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14 UNITED STATES DISTRICT COURT
15 DISTRICT OF ARIZONA

16 Joseph Connolly and Terrel L. Pochert; Suzanne
17 Cummins and Holly N. Mitchell; Clark Rowley
18 and David Chaney; R. Mason Hite, IV and
19 Christopher L. Devine; Meagan and Natalie
Metz; Renee Kaminski and Robin Reece; Jeffrey
Ferst and Peter Bramley,

Plaintiffs,

v.

21 Chad Roche, In His Official Capacity As Clerk
22 Of The Superior Court Of Pinal County,
23 Arizona; Michael K. Jeanes, In His Official
24 Capacity As Clerk Of The Superior Court Of
Maricopa County, Arizona; and Deborah Young,
In Her Official Capacity As Clerk Of The
Superior Court Of Coconino County, Arizona,

Defendants.

Case No. 2:14-cv-00024-JWS

**PLAINTIFFS' SECOND
NOTICE OF SUPPLEMENTAL
AUTHORITY**

1 On October 7, 2014, the United States Circuit Court of Appeals for the Ninth
2 Circuit decided *Latta v. Otter*, ___ F.3d ___, No. 14-35420 (Doc. 180-1) (Oct. 7, 2014) and
3 *Sevcik v. Sandoval*, ___ F.3d ___, No. 12-17688 (Doc. 180-1) (Oct., 2014) in a consolidated
4 opinion. (slip opinion attached as Exhibit A).

5 The Ninth Circuit held that that *Baker v. Nelson*, 409 U.S. 810 (1972) (mem.), did
6 not preclude review of the plaintiffs' constitutional claims, Ex. A at 9-11, that heightened
7 scrutiny was the applicable standard of review, Ex. A at 13-15, and that Idaho and
8 Nevada's substantively identical laws and constitutional provisions prohibiting same-sex
9 marriage or the recognition thereof violate the Equal Protection Clause of the Fourteenth
10 Amendment to the United States Constitution, Ex. A at 32-34.

11 DATED: October 7, 2014.

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1 I hereby certify that on this 7th day of October, 2014 I electronically transmitted the
2 attached document to the Clerk's Office using the CM/ECF System for filing and a copy
3 was electronically transmitted to the following:

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