

APPEAL,MARTIN,STAYED,TERMED

**United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 6.1.1.2 (Chicago)
CIVIL DOCKET FOR CASE #: 1:13–cv–03292**

Ozinga v. United States Department of Human Services et al
Assigned to: Honorable Thomas M. Durkin
Case in other court: 15–03648
Cause: 28:1343 Violation of Civil Rights

Date Filed: 05/01/2013
Date Terminated: 09/30/2015
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Mr. Timothy Ozinga
19001 Old LaGrange Road
Suite 300
Mokena, IL 60448

represented by **Thomas L. Brejcha , Jr.**
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TERMINATED: 05/12/2014
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Plaintiff

Ozinga Bros., Inc.
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represented by **Thomas L. Brejcha , Jr.**
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Mokena, IL 60448

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Kevin E White

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ATTORNEY TO BE NOTICED

Kevin E. White

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LEAD ATTORNEY

V.

Defendant

Kathleen Sebelius

*In her official capacity as Secretary of
the U.S. Department of Health and
Human Services*

represented by **Benjamin Leon Berwick**
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ATTORNEY TO BE NOTICED

Defendant

Hon. Jacob J. Lew

*In his official capacity as Secretary of
the U.S. Department of Treasury*

represented by **Benjamin Leon Berwick**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle Renee Bennett

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

AUSA – Chicago

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Hon Seth D. Harris

*In his official capacity as Deputy
Secretary of the U.S. Department of
Labor*

represented by **Benjamin Leon Berwick**
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Michelle Renee Bennett

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LEAD ATTORNEY
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Date Filed	#	Docket Text
05/01/2013	<u>1</u>	COMPLAINT filed by Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV, Paul Ozinga, Aaron Ozinga, Martin Ozinga, III, Justin Ozinga, Jeffrey Ozinga, Karl Ozinga; Jury Demand. Filing fee \$ 400, receipt number 0752-8302644.(White, Kevin) (Entered: 05/01/2013)
05/01/2013	<u>2</u>	CIVIL Cover Sheet (White, Kevin) (Entered: 05/01/2013)
05/01/2013		CASE ASSIGNED to the Honorable Thomas M. Durkin. Designated as Magistrate Judge the Honorable Daniel G. Martin. (nsf,) (Entered: 05/02/2013)
05/02/2013	<u>3</u>	ATTORNEY Appearance for Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV by Peter Christopher Breen (Breen, Peter) (Entered: 05/02/2013)
05/02/2013	<u>4</u>	ATTORNEY Appearance for Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV by Thomas L. Brejcha, Jr (Brejcha, Thomas) (Entered: 05/02/2013)
05/02/2013	<u>5</u>	ATTORNEY Appearance for Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV by Kevin E. White , <i>Kevin Edward White & Associates</i> , (White, Kevin) (Entered: 05/02/2013)
05/10/2013	<u>6</u>	MINUTE entry before Honorable Thomas M. Durkin: Status Report due by 7/10/2013. Status hearing set for 7/16/2013 at 09:00 AM. (see order for further detail)Mailed notice (srn,) (Entered: 05/10/2013)
05/15/2013		SUMMONS Issued as to All Defendants, U.S. Attorney (jn,) (Entered: 05/16/2013)
05/17/2013	<u>7</u>	ATTORNEY Appearance for Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV by Jason R. Craddock, Sr (Craddock, Jason) (Entered: 05/17/2013)
05/17/2013	<u>8</u>	SUMMONS Returned Executed by Aaron Ozinga, Timothy Ozinga, Marty Ozinga IV, Paul Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Ozinga Bros., Inc. as to All Defendants (Craddock, Jason) (Entered: 05/17/2013)
05/17/2013	<u>9</u>	AFFIDAVIT of Service filed by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV regarding Complaint served on All Defendants on May 17, 2013 (Craddock, Jason) (Entered: 05/17/2013)
05/21/2013	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-8365166. <i>Co-Counsel for Plaintiffs</i> (Casey, Samuel) (Entered: 05/21/2013)
05/21/2013	<u>11</u>	MINUTE entry before Honorable Thomas M. Durkin: Samuel B. Casey is granted leave to appear pro hac vice on behalf of all plaintiffs. <u>10</u> Mailed notices (gcy,) (Entered: 05/22/2013)
06/06/2013	<u>12</u>	ATTORNEY Appearance for Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV by Samuel B. Casey <i>per Pro Hac Vice Order</i> (Casey, Samuel) (Entered: 06/06/2013)
06/12/2013	<u>13</u>	ATTORNEY Appearance for Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius by Benjamin Leon Berwick (Berwick, Benjamin) (Entered: 06/12/2013)
07/10/2013	<u>14</u>	MOTION by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius for extension of time to file answer regarding complaint, <u>1</u> (Berwick, Benjamin) (Entered: 07/10/2013)
07/10/2013	<u>15</u>	INITIAL Joint Status Report by All Parties (White, Kevin) (Modified on 7/11/2013 by Clerk's Office) (mb,). (Entered: 07/10/2013)

