



On October 29, 2013, the court heard oral argument on the motions to dismiss and the motion for class certification. (Dkt. No. 75). The day after the hearing, Plaintiffs filed a motion to amend the proposed class definition. (Dkt. No. 79). On December 23, 2013, the court granted McDonnell's motion to dismiss, and denied Roberts' motion to dismiss. (Dkt. No. 95). On January 22, 2014, Roberts filed his answer. (Dkt. No. 104). He denied that he had discriminated against or otherwise violated the constitutional rights of plaintiffs, but purported to take no position on the constitutionality of the challenged marriage laws.

On January 27, 2014, Rainey filed a notice of change of position and an amended answer. (Dkt. Nos. 110, 111). Rainey has reversed her position and now echoes plaintiffs' assertion that Virginia's same-sex marriage ban is unconstitutional. On January 29, 2014, Roberts filed a supplemental response to plaintiffs' motion for summary judgment. (Dkt. No. 113). Roberts states that he takes no position on the constitutionality of Virginia's marriage laws, but notes that he is constrained to abide by them until otherwise directed by an appropriate authority. In one final development, the court this day granted plaintiffs' class certification and class amendment motions. (Dkt. No. 116).

In light of this extensive procedural history and the changes in parties and positions, the court deems it prudent to hold a status conference. As such, the parties are hereby directed to contact my law clerk, Matthew Dinan, to schedule such a hearing. Mr. Dinan may be reached at [MattD@vawd.uscourts.gov](mailto:MattD@vawd.uscourts.gov).

It is so **ORDERED**.

Entered: January 31, 2014

*1st Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge