici curiae of Chaplain Alliance for Religious Liberty, et al. (Merits) filed. (Distributed)

Jan 29 2013 Brief amici curiae of Robert P. George, et al. (Merits) filed. VIDED. (Distributed)

Jan 29 2013 Brief amicus curiae of Parents and Friends of Ex-Gays & Gays (Merits) filed. VIDED. (Distributed)

Jan 29 2013 Brief amici curiae of Indiana and 16 other states (Merits) filed. (Distributed)

Jan 29 2013 Brief amicus curiae of Liberty Counsel (Merits) filed. (Distributed)

Jan 29 2013 Brief amici curiae of Catholic Answers, et al. (Merits) filed. VIDED. (Distributed)

Jan 29 2013 Brief amicus curiae of Matthew B. O'Brien (Merits) filed. VIDED. (Distributed)

Jan 29 2013 Brief amicus curiae of Dovid Z. Schwartz (Merits) filed. (Distributed)

Jan 29 2013 Brief amici curiae of United States Senators Orrin G. Hatch, et al. (Merits) filed. (Distributed)

Jan 29 2013 Brief amicus curiae of Concerned Women for America (Merits) filed. (Distributed)

Jan 29 2013 Brief amicus curiae of Helen M. Alvare filed. (Merits) VIDED. (Distributed)

Jan 29 2013 Brief amicus curiae of Foundation for Moral Law filed. (Distributed)

Jan 29 2013 Brief amici curiae of Social Science Professors (Merits) filed. VIDED. (Distributed)

Jan 29 2013 Brief amicus curiae of David Boyle filed. ( Merits) (Distributed)

Jan 29 2013 Brief amici curiae of National Association of Evangelicals (Merits) filed. (Distributed)

Jan 29 2013 Brief amici curiae of The Beverly LaHaye Institute, et al. (Merits) filed. (Distributed)

Jan 29 2013 Brief amicus curiae of American Civil Rights Union (Merits) filed. VIDED. (Distributed)

Feb 6 2013 Record from U.S.C.A. for 2nd Circuit is electronic.

Feb 13 2013 Record from U.S.D.C. for Southern District of New York is electronic.

Feb 13 2013 Brief amicus curiae of Citizens for Responsibility and Ethics in Washington (Merits) filed. (Distributed)

Feb 22 2013 Brief of respondent Edith Schlain Windsor (Jurisdiction) filed. (Distributed)

Feb 22 2013 Brief of petitioner United States (Jurisdiction) filed. (Distributed)

Feb 22 2013 Brief of petitioner United States (Merits) filed. (Distributed)

Feb 22 2013 Brief of respondent Bipartisan Legal Advisory Group of the United States House of Representatives (Jurisdiction) filed. (Distributed)

Feb 26 2013 Brief of respondent Edith Schlain Windsor, in Her Capacity as Executor of the Estate of Thea Clara Spyer (Merits) filed. (Distributed)

Feb 26 2013 Motion for enlargement of time and divided argument filed by the parties and Court-appointed amici curiae.

Feb 26 2013 Brief amicus curiae of GLMA: Health Professionals Advancing LGBT Equality (Gay and Lesbian Medical Association) concerning the immutability of sexual orientation (Merits) filed. (Distributed)

Feb 27 2013 Brief amici curiae of 278 Employers and Organizations Representing Employers (Merits) filed. (Distributed)

Feb 27 2013 Brief amici curiae of Utah Pride Center, et al. (Merits) filed. VIDED. (Distributed)

Feb 27 2013 Brief amici curiae of American Humanist Association and American Atheists, Inc., et al. filed. (Distributed)

Feb 27 2013 Brief amici curiae of Professors Nan D. Hunter, et al. filed. (Distributed)

Feb 27 2013 Motion for leave to file amici brief filed by former Attorneys General Edwin Meese III and John Ashcroft in support of neither party (Jurisdiction) out of time.

Feb 28 2013 Brief amici curiae of Leadership Conference on Civil and Human Rights, et al. (Merits) filed. (Distributed)

Feb 28 2013 Brief amici curiae of Political Science Professors filed. (Distributed).