07/12/2013	<u>16</u>	MOTION by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV for preliminary injunction (White, Kevin) (Entered: 07/12/2013)
07/13/2013	<u>17</u>	MOTION by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius to stay <i>proceedings and Notice of non-opposition to preliminary injunction</i> (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Triune v. HHS, # <u>3</u> Exhibit Monaghan v. Sebelius)(Berwick, Benjamin) (Entered: 07/13/2013)
07/13/2013	<u>18</u>	NOTICE of Motion by Benjamin Leon Berwick for presentment of motion to stay, <u>17</u> before Honorable Thomas M. Durkin on 7/16/2013 at 09:00 AM. (Berwick, Benjamin) (Entered: 07/13/2013)
07/15/2013	<u>19</u>	MEMORANDUM in support of motion for preliminary injunction <u>17</u> by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV (Attachments: # <u>1</u> Supplement Plaintiff's Mem. Part 2, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D-1, # <u>6</u> Exhibit Exhibit D-2, # <u>7</u> Exhibit Exhibit D-3, # <u>8</u> Exhibit Exhibit D-4, # <u>9</u> Exhibit Exhibit D-5, # <u>10</u> Exhibit Exhibit E (Proposed Order), # <u>11</u> Certificate of Service)(White, Kevin) Modified on 7/17/2013 by Clerk's Office(mb,). (Entered: 07/15/2013)
07/15/2013	<u>20</u>	MEMORANDUM by Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV in Opposition to motion to stay, <u>17</u> (White, Kevin) (Entered: 07/15/2013)
07/15/2013	<u>21</u>	EXHIBIT D <u>19</u> (Tymkovich) (06/27/13) to Plaintiff's Memorandum in Support of Injunction (White, Kevin) Modified on 7/17/2013 by Clerk's Office(mb,). (Entered: 07/15/2013)
07/15/2013	<u>22</u>	EXHIBIT B (Korte) in support of Plaintiffs' Motion for Injunctive Relief (White, Kevin) Modified on 7/17/2013 by Clerk's Office (mb,). (Entered: 07/15/2013)
07/16/2013	<u>23</u>	MINUTE entry before Honorable Thomas M. Durkin:Motion for preliminary injunction <u>16</u> is granted. Motion to stay <u>17</u> is entered and continued. The Court will rule by mail. Defendants' Motion for extension of time to answer or otherwise plead <u>14</u> is granted. If the motion to stay is denied, defendants have 14 days from the date of the Court's ruling to file a responsive pleading. If the Court grants a stay, defendants' response will be due after the stay is lifted. Motion hearing held on 7/16/2013. Mailed notice (srn,) (Entered: 07/16/2013)
07/16/2013	<u>25</u>	PRELIMINARY INJUNCTION ORDER Signed by the Honorable Thomas M. Durkin on 7/16/2013:(mb,) (Entered: 07/17/2013)
07/17/2013	<u>24</u>	REPLY by Seth D. Harris, Jacob J. Lew, Kathleen Sebelius to memorandum in opposition to motion <u>20</u> (Attachments: # <u>1</u> Exhibit Autocam v. Sebelius)(Berwick, Benjamin) (Entered: 07/17/2013)
07/26/2013	<u>26</u>	MOTION by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV to file instanter <i>Plaintiffs' Sur-Response Memorandum In Opposition to Defendants Motion for Stay</i> (White, Kevin) (Entered: 07/26/2013)
07/30/2013	<u>27</u>	MINUTE entry before Honorable Thomas M. Durkin:Plaintiff's unopposed motion for leave to file instanter their sur-response memorandum in opposition to defendants' motion to stay <u>26</u> is granted.Mailed notice (srn,) (Entered: 07/30/2013)
08/05/2013	<u>28</u>	TRANSCRIPT OF PROCEEDINGS held on 7/16/13 before the Honorable Thomas M. Durkin. Court Reporter Contact Information: Laura Renke, laura_renke@ilnd.uscourts.gov, 312.435.6053. IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.

