

**U.S. District Court Northern District of Indiana [LIVE]
USDC Northern Indiana (South Bend)
CIVIL DOCKET FOR CASE #: 3:12-cv-00459-JD-MGG**

Grace Schools et al v. Sebelius et al
Assigned to: Judge Jon E DeGuilio
Referred to: Magistrate Judge Michael G Gotsch, Sr
Case in other court: USCA, 14-01430
Cause: 42:2000a Access to Public Accommodations

Date Filed: 08/23/2012
Date Terminated: 06/01/2018
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Grace Schools

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Plaintiff

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V.

Defendant

Kathleen Sebelius
*in her official capacity as Secretary of the
US Department of Health and Human
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TERMINATED: 05/22/2014

Defendant

Hilda Solis
*in her official capacity as Secretary of the
US Department of Labor*
TERMINATED: 09/06/2013

represented by **Benjamin L Berwick – AUSA**
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TERMINATED: 09/06/2013
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Emily S Newton – AUSA
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Michael C Pollack
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TERMINATED: 05/22/2014

Defendant

Timothy Geithner
*in his official capacity as Secretary of the
US Department of Treasury*
TERMINATED: 09/06/2013

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Michael C Pollack
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TERMINATED: 05/22/2014

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Liberty, Life, and Law Foundation

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Date Filed	#	Docket Text
08/23/2012	<u>1</u>	COMPLAINT with Request for Permanent Injunction against Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury (Filing fee \$ 350, receipt #3004609), filed by Biola University Inc, Grace Schools. (Attachments: # <u>1</u> Civil Cover Sheet)(mc) (Entered: 08/24/2012)
08/23/2012	<u>2</u>	NOTICE of Appearance by Jane Dall Wilson on behalf of Biola University Inc, Grace Schools (mc) (Entered: 08/24/2012)
08/23/2012	<u>3</u>	Summons Issued as to All Defendants, U.S. Attorney and U.S. Attorney General. NOTE: The attached document should not be used to effect service of process. Only copies that bear the seal of the court should be used for service of process. (mc) (Entered: 08/24/2012)
08/23/2012	<u>4</u>	Corporate Disclosure Statement by Biola University Inc, Grace Schools: no parent corporation. (mc) (Entered: 08/24/2012)
09/05/2012	<u>5</u>	NOTICE by Biola University Inc, Grace Schools of <i>Related Action</i> (Wilson, Jane) (Entered: 09/05/2012)
09/21/2012	<u>6</u>	NOTICE of Appearance by David A Cortman on behalf of All Plaintiffs (Cortman, David) (Entered: 09/21/2012)
09/21/2012	<u>7</u>	SUMMONS Returned Executed by Biola University Inc, Grace Schools. Kathleen Sebelius served on 9/11/2012, answer due 11/13/2012. (Cortman, David) (Entered: 09/21/2012)
09/21/2012	<u>8</u>	SUMMONS Returned Executed by United States Department of Health and Human Services. United States Department of Health and Human Services served on 9/11/2012, answer due 11/13/2012. (Cortman, David) (Entered: 09/21/2012)
09/21/2012	<u>9</u>	AFFIDAVIT of Service for Summons and Complaint served on U.S. Attorney General on 09/12/2012, filed by Biola University Inc, Grace Schools. (Cortman, David) (Entered: 09/21/2012)

