

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NANCY GILL & MARCELLE LETOURNEAU, \*  
et al., \*

Plaintiffs, \*

v. \* Civil Action No. 09-10309-JLT

OFFICE OF PERSONNEL MANAGEMENT, \*  
et al., \*

Defendants. \*

JUDGMENT

August 12, 2010

TAURO, J.

Having allowed Plaintiffs' Motion for Summary Judgment [#25], this court hereby enters the following judgment in this action:

1. This court declares that Section 3 of the Defense of Marriage Act, 1 U.S.C. § 7, is unconstitutional as applied to Plaintiffs.
2. Defendants are enjoined from discriminating against Plaintiffs by treating them differently from similarly situated individuals who are married to persons of the opposite sex.
3. Defendant Michael J. Astrue shall review the applications for Social Security Benefits of Plaintiffs Jo Ann Whitehead, Randy Lewis-Kendell, and Herb Burtis, without regard to Section 3 of the Defense of Marriage Act, 1 U.S.C. § 7.

4. This case is hereby CLOSED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro  
United States District Judge