		Redaction Request due 8/26/2013. Redacted Transcript Deadline set for 9/5/2013. Release of Transcript Restriction set for 11/4/2013. (Renke, Laura) (Entered: 08/05/2013)
08/14/2013	<u>29</u>	ORDER: For the foregoing reasons, the Court grants Defendants' motion to stay <u>17</u> . The Court will therefore stay these proceedings until the Seventh Circuit issues a decision in Korte and Grote. Case stayed. Signed by the Honorable Thomas M. Durkin on 8/14/2013:Mailed notice(srn,) (Entered: 08/14/2013)
09/26/2013	<u>30</u>	NOTICE by Thomas L. Brejcha, Jr of Change of Address (Brejcha, Thomas) (Entered: 09/26/2013)
09/26/2013	<u>31</u>	NOTICE by Peter Christopher Breen of Change of Address (Breen, Peter) (Entered: 09/26/2013)
10/07/2013	<u>32</u>	GENERAL ORDER 13-0018 dated 10/7/13: IT IS HEREBY ORDERED, effective October 1, 2013, that all civil litigation involving as a party the United States of America, is immediately suspended, postponed and held in abeyance continuing for a period of fourteen (14) days from the date of entry of this General Order (For Further Details See Attached Order). Signed by Chief Judge Castillo. (et,) (Entered: 10/07/2013)
10/17/2013	<u>33</u>	GENERAL ORDER 13-0019 dated 10/17/13: IT IS THEREFORE ORDERED, that the stay entered by General Order 13-0018 is hereby lifted, and any and all deadlines in the affected civil litigation (whether established by order, rule, or agreement), including but not limited to any scheduled discovery and pleading dates, are extended by 28 days. The Court warns litigants that this General Order does not purport to affect rights to or deadlines concerning appeal from any decision of this Court. Any litigant affected by this General Order may see relief from the order by motion. Trial dates in the affected cases will stand, although they may need to be adjusted in individual cases to account for the extension of other dates. The Court may, in any particular case, vary the effect or operation of this General Order by a separate ruling. (For Further Details See Attached Order). Signed by Chief Judge Castillo on 10/17/2013 (td,) (Entered: 10/17/2013)
05/09/2014	<u>34</u>	MOTION by counsel for Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV to withdraw as attorney (Breen, Peter) (Entered: 05/09/2014)
05/09/2014	<u>35</u>	NOTICE of Motion by Peter Christopher Breen for presentment of motion to withdraw as attorney <u>34</u> before Honorable Thomas M. Durkin on 5/22/2014 at 09:00 AM. (Breen, Peter) (Entered: 05/09/2014)
05/12/2014	<u>36</u>	MINUTE entry before the Honorable Thomas M. Durkin:Motion to withdraw as attorney <u>34</u> is granted; Attorney Peter Christopher Breen and Thomas L. Brejcha, Jr terminated. No appearance required on 5/22/14. Mailed notice (srn,) (Entered: 05/12/2014)
05/05/2015	<u>37</u>	MINUTE entry before the Honorable Thomas M. Durkin: Status hearing set for 5/12/2015 at 09:00 AM.Mailed notice (srn,) (Entered: 05/05/2015)
05/12/2015	<u>38</u>	MINUTE entry before the Honorable Thomas M. Durkin:Status hearing held on 5/12/2015. Status hearing set for 6/3/2015 at 09:00 AM.Mailed notice (srn,) (Entered: 05/12/2015)
06/03/2015	<u>39</u>	MINUTE entry before the Honorable Thomas M. Durkin:Status hearing held on 6/3/2015. Status hearing set for 6/24/2015 at 09:00 AM.Mailed notice (srn,) (Entered: 06/03/2015)
06/23/2015	<u>40</u>	MINUTE entry before the Honorable Thomas M. Durkin:By agreement of the parties the 6/24/15 status date is vacated. Cross opening briefs on the permanent injunction issue are to be filed on or before 7/22/15. Cross responses are due by 8/5/15. The Court will rule by mail. Mailed notice (srn,) (Entered: 06/23/2015)
07/22/2015	<u>41</u>	ATTORNEY Appearance for Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius by Michelle Renee Bennett (Bennett, Michelle) (Entered: 07/22/2015)

