

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CHRISTOPHER INNIS, et al.,

Plaintiffs,

v.

1:14-cv-01180-WSD

DEBORAH ADERHOLD, et al.,

Defendants.

ORDER

This matter is before the Court on Defendants Deborah Aderhold's ("Aderhold") and Monica P. Fenton's ("Fenton") Unopposed Motion to Stay Proceedings Pending a Ruling by the United States Supreme Court ("Motion to Stay") [53], and Consent Motion to Extend Time to Answer Plaintiffs' First Amended Class Action Complaint ("Amended Complaint") [55].

On January 8, 2015, the Court denied Defendants Aderhold's and Fenton's Motion to Dismiss the Amended Complaint, under Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, for lack of subject-matter jurisdiction, and for failure to state a claim upon which relief can be granted.¹

¹ Defendants Brook Davidson ("Davidson") and Judge Pinkie Toomer ("Toomer") did not join in the Motion to Dismiss the Amended Complaint.

On January 20, 2015, Defendants Aderhold and Fenton filed their Motion to Stay, in which they request the Court to stay this action until the United States Supreme Court decides whether the Fourteenth Amendment requires a State to (1) license a marriage between two people of the same sex, and (2) recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state. On January 16, 2015, the United States Supreme Court granted certiorari in four cases to address these two questions. See Obergefell v. Hodges, 14-556; Tanco v. Haslam, 14-562; DeBoer v. Snyder, 14-571, Bourke v. Beshear, 14-574 (the “Cases”). Plaintiffs do not oppose, and nor do they express a view on why they do not oppose, the Motion to Stay. Defendants Davidson and Toomer have not expressed a view on the Motion to Stay.

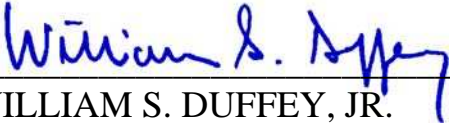
On January 22, 2015, Defendants Aderhold and Fenton filed their Consent Motion to Extend Time to Answer the Amended Complaint. Defendants’ Answer to the Amended Complaint is due on January 26, 2015. Defendants Aderhold and Fenton seek an extension of time to file an Answer “until either the Supreme Court rules and a scheduling order is entered subsequent to the grant of the [M]otion to [S]tay or until 14 days after the Court denies Defendants’ [M]otion to Stay.” Mot. to Extend at 2. Having considered the issues on which the United States

Supreme Court has granted certiorari in the Cases, and the status of the motions pending before the Court,

IT IS HEREBY ORDERED that Plaintiffs and Defendants Davidson and Toomer shall, on or before January 28, 2015, file their response to the Motion to Stay, so that the Court can determine whether a Stay is warranted.

IT IS FURTHER ORDERED that Defendants Aderhold's and Fenton's Consent Motion to Extend Time to Answer the Amended Complaint is **GRANTED**. The Court will determine the schedule for filing an Answer to the Amended Complaint after it determines if this matter will be stayed.

SO ORDERED this 23rd day of January, 2015.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE