

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
NORTHERN DIVISION  
AT ASHLAND  
CIVIL MINUTES-GENERAL

**Case No.:** 0:15-cv-44-DLB

**At:** ASHLAND, KENTUCKY

**Date:** Monday, July 13, 2015

**Style:** APRIL MILLER, et al v. KIM DAVIS, et al.

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DOCKET ENTRY:

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**PRESENT:**

HON. DAVID L. BUNNING, DISTRICT JUDGE

KELLY SMITH  
DEPUTY CLERK

PEGGY WEBER  
Court Reporter

SARAH TOWNZEN  
Law Clerk

**ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANTS:**

DANIEL J. CANON  
WILLIAM ELLIS SHARP

ROGER K. GANNAM  
JONATHAN D. CHRISTMAN  
A.C. DONAHUE  
JEFF MANDO  
CECIL WATKINS

**PROCEEDINGS: PRELIMINARY INJUNCTION HEARING**

This matter was called at Ashland, Kentucky, for a hearing on the Plaintiff's Motion for Preliminary Injunction DE [2] with parties present, by counsel, as noted above. During the hearing, counsel advised that Defendant Kim Davis had not yet been formally served. The Court having heard counsel and testimony of witnesses and being otherwise sufficiently advised, **ORDERED AS FOLLOWS:**

- (1) Counsel for Defendant Kim Davis' oral motion to continue hearing and deny the motion for preliminary injunction without prejudice for lack of service on Defendant Kim Davis is **denied**. Counsel for Kim Davis' oral motion to certify that issue for the Sixth Circuit is also **denied**.
- (2) Plaintiffs' oral motion to convert hearing to a TRO hearing is **denied**.
- (3) The evidentiary portion of the hearing is **continued generally** as set forth in paragraph six (6) herein.
- (4) Defendants shall be prepared to produce evidence of the Rowan County Clerk's formal functions and duties at the reconvened hearing.

- (5) Defendants' written response to Plaintiff's Motion for Preliminary Injunction shall be filed **not later than July 30, 2015**. Plaintiffs' reply is due **not later than seven (7) days thereafter**.
- (6) Plaintiffs shall file forthwith a Notice of Service as soon as Defendant Kim Davis has been formally served. Upon the filing of that Notice, the Court will reconvene the evidentiary portion of the preliminary injunction hearing in Covington on a date not earlier than July 20, 2015. The Court will contact counsel prior to scheduling that reconvened hearing.

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