

No. 14-7121

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UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

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AMERICAN MILITARY PARTNER ASSOCIATION,

*Petitioner,*

v.

ROBERT A. MCDONALD, Secretary of Veterans Affairs,

*Respondent.*

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Petition for Review Pursuant to 38 U.S.C. § 502

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JOINT STATUS REPORT AND JOINT MOTION TO CONTINUE TO HOLD  
PETITION IN ABEYANCE FOR AN ADDITIONAL 30 DAYS

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Pursuant to this Court’s February 6, 2015 Order, these proceedings were “stayed pending the judgment of the Supreme Court” in *Obergefell v. Hodges*, 576 U.S. 135 S. Ct. 2584 (2015). *See* Document 26, at 2. This Court also ordered petitioner American Military Partner Association and respondent Secretary of the U.S. Department of Veterans Affairs (VA) to “inform this court within 14 days of the entry of final judgment by the Supreme Court how they believe this appeal should proceed.” *Id.*

Following the Supreme Court's ruling in *Obergefell* on June 26, 2015, the parties met and conferred. The parties filed a joint status report and joint motion to hold this case in abeyance for 30 days on July 9, 2015, explaining that VA was working toward issuing post-*Obergefell* guidance that will likely bear upon the matters at issue in this proceeding. On July 15, 2015, this Court granted the parties' motion and issued an order further staying the case and directing the parties to "provide the court with a status report in 30 days how they believe this petition should proceed." Document 31. At the parties' joint request, the Court granted additional stays on the same terms on August 21, 2015 and September 28, 2015. Documents 34 & 38.

VA has continued to work diligently to issue post-*Obergefell* guidance. Earlier this month, the Veterans Benefits Administration distributed internal guidance to its regional offices and centers that explains how it will implement the Supreme Court's decision. VA is also preparing guidance to the public, and expects to issue that guidance shortly. In order to provide adequate time for petitioner to review the public guidance once it has issued, the parties jointly request a 30-day extension of the current stay.

Respectfully submitted,

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OCTOBER 2015

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Federal Circuit by using the appellate CM/ECF system on October 28, 2015.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

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