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09/21/2012	<u>10</u>	AFFIDAVIT of Service for Summons and Complaint served on U.S. Attorney for the Northern District of Indiana on 09/10/2012, filed by Biola University Inc, Grace Schools. (Cortman, David) (Entered: 09/21/2012)
09/27/2012	11	APPLICATION for Attorney Gregory S Baylor to Appear Pro Hac Vice on behalf of Grace Schools and Biola University Inc ; Receipt #3004866. (kds) (Entered: 09/27/2012)
10/01/2012	12	ORDER granting 11 Application to Appear Pro Hac Vice of Attorney Gregory S Baylor PHV for Biola University Inc, Gregory S Baylor PHV for Grace Schools. Signed by Magistrate Judge Christopher A Nuechterlein on 10/1/2012. (kds) (Entered: 10/01/2012)
10/01/2012	13	APPLICATION for Attorney Jerry D Mackey to Appear Pro Hac Vice on behalf of Grace Schools and Biola University Inc ; Receipt #3004891. (smp) (Entered: 10/02/2012)
10/02/2012	14	ORDER granting 13 Application to Appear Pro Hac Vice of Attorney Jerry D Mackey PHV for Biola University Inc and Grace Schools. Signed by Magistrate Judge Christopher A Nuechterlein on 10/2/2012. (kds) (Entered: 10/02/2012)
10/02/2012	<u>15</u>	SUMMONS Returned Executed by Biola University Inc, Grace Schools. Hilda Solis served on 9/13/2012, answer due 11/13/2012. (Cortman, David) (Entered: 10/02/2012)
10/03/2012	<u>16</u>	NOTICE of Appearance by Jerry D Mackey PHV on behalf of Biola University Inc (Mackey PHV, Jerry) (Entered: 10/03/2012)
10/05/2012	<u>17</u>	NOTICE of Appearance by Gregory S Baylor PHV on behalf of Biola University Inc, Grace Schools (Baylor PHV, Gregory) (Entered: 10/05/2012)
10/11/2012	18	APPLICATION for Attorney Matthew S Bowman to Appear Pro Hac Vice on behalf of Grace Schools and Biola University Inc ; Receipt #3005022. (kds) (Entered: 10/12/2012)
10/18/2012	19	ORDER granting 18 Application to Appear Pro Hac Vice of Attorney Matthew S Bowman PHV for Biola University Inc, Matthew S Bowman PHV for Grace Schools. Signed by Magistrate Judge Christopher A Nuechterlein on 10/18/12. (smp) (Entered: 10/18/2012)
10/18/2012	<u>20</u>	SUMMONS Returned Executed by Biola University Inc, Grace Schools. Timothy Geithner served on 9/12/2012, answer due 11/13/2012. (Baylor PHV, Gregory) (Entered: 10/18/2012)
10/18/2012	<u>21</u>	SUMMONS Returned Executed by Biola University Inc, Grace Schools. United States Department of the Treasury served on 9/12/2012, answer due 11/13/2012. (Baylor PHV, Gregory) (Entered: 10/18/2012)
10/22/2012	<u>22</u>	SUMMONS Returned Executed by Biola University Inc, Grace Schools. United States Department of Labor served on 10/17/2012, answer due 12/17/2012. (Baylor PHV, Gregory) (Entered: 10/22/2012)
11/09/2012	<u>23</u>	NOTICE of Appearance by Benjamin L Berwick on behalf of All Defendants (Berwick, Benjamin) (Entered: 11/09/2012)
11/09/2012	<u>24</u>	MOTION to Dismiss for Lack of Jurisdiction by Defendants Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Berwick, Benjamin). (Entered: 11/09/2012)
11/09/2012	<u>25</u>	MEMORANDUM in Support of <u>24</u> MOTION to Dismiss for Lack of Jurisdiction filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Berwick, Benjamin) (Entered: 11/09/2012)
11/19/2012	<u>26</u>	MOTION for Extension of Time to File Response/Reply by Plaintiffs Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 11/19/2012)
11/26/2012	<u>27</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of

		Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Catholic Diocese of Nashville v. Sebelius)(Berwick, Benjamin) (Entered: 11/26/2012)
11/27/2012	<u>28</u>	ORDER GRANTING <u>26</u> Motion for Extension of Time to File Response/Reply; Response to be filed by 12/7/2012. Signed by Magistrate Judge Christopher A Nuechterlein on 11/27/2012. (lyf) (Entered: 11/28/2012)
11/29/2012	<u>29</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Zubik v. Sebelius)(Berwick, Benjamin) (Entered: 11/29/2012)
12/07/2012	<u>30</u>	MOTION for Leave to File <i>Amici Curiae Brief</i> by Amicus Parties American Center for Law and Justice, Regent University. (Attachments: # <u>1</u> Proposed Amici Curiae Brief, # <u>2</u> Corporate Disclosure Statement)(White, Edward) (Entered: 12/07/2012)
12/07/2012	<u>31</u>	RESPONSE to Motion re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction filed by Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 12/07/2012)
12/14/2012	<u>32</u>	REPLY to Response to Motion re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Berwick, Benjamin) (Entered: 12/14/2012)
12/19/2012	<u>33</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Wheaton v. Sebelius)(Berwick, Benjamin) (Entered: 12/19/2012)
12/21/2012	<u>34</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Catholic Diocese of Biloxi v. Sebelius)(Berwick, Benjamin) (Entered: 12/21/2012)
01/02/2013	<u>35</u>	ORDER GRANTING <u>30</u> Motion for Leave to File Amici Curiae Brief by American Center for Law and Justice; and Regent University. Movants' [30-1] amici curiae brief is deemed filed. Signed by Magistrate Judge Christopher A Nuechterlein on 1/2/2013. (lyf) (Entered: 01/02/2013)
01/02/2013	<u>36</u>	Amici Curiae Brief by American Center for Law and Justice; and Regent University. (lyf) (Entered: 01/02/2013)
01/03/2013	<u>37</u>	Corporate Disclosure Statement by American Center for Law and Justice, Regent University. (White, Edward) (Entered: 01/03/2013)
01/07/2013	<u>38</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Univ. of Notre Dame v. Sebelius, # <u>2</u> Exhibit Catholic Diocese of Peoria v. Sebelius)(Berwick, Benjamin) (Entered: 01/07/2013)
01/10/2013	<u>39</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Colorado Christian Univ. v. Sebelius)(Berwick, Benjamin) (Entered: 01/10/2013)
01/29/2013	<u>40</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Berwick, Benjamin) (Entered: 01/29/2013)
01/31/2013	<u>41</u>	NOTICE of Appearance by Michael C Pollack on behalf of Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human

		Services, United States Department of Labor, United States Department of the Treasury (Pollack, Michael) (Entered: 01/31/2013)
01/31/2013	<u>42</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Pollack, Michael) (Entered: 01/31/2013)
02/15/2013	<u>43</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Diocese of Fort Worth v. Sebelius, # <u>2</u> Exhibit Conlon v. Sebelius)(Pollack, Michael) (Additional attachment(s) added on 2/19/2013: # <u>3</u> Exhibit 1 dbl banners redacted, # <u>4</u> Exhibit 2 redacted banners) (kds). (Entered: 02/15/2013)
03/21/2013	<u>44</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Wenski v. Sebelius)(Pollack, Michael) (Entered: 03/21/2013)
03/28/2013	<u>45</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit EWTN v. Sebelius)(Pollack, Michael) (Entered: 03/28/2013)
04/09/2013	<u>46</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Pollack, Michael) (Entered: 04/09/2013)
04/17/2013	<u>47</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re <u>24</u> MOTION to Dismiss for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Criswell College v. Sebelius)(Pollack, Michael) (Entered: 04/17/2013)
07/11/2013	<u>48</u>	ORDER STAYING CASE – Plaintiffs have up to and including Friday, 7/26/2013 to file a notice with the Court stating their intentions relative to the instant lawsuit. Additionally, the Court ORDERS this case temporarily STAYED until such time as the Court has had an opportunity to consider the parties' positions and issue a subsequent order lifting the stay. Signed by Judge Jon E DeGuilio on 7/11/2013. (saj) (Entered: 07/11/2013)
07/11/2013	<u>49</u>	NOTICE of Change of Address by Edward L White <i>counsel for amici curiae American Center for Law & Justice and Regent University</i> (White, Edward) (Entered: 07/11/2013)
07/26/2013	<u>50</u>	NOTICE by Biola University Inc, Grace Schools (Baylor PHV, Gregory) (Entered: 07/26/2013)
07/30/2013	<u>51</u>	RESPONSE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury to <u>50</u> Notice (Other), <u>48</u> Order Staying Case, Set Deadlines,, . (Pollack, Michael) (Entered: 07/30/2013)
07/31/2013	<u>52</u>	ORDER LIFTING STAY AND ADOPTING THE FOLLOWING PRETRIAL SCHEDULE: Plaintiffs file any Amended Complaint and any Motion for Preliminary Injunction (leave granted to file 40 page brief) by 9/6/2013; Defendants file Response to Plaintiffs Motion for Preliminary Injunction and Defendants to file any Answer or Motion to Dismiss and/or for Summary Judgment (leave granted to file 50 page brief) by 9/27/2013; Plaintiffs file Preliminary Injunction Reply, Response to Defendants Motion to Dismiss and/or for Summary Judgment, and any Cross–Motion for Summary Judgment (leave granted to file 60 page brief) by 10/11/2013; Defendants file Motion to Dismiss and/or for Summary Judgment Reply and Response to Plaintiffs

		Cross-Motion for Summary Judgment (leave granted to file 50 page brief) by 11/1/2013; Plaintiffs file Cross-Motion for Summary Judgment Reply (leave granted to file 25 page brief) by 11/15/2013. Given the Plaintiffs stated intention to file an Amended Complaint, the Defendants' representation that it has no objection to permitting Plaintiffs to file an Amended Complaint, and the Defendants' intention to withdraw its pending Motion to Dismiss, the Court IS DENYING WITH LEAVE TO RE-FILE the Defendants' <u>24</u> Motion to Dismiss. Should no Amended Complaint be filed as represented, then the Court will consider whether reinstatement of the motion is appropriate. Signed by Judge Jon E DeGuilio on 7/31/2013. (lyb) (Entered: 07/31/2013)
09/03/2013	<u>53</u>	MOTION UNOPPOSED MOTION FOR CLARIFICATION OF SCHEDULING ORDER re <u>52</u> Order Lifting Stay by Plaintiffs Biola University Inc, Grace Schools. (Baylor PHV, Gregory) Modified text on 9/9/2013 to edit title text to reflect document title (kds). (Entered: 09/03/2013)
09/06/2013	<u>54</u>	AMENDED COMPLAINT against All Defendants, filed by Biola University Inc, Grace Schools.(Baylor PHV, Gregory) (Entered: 09/06/2013)
09/06/2013	<u>55</u>	MOTION for Preliminary Injunction by Plaintiffs Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 09/06/2013)
09/06/2013	<u>56</u>	MEMORANDUM in Support of <u>55</u> MOTION for Preliminary Injunction filed by Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 09/06/2013)
09/13/2013	<u>57</u>	ORDER denying <u>53</u> motion for clarification. The Court is not in a position to confirm that it could rule on any summary judgment motion prior to January 1, 2014, but it will make every effort to rule on the requested preliminary injunction (expected to be ripe by October 11, 2013 absent extensions of time) prior to January 1, 2014. Signed by Judge Jon E DeGuilio on 9/13/2013. (saj) (Entered: 09/13/2013)
09/27/2013	<u>58</u>	NOTICE by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury <i>Notice of Filing of Certified Administrative Record</i> (Attachments: # <u>1</u> Exhibit Certification of the Record, # <u>2</u> Exhibit Record Index)(Pollack, Michael) (Entered: 09/27/2013)
09/27/2013	<u>59</u>	RESPONSE to Motion re <u>55</u> MOTION for Preliminary Injunction filed by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Pollack, Michael) (Entered: 09/27/2013)
09/27/2013	<u>60</u>	MOTION to Dismiss for Lack of Jurisdiction , MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <i>or in the alternative</i> , MOTION for Summary Judgment by Defendants Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Pollack, Michael) (Entered: 09/27/2013)
09/27/2013	<u>61</u>	MEMORANDUM in Support of <u>60</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <i>or in the alternative</i> MOTION for Summary Judgment filed by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Attachments: # <u>1</u> Statement of Material Facts)(Pollack, Michael) (Entered: 09/27/2013)
09/30/2013	<u>62</u>	RECEIPT of 3 CDs containing the Administrative Record from Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury, as noted in <u>58</u> Notice (filed on DVD due to the size of the record) (lyb) (Entered: 10/01/2013)
10/01/2013	<u>63</u>	MOTION for Leave to File <i>Amicus Curiae Brief</i> by Amicus American Civil Liberties Union. (Attachments: # <u>1</u> Exhibit Proposed Amicus Brief)(Lee, Jennifer) (Entered: 10/01/2013)
10/07/2013	<u>64</u>	NOTICE of Appearance by Michael A Wilkins on behalf of Liberty, Life, and Law Foundation (Wilkins, Michael) (Entered: 10/07/2013)