Feb 28 2013 Brief amici curiae of Constitutional Law Scholars Bruce Ackerman, et al. (Merits) filed. VIDED. (Distributed)

Feb 28 2013 Brief amicus curiae of American Sociological Association (Merits) filed. VIDED. (Distributed)

Feb 28 2013 Brief amici curiae of Bishops of the Episcopal Church in the States of California, et al. filed. (Distributed)

Feb 28 2013 Brief amici curiae of Family Equality Council, et al. (Merits) filed. VIDED. (Distributed)

Feb 28 2013 Brief amici curiae of Organization of American Historians, et al. filed. (Distributed)

Feb 28 2013 Brief amici curiae of Empire State Pride Agenda, et al. filed. (Distributed)

Feb 28 2013 Brief amicus curiae of American Jewish Committee (Merits) filed. VIDED. (Distributed)

Mar 1 2013 Brief amicus curiae of Former Federal Intelligence Officer (Merits) filed. (Distributed)

Mar 1 2013 Brief amicus curiae of NAACP Legal Defense & Educational Fund, Inc. (Merits) filed. (Distributed)

Mar 1 2013 Brief amicus curiae of OutServe-SLDN Inc. filed. (Distributed)

Mar 1 2013 Brief amicus curiae of Center for Constitutional Jurisprudence (Jurisdiction) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Cato Institute and Constitutional Accountability Center (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of National Women's Law Center, et al. (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Family and Child Welfare Law Professors (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Anti-Defamation League, et al. (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Family Law Professors, et al. (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Gay & Lesbian Advocates & Defenders, et al. (Merits) filed. (Distributed)

Mar 1 2013 Brief amicus curiae of Gary J. Gates (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Dr. Donna E. Shalala, et al. (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Former Senior Justice Department Officials, et al. (Jurisdiction) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Former Senators Bill Bradley, et al. filed. (Distributed)

Mar 1 2013 Brief amicus curiae of Partnership for New York City (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Citizens United's National Committee for Family, Faith and Prayer, et al. (Jurisdiction) filed. (Distributed)

Mar 1 2013 Brief amicus curiae of Survivors of Sexual Orientation Change Therapies filed. (Distributed)

Mar 1 2013 Brief amici curiae of 172 Members of the U.S. House of Representatives and 40 U.S. Senators filed. (Distributed)

Mar 1 2013 Brief amici curiae of Los Angeles County Bar Association, et al. filed. (Distributed)

Mar 1 2013 Brief amicus curiae of Honorable John K. Olson (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of New York, et al. (Merits) filed. (Distributed)

Mar 1 2013 Brief amici curiae of Services and Advocacy for Gay, Lesbian, Bisexual and Transgender Elders, et al. (Merits) filed. (Distributed)

- Mar 1 2013 Brief amici curiae of Scholars of the Constitutional Rights of Children (Merits) filed. (Distributed)
- Mar 1 2013 Brief amici curiae of Historians, American Historical Association, et al. filed. (Distributed)
- Mar 1 2013 Brief amicus curiae of Institute for Justice (Merits) filed. (Distributed)
- Mar 1 2013 Brief amicus curiae of Honorable John K. Olson (Jurisdiction) filed. (Distributed)
- Mar 1 2013 Brief amici curiae of American Federation of Labor and Congress of Industrial Organizations, et al. (Merits) filed. (Distributed)
- Mar 1 2013 Brief amici curiae of Constitutional Law Scholars (Jurisdiction) filed. (Distributed)
- Mar 1 2013 Brief amici curiae of Federalism Scholars (Merits) filed. (Distributed)
- Mar 1 2013 Brief amici curiae of Hon. Lawrence J. Korb, et al. (Merits) filed. (Distributed)
- Mar 1 2013 Brief amicus curiae of American Bar Association (Merits) filed. (Distributed)
- Mar 1 2013 Brief amicus curiae of Center for Fair Administration of Taxes (Merits) filed. (Distributed)
- Mar 1 2013 Brief amici curiae of American Psychological Association, et al. (Merits) filed. (Distributed)
- Mar 1 2013 Brief of Former Federal Election Commission Officials (Merits) filed. (Distributed)
- Mar 4 2013 Motion for enlargement of time and divided argument GRANTED and the time is to be divided as follows: on the jurisdiction issues, the Court-appointed amicus curiae is allotted 20 minutes, the Solicitor General is allotted 15 minutes, and respondent Bipartisan Legal Advisory Group of the U.S. House of Representatives is allotted 15 minutes. On the merits, respondent Bipartisan Legal Advisory Group of the U.S. House of Representatives is allotted 30 minutes, the Solicitor General is allotted 15 minutes, and respondent Windsor is allotted 15 minutes.
- Mar 15 2013 Motion for leave to file amici brief out of time filed by former Attorneys General Edwin Meese III and John Ashcroft GRANTED.
- Mar 19 2013 Reply of respondent Bipartisan Legal Advisory Group of the United States House of Representatives (Jurisdiction) filed. (Distributed)
- Mar 19 2013 Reply of respondent Bipartisan Legal Advisory Group of the United States House of Representatives (Merits) filed. (Distributed)
- Mar 20 2013 Reply of Court-appointed amicus curiae (Jurisdiction) filed. (Distributed)
- Mar 20 2013 Reply of respondent Edith Schlain Windsor, in Her Capacity as Executor of the Estate of Thea Clara Spyer (Jurisdiction) filed. (Distributed)
- Mar 20 2013 Reply of petitioner United States (Jurisdiction) filed. (Distributed)
- Mar 27 2013 Argued. (Jurisdiction) - For Court-appointed amicus curiae: Vicki C. Jackson, Cambridge, Mass. For petitioner in support of affirmance: Sri Srinivaasan, Deputy Solicitor General, Department of Justice, Washington, D. C. For respondent Bipartisan Legal Advisory Group of the United States House of Representatives: Paul D. Clement, Washington, D. C. (Merits) - For respondent Bipartisan Legal Advisory Group of the United States House of Representatives: Paul D. Clement, Washington, D. C. For petitioner in support

