

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-03326-REB-CBS

Dr. JAMES C. DOBSON, and  
FAMILY TALK,

*Plaintiffs,*

v.

KATHLEEN SEBELIUS, in her official capacity as Secretary  
of the United States Department of Health and Human  
Services;

THOMAS E. PEREZ, in his official capacity as Secretary of  
the United States Department of Labor;

JACOB J. LEW, in his official capacity as Secretary of the  
United States Department of the Treasury;

UNITED STATES DEPARTMENT OF HEALTH AND  
HUMAN SERVICES;

UNITED STATES DEPARTMENT OF LABOR; and

UNITED STATES DEPARTMENT OF THE TREASURY,

*Defendants.*

---

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION  
AND CERTIFICATE OF COMPLIANCE RE: CONSULTATION ON MOTION**

---

Pursuant to Fed. R. Civ. P. 65, Plaintiffs, by and through undersigned counsel, hereby move this Court to enter a preliminary injunction on or before April 15, 2014.

Plaintiffs request a preliminary injunction against Defendants and their Mandate that requires Plaintiffs to facilitate, contrary to their sincerely held religious beliefs, the provision and/or payment for abortifacient drugs and devices and related education and

counseling, through their employee health plan. In support of this motion, Plaintiffs submit an accompanying brief. Plaintiffs urgently need relief from this Court—Plaintiffs will be required to include abortifacient items in their health coverage plan that begins on May 1, 2014, in violation of their sincerely held religious beliefs. Plaintiffs therefore need injunctive relief by April 15, 2014, in order to arrange the details of that plan in time for its renewal date.

Pursuant to D.C. Colo. L. Civ. R. 7.1A, Matthew S. Bowman, one of the attorneys for the Plaintiffs, certifies that he has, before the filing of this Motion for Preliminary Injunction, electronically consulted and conferred about this motion with an attorney for Defendants, Michelle Bennett of the Department of Justice. Ms. Bennett indicated that Defendants oppose the entry of a preliminary injunction and will not consent to this motion.

Plaintiffs request oral argument on the motion.

A proposed form of order is attached.

Respectfully submitted this 21st of January, 2014,

*s/ Matthew S. Bowman*

Gregory S. Baylor (Texas Bar No. 01941500)

Matthew S. Bowman (DC Bar No. 993261)

ALLIANCE DEFENDING FREEDOM

801 G Street, NW, Suite 509

Washington, DC 20001

(202) 393-8690

(202) 347-3622 (facsimile)

gbaylor@alliancedefendingfreedom.org

mbowman@alliancedefendingfreedom.org

L. Martin Nussbaum (Colorado Bar No. 22613)

LEWIS ROCA ROTHGERBER LLP

90 South Cascade Ave., Suite 1100  
Colorado Springs, CO 80903-1662  
(719) 386-3000  
(719) 386-3070  
mnussbaum@LRRLaw.com

David A. Cortman (Georgia Bar No. 188810)  
ALLIANCE DEFENDING FREEDOM  
1000 Hurricane Shoals Road, NE, Suite D-  
1100  
Lawrenceville, GA 30043  
(770) 339-0774  
(770) 339-6744 (facsimile)  
dcortman@alliancedefendingfreedom.org

Kevin H. Theriot (Kansas Bar No. 21565)  
ALLIANCE DEFENDING FREEDOM  
15192 Rosewood  
Leawood, KS 66224  
(913) 685-8000  
(913) 685-8001 (facsimile)  
ktheriot@alliancedefendingfreedom.org

Michael J. Norton (Colorado Bar No. 6430)  
ALLIANCE DEFENDING FREEDOM  
7951 E. Maplewood Avenue, Suite 100  
Greenwood Village, CO 80111  
(480) 388-8163  
(303) 694-0703 (facsimile)  
mjnorton@telladf.org

Jeremy D. Tedesco (Arizona Bar No. 023497)  
ALLIANCE DEFENDING FREEDOM  
15100 N. 90th Street  
Scottsdale, AZ 85260  
(480) 444-0020  
(480) 444-0028  
jtedesco@alliancedefendingfreedom.org

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

The undersigned attorney for Plaintiffs, Matthew S. Bowman, hereby certifies that the following counsel for Defendants was served with the preceding document by email, with consent of such counsel, on January 21, 2014:

Michelle Bennett, Esq.  
Trial Attorney  
U.S. Department of Justice  
Civil Division Federal Programs Branch  
20 Massachusetts Avenue, NW  
Washington, D.C. 20001  
*Michelle.Bennett@usdoj.gov*

Matthew

*s/ Matthew S. Bowman*  
S. Bowman, Esq.