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10/07/2013	<u>65</u>	MOTION for Leave to File <i>Amicus Curiae Brief in Support of Plaintiffs' Motion for Preliminary Injunction and in Opposition to Defendants' Motion to Dismiss or, in the Alternative, for Summary Judgment</i> by Amicus Liberty, Life, and Law Foundation. (Wilkins, Michael) (Entered: 10/07/2013)
10/07/2013	<u>66</u>	BRIEF in Support of <u>55</u> MOTION for Preliminary Injunction and in Opposition to <i>Motion to Dismiss or, in the Alternative, for Summary Judgment</i> filed by Liberty, Life, and Law Foundation. (Wilkins, Michael) (Entered: 10/07/2013)
10/08/2013	<u>67</u>	APPLICATION for Attorney Daniel Mach to Appear Pro Hac Vice on behalf of Proposed Amicus Curiae American Civil Liberties Union ; Receipt #3008626. (lyb) (Entered: 10/10/2013)
10/08/2013	<u>68</u>	APPLICATION for Attorney Brigitte Amiri to Appear Pro Hac Vice on behalf of Proposed Amicus Curiae American Civil Liberties Union ; Receipt #3008626. (lyb) (Entered: 10/10/2013)
10/11/2013	<u>69</u>	Cross MOTION for Summary Judgment by Plaintiffs Biola University Inc, Grace Schools. (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit Declaration of Wanda Bollman, # <u>3</u> Exhibit Declaration of Steve Carlson, # <u>4</u> Exhibit Declaration of Tonya Lee Fawcett, # <u>5</u> Exhibit Declaration of John French, # <u>6</u> Exhibit Declaration of Lisa Harman, # <u>7</u> Exhibit Faculty Employment Application, # <u>8</u> Exhibit Staff Employment Application, # <u>9</u> Exhibit Declaration of Dee Anna Muraski, # <u>10</u> Exhibit Declaration of Arielle Peters, # <u>11</u> Exhibit Declaration of Sarah Prater, # <u>12</u> Exhibit Declaration of David Swain, # <u>13</u> Exhibit Declaration of Peter Wolff, # <u>14</u> Exhibit Declaration of Alison Arcadi, # <u>15</u> Exhibit Declaration of Ketha Boespflug, # <u>16</u> Exhibit Declaration of Cynthia Cole, # <u>17</u> Exhibit Declaration of Alanna Godoy, # <u>18</u> Exhibit Declaration of Chris Grace, # <u>19</u> Exhibit Declaration of Ronald Mooradian, # <u>20</u> Exhibit Declaration of Scott Rae, # <u>21</u> Exhibit Declaration of Wendy Walker)(Baylor PHV, Gregory) (Entered: 10/11/2013)
10/11/2013	<u>70</u>	MEMORANDUM in Support of <u>69</u> Cross MOTION for Summary Judgment filed by Biola University Inc, Grace Schools. (Attachments: # <u>1</u> Statement of Material Facts)(Baylor PHV, Gregory) (Entered: 10/11/2013)
10/15/2013	<u>71</u>	ORDER GRANTING <u>67</u> Application to Appear Pro Hac Vice of Attorney Daniel Mach PHV for American Civil Liberties Union. Signed by Magistrate Judge Christopher A Nuechterlein on 10/15/2013. (lyb) (Entered: 10/16/2013)
10/15/2013	<u>72</u>	ORDER GRANTING <u>68</u> Application to Appear Pro Hac Vice of Attorney Brigitte A Amiri PHV for American Civil Liberties Union. Signed by Magistrate Judge Christopher A Nuechterlein on 10/15/2013. (lyb) (Entered: 10/16/2013)
10/24/2013	<u>73</u>	ORDER GRANTING <u>63</u> Motion for Leave to File Amicus Curiae Brief by Amicus American Civil Liberties Union; DEEMING FILED the proposed Amicus Brief originally filed as an Exhibit to <u>63</u> Motion. Signed by Magistrate Judge Christopher A Nuechterlein on 10/24/2013. (lyb) (Entered: 10/25/2013)
10/24/2013	<u>74</u>	AMICUS CURIAE BRIEF by Amicus American Civil Liberties Union. *** FILED PER <u>73</u> Order on Motion for Leave to File (lyb) (Entered: 10/25/2013)
10/28/2013	<u>75</u>	ORDER GRANTING <u>65</u> Motion for Leave to participate as amicus curiae and to file its amicus curiae brief. Signed by Magistrate Judge Christopher A Nuechterlein on 10/28/2013. (lyb) (Entered: 10/28/2013)
11/01/2013	<u>76</u>	REPLY to Response to Motion re <u>60</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , or in the alternative MOTION for Summary Judgment filed by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Pollack, Michael) (Entered: 11/01/2013)
11/01/2013	<u>77</u>	RESPONSE to Motion re <u>69</u> Cross MOTION for Summary Judgment filed by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Attachments: # <u>1</u> Response to Plaintiffs' Statement of Material Facts)(Pollack, Michael) (Entered: 11/01/2013)

