

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NANCY GILL & MARCELLE LETOURNEAU,  
et al.,

Plaintiffs,

v.

OFFICE OF PERSONNEL MANAGEMENT,  
et al.,

Defendants.

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Civil Action No. 09-10309-JLT

ORDER

July 8, 2010

TAURO, J.

For the reasons set forth in the accompanying Memorandum, this court hereby orders that:

1. Defendants' Motion to Dismiss [#20] is ALLOWED IN PART and DENIED IN PART. Specifically, Defendant's Motion to Dismiss [#20] is DENIED as to all claims, except Plaintiff Dean Hara's claim for enrollment in the Federal Employees Health Benefits Plan.
2. Plaintiffs' Motion for Summary Judgment [#25] is ALLOWED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro  
United States District Judge

**Publisher Information**

**Note\* This page is not part of the opinion as entered by the court.  
The docket information provided on this page is for the benefit  
of publishers of these opinions.**

1:09-cv-10309-JLT Gill et al v. Office of Personnel Management et al  
Joseph L. Tauro, presiding  
Date filed: 03/03/2009  
Date of last filing: 06/18/2010

**Attorneys**

Mary L. Bonauto Gay & Lesbian Advocates and representing  
Defenders 30 Winter Street Suite 800 Boston,  
MA 02108 617-426-1350 617-426-3590 (fax)  
mbonauto@glad.org Assigned: 03/03/2009  
LEAD ATTORNEY ATTORNEY TO BE  
NOTICED

Beatrice Hernandez (Plaintiff)

Bette Jo Green (Plaintiff)  
Dean Hara (Plaintiff)  
Herbert Burtis (Plaintiff)  
James Fitzgerald (Plaintiff)  
Jo Ann Whitehead (Plaintiff)  
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Albert Toney III TERMINATED:  
07/31/2009 (Plaintiff)  
Keith Toney TERMINATED:  
07/31/2009 (Plaintiff)  
Beatrice Hernandez (Plaintiff)

Gary D. Buseck Gay & Lesbian Advocates & representing  
Defenders 30 Winter Street Suite 800 Boston,  
MA 02108 617-426-1350 617-426-3594 (fax)  
gbuseck@glad.org Assigned: 03/03/2009 LEAD  
ATTORNEY ATTORNEY TO BE NOTICED

Bette Jo Green (Plaintiff)  
Dean Hara (Plaintiff)  
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Albert Toney III TERMINATED:  
07/31/2009 (Plaintiff)  
Keith Toney TERMINATED:  
07/31/2009 (Plaintiff)

Catherine C. Deneke Foley Hoag LLP 155 representing  
Seaport Boulevard Seaport World Trade  
Center West Boston, MA 02210 617-832-3025  
cdeneke@foleyhoag.com Assigned: 06/18/2010  
ATTORNEY TO BE NOTICED

Nima R. Eshghi Gay & Lesbian Advocates & representing  
Defenders 30 Winter Street Suite 800 Boston,  
MA 02108 617-426-1350 neshghi@glad.org  
Assigned: 03/03/2009 TERMINATED:  
06/01/2010 LEAD ATTORNEY ATTORNEY TO  
BE NOTICED

William E. Halmkin Sullivan & Worcester LLP representing  
One Post Office Square Boston, MA 02109  
617-338-2436 617-338-2880 (fax)  
WHalmkin@sandw.com Assigned: 03/06/2009  
ATTORNEY TO BE NOTICED

Vickie L. Henry Foley Hoag LLP 155 Seaport representing

Dorene Bowe-Shulman (Plaintiff)  
Jonathan Knight (Plaintiff)  
Marlin Nabors (Plaintiff)  
Mary Bowe-Shulman (Plaintiff)  
Beatrice Hernandez (Plaintiff)

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Boulevard Boston, MA 02210-2600 617-832-1000 617-832-7000 (fax)  
vhenry@foleyhoag.com Assigned: 03/03/2009  
LEAD ATTORNEY ATTORNEY TO BE NOTICED

Richard L. Jones Sullivan & Worcester LLP representing  
One Post Office Square Boston, MA 02109  
617-338-2800 rjones@sandw.com Assigned:  
03/30/2009 ATTORNEY TO BE NOTICED

Claire Laporte Foley Hoag LLP 155 Seaport representing  
Boulevard Boston, MA 02210-2600 617-832-1000 617-832-7000 (fax)  
claporte@foleyhoag.com Assigned: 03/03/2009  
LEAD ATTORNEY ATTORNEY TO BE NOTICED

Matthew E. Miller Foley Hoag LLP Seaport representing  
World Trade Center West 155 Seaport  
Boulevard Boston, MA 02210 617-832-3041  
617-832-7000 (fax) mmiller@foleyhoag.com  
Assigned: 03/03/2009 LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

Dean Hara (Plaintiff)  
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07/31/2009 (Plaintiff)

David J. Nagle Sullivan & Worcester LLP One representing  
Post Office Square Boston, MA 02109 617-  
338-2800 617-338-2880 (fax)  
dnagle@sandw.com Assigned: 03/30/2009  
ATTORNEY TO BE NOTICED

Amy Senier Foley Hoag LLP 155 Seaport representing  
Boulevard Seaport World Trade Center West  
Boston, MA 02210 617-832-3042 617-832-  
7000 (fax) asenier@foleyhoag.com Assigned:  
03/03/2009 LEAD ATTORNEY ATTORNEY TO  
BE NOTICED

W. Scott Simpson U.S. Department of Justice representing  
P.O. Box 883 Room 7210 Washington, DC  
20044 202-514-3495  
scott.simpson@usdoj.gov Assigned: 05/01/2009  
LEAD ATTORNEY ATTORNEY TO BE  
NOTICED

Paul M. Smith Jenner & Block, LLP 1099 New representing  
York Avenue, NW Washington, DC 20001-  
4412 202-639-6060 psmith@jenner.com  
Assigned: 08/13/2009 PRO HAC VICE  
ATTORNEY TO BE NOTICED

Keith Toney TERMINATED:  
07/31/2009 (Plaintiff)  
Marcelle Letourneau (Plaintiff)  
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Nancy Gill (Plaintiff)  
Office of Personnel Management  
(Defendant)

United States Postal Service  
(Defendant)  
United States of America (Defendant)  
Eric H. Holder, Jr. (Defendant)  
John E. Potter (Defendant)  
Michael J Astrue (Defendant)  
Hillary Rodham Clinton  
TERMINATED: 07/31/2009  
(Defendant)  
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Janson Wu Gay & Lesbian Advocates & Defenders 30 Winter Street Suite 800 Boston, MA 02108 617-426-1350 jwu@glad.org  
Assigned: 03/30/2009 ATTORNEY TO BE NOTICED

representing

Jonathan Knight (Plaintiff)  
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