

1                                    IN THE UNITED STATES DISTRICT COURT  
2                                    FOR THE NORTHERN DISTRICT OF CALIFORNIA

3                    MICHAEL DRAGOVICH; MICHAEL  
4                    GAITLEY; ELIZABETH LITTERAL;  
5                    PATRICIA FITZSIMMONS; CAROLYN  
6                    LIGHT; CHERYL LIGHT; DAVID BEERS;  
7                    CHARLES COLE; RAFAEL V.  
8                    DOMINGUEZ; and JOSE G.  
9                    HERMOSILLO, on behalf of  
10                   themselves and all others  
11                   similarly situated,

12                                    Plaintiffs,

13                                    v.

14                    UNITED STATES DEPARTMENT OF THE  
15                    TREASURY, et al.,

16                                    Defendants.  
17                    \_\_\_\_\_/

18                    Federal Defendants and the Bipartisan Legal Advisory Group  
19                    (BLAG) timely appealed this Court's May 2012 order granting  
20                    summary judgment to Plaintiffs on all claims. Docket Nos. 132,  
21                    136. In September 2012, the Ninth Circuit stayed the appeal in  
22                    light of the then-pending petitions for certiorari in Windsor v.  
23                    United States, 133 S. Ct. 2675 (2013), and Hollingsworth v. Perry,  
24                    133 S. Ct. 2652 (2013). After the Supreme Court granted  
25                    certiorari and issued its decisions in those cases, the Ninth  
26                    Circuit lifted its stay in the present case. Docket No. 146.

27                    On October 28, 2013, the Ninth Circuit vacated the portion of  
28                    this Court's May 2012 judgment "concerning the domestic  
partner plaintiffs" and remanded for "further proceedings in light  
of subsequent legal developments," including the Supreme Court's  
decisions in Windsor and Hollingsworth. Docket No. 147.  
Accordingly, the parties are directed to submit briefs addressing

1 the import of subsequent legal developments on this Court's  
2 judgment concerning domestic partnership Plaintiffs. Federal  
3 Defendants and BLAG shall file a joint brief, not to exceed  
4 fifteen pages, on January 2, 2014. Plaintiffs shall file a  
5 responsive brief, also not to exceed fifteen pages, on January 16,  
6 2014. Federal Defendants and BLAG shall file their reply brief,  
7 not to exceed ten pages, on January 23, 2014. The Court shall  
8 hear oral argument and set future dates, as necessary, at  
9 2:00 p.m. on February 6, 2014.

10 IT IS SO ORDERED.

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12 Dated: 11/26/2013

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CLAUDIA WILKEN  
United States District Judge