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11/15/2013	<u>78</u>	REPLY to Response to Motion re <u>69</u> Cross MOTION for Summary Judgment filed by Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 11/15/2013)
11/18/2013	<u>79</u>	Consent MOTION for Leave to File <i>Sur-Reply</i> by Defendants Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Pollack, Michael) (Entered: 11/18/2013)
11/19/2013	<u>80</u>	ORDER granting <u>79</u> Motion for Leave to File <i>Sur-Reply</i> . <i>Sur-Reply</i> to be filed by 11/25/2013. Signed by Magistrate Judge Christopher A Nuechterlein on 11/19/13. (cck) (Entered: 11/19/2013)
11/25/2013	<u>81</u>	DEFENDANTS <i>SUR-REPLY IN OPPOSITION TO PLAINTIFFS</i> <u>69</u> Cross MOTION for Summary Judgment AND IN SUPPORT OF DEFENDANTS <u>60</u> MOTION to Dismiss or in the alternative for Summary Judgment filed by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Pollack, Michael) Modified text to match document's caption on 11/27/2013 (mc). (Entered: 11/25/2013)
12/12/2013	<u>82</u>	NOTICE by Biola University Inc, Grace Schools <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Zubik v. Sebelius Opinion)(Baylor PHV, Gregory) (Entered: 12/12/2013)
12/13/2013	<u>83</u>	RESPONSE by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury to <u>82</u> Notice (Other) <i>Defendants' Response to Plaintiffs' Notice of Supplemental Authority</i> . (Pollack, Michael) (Entered: 12/13/2013)
12/20/2013	<u>84</u>	NOTICE by Biola University Inc, Grace Schools <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Roman Catholic Archdiocese of NY v. Sebelius Opinion)(Baylor PHV, Gregory) (Entered: 12/20/2013)
12/20/2013	<u>85</u>	RESPONSE by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury to <u>84</u> Notice (Other) , <i>And Additional Notice of Supplemental Authority</i> . (Attachments: # <u>1</u> Exhibit Priests for Life v. HHS)(Pollack, Michael) (Entered: 12/20/2013)
12/23/2013	<u>86</u>	NOTICE by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Notre Dame v. Sebelius, # <u>2</u> Exhibit Archbishop of Washington v. Sebelius)(Pollack, Michael) (Entered: 12/23/2013)
12/23/2013	<u>87</u>	NOTICE by Biola University Inc, Grace Schools re <u>55</u> MOTION for Preliminary Injunction <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Southern Nazarene Univ. v. Sebelius Opinion and Order, # <u>2</u> Exhibit Geneva Coll. v. Sebelius Findings of Fact and Conclusions of Law)(Baylor PHV, Gregory) (Entered: 12/23/2013)
12/24/2013	<u>88</u>	RESPONSE by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury to <u>87</u> Notice (Other), <i>Defendants' Response to Plaintiffs' Notice of Supplemental Authority</i> . (Pollack, Michael) (Entered: 12/24/2013)
12/26/2013	<u>89</u>	NOTICE by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Catholic Diocese of Nashville v. Sebelius)(Pollack, Michael) (Entered: 12/26/2013)
12/27/2013	<u>90</u>	MEMORANDUM OPINION AND ORDER granting <u>55</u> Plaintiffs' Motion for Preliminary Injunction based upon the uncontested and verified allegations of their first amended complaint. Signed by Judge Jon E DeGuilio on 12/27/13. (smp) (Entered: 12/27/2013)