of affirmance: Donald B. Verrilli, Jr., Solicitor General, Department of Justice, Washington, D. C. For respondent Windsor: Roberta A. Kaplan, New York, N. Y.

Jun 26 2013 Adjudged to be AFFIRMED. Kennedy, J., delivered the opinion of the Court, in which Ginsburg, Breyer, Sotomayor, and Kagan, JJ., joined. Roberts, C. J., filed a dissenting opinion. Scalia, J., filed a dissenting opinion, in which Thomas, J., joined, and in which Roberts, C. J., joined as to Part I. Alito, J. filed a dissenting opinion, in which Thomas, J., joined as to Parts II and III.

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~~Name~~~~~Address~~~~~Phone~~~

**Attorneys for Petitioner:**

|                        |                                                                                                                                |                |
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**Attorneys for Respondents:**

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Party name: Bipartisan Legal Advisory Group of the United States House of Representatives

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Party name: Edith Schlain Windsor, in Her Capacity as Executor of the Estate of Thea Clara Spyer

**Other:**

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Party name: Helen M. Alvare

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| Party name: American Sociological Association (Merits)                                             |                                                                                                                        |                |
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| Party name: David Boyle                                                                            |                                                                                                                        |                |
| Gerard V. Bradley                                                                                  | 3156 Eck Hall of Law                                                                                                   | (574)-631-     |



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Party name: Los Angeles County Bar Association, et al.

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Party name: Scholars of the Constitutional Rights of Children (Merits)

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Party name: Honorable John K. Olson (Merits)

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Party name: Utah Pride Center, et al.

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Party name: National Women's Law Center, et al.

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Party name: Historians, American Historical Association, et al.

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Party name: Family Law Professors, et al. (Merits)

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Party name: National Organization for Marriage (Merits)

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Party name: international jurists and academics (merits)

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Party name: Federalism Scholars (Merits)

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Party name: American Civil Rights Union (Merits)

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Party name: The Beverly LaHaye Institute, et al.

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Party name: Robert P. George, et al. (Merits)

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Party name: Anti-Defamation League, et al.

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Party name: American Humanist Association and American Atheists, Inc., et al.

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Party name: Professors Nan D. Hunter, et al.

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Party name: Court-appointed amicus curiae

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Party name: Eagle Forum Education & Legal Defense Fund, Inc. (Merits)

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Party name: Family Equality Council, et al.

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Party name: National Association of Evangelicals (Merits)

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Party name: American Jewish Committee (Merits)

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Party name: Chaplain Alliance for Religious Liberty, et al. (Merits)

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Party name: Catholic Answers, et al. (Merits)

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Party name: Gary J. Gates (Merits)

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Party name: Family Research Council

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Party name: Political Science Professors

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Party name: Manhattan Declaration (Merits)

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Party name: Constitutional Law Scholars Bruce Ackerman, et al.

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