

No.

IN THE
Supreme Court of the United States

JOANNE PEDERSEN, ET AL.,
Petitioners,

v.

OFFICE OF PERSONNEL MANAGEMENT, ET AL., and
BIPARTISAN LEGAL ADVISORY GROUP OF THE
UNITED STATES HOUSE OF REPRESENTATIVES,

Respondents.

On Petition for a Writ of Certiorari before Judgment to
the United States Court of Appeals for the Second Circuit

PETITION FOR WRIT OF CERTIORARI
BEFORE JUDGMENT

Kenneth J. Bartschi
Karen Dowd
HORTON, SHIELDS & KNOX
90 Gillett Street
Hartford, CT 06105
(860) 522-8338

Claire Laporte
Ara B. Gershengorn
Matthew E. Miller
Catherine Deneke
FOLEY HOAG LLP
155 Seaport Blvd.
Boston, MA 02210
(617) 832-1000

David J. Nagle
Richard L. Jones
SULLIVAN & WORCESTER LLP
One Post Office Square
Boston, MA 02109
(617) 338-2800

Gary D. Buseck
Mary L. Bonauto*
Vickie L. Henry
Janson Wu
GAY & LESBIAN ADVOCATES
& DEFENDERS
30 Winter Street, Suite 800
Boston, MA 02108
(617) 426-1350
mbonauto@glad.org

Paul M. Smith
Luke C. Platzer
Matthew J. Dunne
Melissa A. Cox
JENNER & BLOCK LLP
1099 New York Ave. NW,
Suite 900
Washington, DC 20001
(202) 639-6000

**Counsel of Record*

COUNSEL FOR PETITIONERS JOANNE PEDERSEN, ET AL.

QUESTION PRESENTED

Section 3 of the Defense of Marriage Act defines “marriage” for purposes of all federal statutes, regulations, and agency interpretations as the union of one man and one woman and defines “spouse” as a husband or wife of someone of the opposite sex. 1 U.S.C. § 7. As a result, with respect to more than 1,100 federal statutes, lawfully married same-sex couples are denied the benefits and responsibilities accorded to lawfully married opposite-sex couples.

The question presented is:

Whether Section 3 of the Defense of Marriage Act (“DOMA”), 1 U.S.C. § 7, violates the equal protection guarantee of the Fifth Amendment to the U.S. Constitution as applied to legally married same-sex couples.

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Respectfully submitted,

Kenneth J. Bartschi
 Karen Dowd
 HORTON, SHIELDS & KNOX
 90 Gillett Street
 Hartford, CT 06105
 (860) 522-8338

Claire Laporte
 Ara B. Gershengorn
 Matthew E. Miller
 Catherine Deneke
 FOLEY HOAG LLP
 155 Seaport Blvd.
 Boston, MA 02210
 (617) 832-1000

David J. Nagle
 Richard L. Jones
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Gary D. Buseck
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 GAY & LESBIAN ADVOCATES
 & DEFENDERS
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Paul M. Smith
 Luke C. Platzer
 Matthew J. Dunne
 Melissa A. Cox
 JENNER & BLOCK LLP
 1099 New York Ave. NW,
 Suite 900
 Washington, DC 20001
 (202) 639-6000

**Counsel of Record*

Counsel for Petitioners Joanne Pedersen, et al.

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