07/22/2015	<u>42</u>	MOTION by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius for Entry of Permanent Injunction & Final Judgment (Attachments: # <u>1</u> Text of Proposed Order : Defs.' Proposed Injunction & Judgment, # <u>2</u> Exhibit : Permanent Injunctions in Other For-Profit Cases)(Bennett, Michelle) (Entered: 07/22/2015)
07/29/2015	<u>43</u>	MOTION by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga to set a briefing schedule (<i>not opposed</i>), MOTION by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga for extension of time (Attachments: # <u>1</u> Notice of Motion to Re-Set Briefing Schedule)(White, Kevin) (Entered: 07/29/2015)
07/30/2015	<u>44</u>	MINUTE entry before the Honorable Thomas M. Durkin:Plaintiff's motion for extension of time <u>43</u> is granted. Plaintiff's opening brief is now due by 7/30/15. Cross responses are due by 8/14/15. Mailed notice (srn,) (Entered: 07/30/2015)
07/30/2015	<u>45</u>	MEMORANDUM by Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV in Opposition to motion for miscellaneous relief, <u>42</u> <i>Plaintiffs' Proposed Consent Order</i> (Attachments: # <u>1</u> Text of Proposed Order Defendants' Proposed Order, # <u>2</u> Text of Proposed Order Plaintiffs' Proposed Order)(White, Kevin) (Entered: 07/30/2015)
08/14/2015	<u>46</u>	RESPONSE by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius to memorandum in opposition to motion, <u>45</u> (<i>Def's. Mem. in Opp'n to Pls.' Proposed Permanent Inj. & J.</i>) (Bennett, Michelle) (Entered: 08/14/2015)
08/14/2015	<u>47</u>	REPLY by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV to Defendants' Motion for Entry of Permanent Injunction and Final Judgment (Attachments: # <u>1</u> Certificate of Service Certificate of Service)(White, Kevin) (Entered: 08/14/2015)
09/11/2015	<u>48</u>	NOTICE of Motion by Kevin E. White for presentment of motion for miscellaneous relief, <u>42</u> before Honorable Thomas M. Durkin on 9/16/2015 at 09:00 AM. (Attachments: # <u>1</u> Certificate of Service)(White, Kevin) (Entered: 09/11/2015)
09/11/2015	<u>49</u>	MOTION by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV Settlement Conference/ Pre-Trial (White, Kevin) (Entered: 09/11/2015)
09/16/2015	<u>50</u>	NOTICE by All Plaintiffs of filing of <i>Fed. R. Civ. P. 28 Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit March for Life v. Burwell (D DC), # <u>2</u> Certificate of Service Certificate of Service)(White, Kevin) (Entered: 09/16/2015)
09/16/2015	<u>51</u>	MINUTE entry before the Honorable Thomas M. Durkin:For the reasons stated orally, plaintiffs' motion for Local Rule 5 settlement conference <u>49</u> is denied. Motion hearing held on 9/16/2015. Mailed notice (srn,) (Entered: 09/16/2015)
09/18/2015	<u>52</u>	MOTION by Plaintiffs Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV to amend/correct notice of filing <u>50</u> (Attachments: # <u>1</u> Exhibit March for Life Opinion, # <u>2</u> Exhibit March for Life Order, # <u>3</u> Certificate of Service)(White, Kevin) (Entered: 09/18/2015)
09/30/2015	<u>53</u>	ORDER: For the foregoing reasons, the Court grants the Defendants' motion for entry of a permanent injunction and final judgment <u>42</u> , and grants the Plaintiffs' motion for leave to file supplemental authority <u>52</u> . Civil case terminated. Signed by the Honorable Thomas M. Durkin on 9/30/2015:Mailed notice(srn,) (Entered: 09/30/2015)
09/30/2015	<u>54</u>	ORDER Signed by the Honorable Thomas M. Durkin on 9/30/15. Mailed notice (ph,) (Entered: 10/01/2015)
11/27/2015	<u>55</u>	NOTICE of appeal by Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc., Marty Ozinga IV regarding orders <u>54</u> Filing fee \$ 505, receipt number 0752-11341605. (Attachments: # <u>1</u> Certificate of Service Notice of Appeal)(White, Kevin) (Entered: 11/27/2015)

11/30/2015	<u>56</u>	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal <u>55</u> . (smm) (Entered: 11/30/2015)
11/30/2015	<u>57</u>	TRANSMITTED to the 7th Circuit the short record on notice of appeal <u>55</u> . Notified counsel (smm) (Entered: 11/30/2015)
12/01/2015	<u>58</u>	MOTION by Plaintiff Kevin E White for attorney fees (Norman, Andy) (Entered: 12/01/2015)
12/01/2015	<u>59</u>	NOTICE of Motion by Andy Robert Norman for presentment of motion for attorney fees <u>58</u> before Honorable Thomas M. Durkin on 12/9/2015 at 09:00 AM. (Norman, Andy) (Entered: 12/01/2015)
12/01/2015	<u>60</u>	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal, <u>55</u> ; USCA Case No. 15-3648 (cc,) (Entered: 12/02/2015)
12/02/2015	<u>61</u>	MEMORANDUM by Seth D. Harris, Jacob J. Lew, Kathleen Sebelius in Opposition to motion for attorney fees <u>58</u> (Attachments: # <u>1</u> Exhibit A)(Bennett, Michelle) (Entered: 12/02/2015)
12/04/2015	<u>62</u>	REPLY by Aaron Ozinga, Jeffrey Ozinga, Justin Ozinga, Karl Ozinga, Martin Ozinga, III, Paul Ozinga, Timothy Ozinga, Ozinga Bros., Inc. to memorandum in opposition to motion <u>61</u> , MOTION by Plaintiff Kevin E White for attorney fees <u>58</u> and other relief (Attachments: # <u>1</u> Certificate of Service)(White, Kevin) (Entered: 12/04/2015)
12/09/2015	<u>63</u>	ATTORNEY Appearance for Plaintiff Kevin E White by Andy Robert Norman (Norman, Andy) (Entered: 12/09/2015)
12/09/2015	<u>64</u>	MINUTE entry before the Honorable Thomas M. Durkin:Plaintiffs' motion for leave for Andy Norman to appear as special attorney's fees counsel for plaintiffs and attorney Kevin E. White is granted. <u>58</u> Motion hearing held on 12/9/2015. Plaintiff is to provide the fee petition to the government by 1/13/16. Status hearing set for 2/8/2016 at 09:00 AM.Mailed notice (srn,) (Entered: 12/09/2015)
02/08/2016	<u>65</u>	MINUTE entry before the Honorable Thomas M. Durkin:Status hearing held on 2/8/2016. If the parties are unable to resolve the fee issue, this Court at the next status hearing will set a date for the filing of the fee petition. Status hearing set for 4/18/2016 at 09:00 AM.Mailed notice (srn,) (Entered: 02/08/2016)
02/09/2016	<u>66</u>	NOTICE by Kevin E. White of Change of Address (White, Kevin) (Entered: 02/09/2016)
02/09/2016	<u>67</u>	CERTIFICATE of Service by Kevin E. White on behalf of All Plaintiffs regarding notice of change of address <u>66</u> (White, Kevin) (Entered: 02/09/2016)
04/18/2016	<u>68</u>	MINUTE entry before the Honorable Thomas M. Durkin:Status hearing held on 4/18/2016. Plaintiff's fee petition is to be filed by 5/16/2016. Defendants' response is due by 5/31/2016. Plaintiff's reply is to be filed by 6/14/2016. The Court will rule by mail. Mailed notice (srn,) (Entered: 04/18/2016)
05/13/2016	<u>69</u>	MOTION by Plaintiff Kevin E White for extension of time to file (Norman, Andy) (Entered: 05/13/2016)
05/13/2016	<u>70</u>	NOTICE of Motion by Andy Robert Norman for presentment of (Norman, Andy) (Entered: 05/13/2016)
05/16/2016	<u>71</u>	MINUTE entry before the Honorable Thomas M. Durkin:Plaintiff's motion for extension of time to file its fee petition <u>69</u> is granted. Plaintiff's fee petition is due by 5/31/2016. Defendants' response is due 6/14/2016. Plaintiff's reply is due 6/28/2016. The Court will rule by mail. Mailed notice (srn,) (Entered: 05/16/2016)
05/31/2016	<u>72</u>	PETITION of Plaintiffs for Attorneys Fees, Costs and Expenses (Attachments: # <u>1</u> Exhibit Nos. 1-2, # <u>2</u> Exhibit Nos. 3-7)(White, Kevin) (Entered: 05/31/2016)
06/02/2016	<u>73</u>	PETITION of Plaintiffs for Attorneys Fess Costs and Expenses [Corrected] (Attachments: # <u>1</u> Exhibit 1-2, # <u>2</u> 3-7)(White, Kevin) (Entered: 06/02/2016)
06/14/2016	<u>74</u>	RESPONSE by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius to petition <u>73</u> (Attachments: # <u>1</u> Declaration of Michelle Bennett (with exhibits))(Bennett, Michelle) (Entered: 06/14/2016)

06/28/2016	<u>75</u>	NOTICE of Motion by Andy Robert Norman for presentment of (Norman, Andy) (Entered: 06/28/2016)
06/28/2016	<u>76</u>	MOTION by Plaintiff Kevin E White for extension of time to file response/reply (Norman, Andy) (Entered: 06/28/2016)
06/28/2016	<u>77</u>	MOTION by Plaintiff Kevin E White to amend/correct (Norman, Andy) (Entered: 06/28/2016)
06/28/2016	<u>78</u>	AMENDED (Norman, Andy) (Entered: 06/28/2016)
06/29/2016	<u>79</u>	MOTION by Plaintiff Kevin E White for extension of time to file response/reply <i>PLAINTIFFS AMENDED UNCONTESTED MOTION TO EXTEND BY THREE DAYS TO JULY 1, 2016 THE TIME FOR FILING OF PLAINTIFFS REPLY IN SUPPORT OF THEIR FEE PETITION</i> (Norman, Andy) (Entered: 06/29/2016)
06/29/2016	<u>80</u>	NOTICE of Motion by Andy Robert Norman for presentment of motion for extension of time to file response/reply, <u>79</u> before Honorable Thomas M. Durkin on 7/5/2016 at 09:00 AM. (Norman, Andy) (Entered: 06/29/2016)
06/30/2016	<u>81</u>	MINUTE entry before the Honorable Thomas M. Durkin:Plaintiffs' uncontested motion to extend by three days to July 1, 2016 the time for filing of plaintiffs' reply in support of their fee petition <u>76</u> <u>79</u> is granted. Plaintiffs' reply is due by 7/1/2016. No appearance is required on 7/5/2016.Mailed notice (srn,) (Entered: 06/30/2016)
07/01/2016	<u>82</u>	REPLY by Plaintiff Kevin E White <i>PLAINTIFFS REPLY IN SUPPORT OF PETITION FOR ATTORNEY'S FEES, COSTS AND EXPENSES</i> (Attachments: # <u>1</u> Exhibit Exhibit 1 Time Box May 31, # <u>2</u> Exhibit Exhibit 3 TimeWhite20160601, # <u>3</u> Exhibit Exhibit 4 TimeWhite20160531, # <u>4</u> Exhibit Exhibit 2 KEWA Invoice 3)(Norman, Andy) (Entered: 07/01/2016)
08/26/2016	<u>83</u>	NOTICE to Transmit Record on Appeal regarding notice of appeal, <u>55</u> ; USCA Case No. 15-3648 (bg,) (Entered: 08/29/2016)
08/30/2016	<u>84</u>	CERTIFIED and transmitted to the USCA for the 7th Circuit the long record on appeal <u>55</u> (USCA no. 15-3648). (smm) (Entered: 08/30/2016)
08/30/2016	<u>85</u>	USCA RECEIVED on 8/30/16 the long record regarding notice of appeal <u>55</u> . (smm) (Entered: 08/31/2016)