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02/24/2014	<u>91</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>90</u> Order on Motion for Preliminary Injunction, filed by Defendants Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Pollack, Michael) (Entered: 02/24/2014)
02/27/2014	<u>92</u>	Short Record Sent to US Court of Appeals re <u>91</u> Notice of Interlocutory Appeal,. No appeal fees paid (waived). (Attachments: # <u>1</u> Notice of interlocutory appeal, # <u>2</u> Memorandum and Order, # <u>3</u> Docket sheet)(smp) (Entered: 02/27/2014)
03/03/2014	<u>93</u>	USCA Case Number 14-1430 for <u>91</u> Notice of Interlocutory Appeal, filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. (kds) (Entered: 03/05/2014)
05/21/2014	<u>94</u>	MOTION to Withdraw as Attorney <i>Michael C. Pollack</i> by Defendants Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Pollack, Michael) (Entered: 05/21/2014)
05/22/2014	<u>95</u>	ORDER granting <u>94</u> Motion to Withdraw as Attorney. Attorney Michael C Pollack terminated. Approved by Magistrate Judge Christopher A Nuechterlein on 5/22/14. (slm) (Entered: 05/22/2014)
10/29/2014	<u>96</u>	Letter from 7th Circuit Court of Appeals requesting record on appeal. (jld) (Entered: 11/04/2014)
11/05/2014	<u>97</u>	Transmitted Record on Appeal to US Court of Appeals re <u>91</u> Notice of Interlocutory Appeal, (sent on disc via UPS)(jld) (Entered: 11/05/2014)
11/06/2014	<u>98</u>	NOTICE of Docketing Record on Appeal from USCA re <u>91</u> Notice of Interlocutory Appeal, filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. (kds) (Entered: 11/10/2014)
04/13/2015	<u>99</u>	NOTICE of Change of Address by Gregory S Baylor PHV (Baylor PHV, Gregory) (Entered: 04/13/2015)
06/17/2016	<u>100</u>	The Supreme Court remanded this case to the Circuit Court for further proceedings. Circuit Rule 54 requires that counsel for the parties file statements of their positions as to the action which ought to be taken by this Court on remand. (jld) (Entered: 06/20/2016)
09/06/2016		Magistrate Judge Michael G Gotsch, Sr added. Magistrate Judge Christopher A Nuechterlein no longer assigned to case. (slm) (Entered: 09/06/2016)
10/19/2017	<u>101</u>	MANDATE of USCA as to Notice of Interlocutory Appeal <u>91</u> , filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew: Ruling on the MOTION TO DISMISS APPEAL, filed on October 6, 2017, by counsel for the appellants and the RESPONSE OF APPELLEES TO MOTION TO DISMISS APPEAL, filed on October 17, 2017, by counsel for the appellees, IT IS ORDERED that these consolidated appeals are DISMISSED pursuant to Federal Rule of Appellate Procedure 42(b). (Attachments: # <u>1</u> Certified Final Order)(nae) (Entered: 10/20/2017)
10/23/2017	<u>102</u>	NOTICE of Appearance by Emily S Newton AUSA on behalf of All Defendants (Newton AUSA, Emily) (Entered: 10/23/2017)
01/25/2018	<u>103</u>	NOTICE of Deadline: Counsel to file a joint status report by 2/8/2018. This is a text-only entry. (saj) (Entered: 01/25/2018)
01/27/2018	<u>104</u>	MOTION to Withdraw as Attorney <i>by Matthew S. Bowman, formerly appearing</i> by Plaintiffs Biola University Inc, Grace Schools. (Bowman PHV, Matthew) (Entered: 01/27/2018)
01/29/2018	<u>105</u>	ORDER granting <u>104</u> Motion to Withdraw as Attorney. Attorney Matthew S Bowman PHV terminated. Approved by Magistrate Judge Michael G Gotsch, Sr on 1/29/18. (slm) (Entered: 01/29/2018)

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02/08/2018	<u>106</u>	STATUS REPORT by United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Newton – AUSA, Emily) (Entered: 02/08/2018)
02/09/2018	107	ORDER STAYING CASE – Case stayed by agreement of the parties given their desire to further consider the appropriate resolution of the case. The parties are to file a joint status report by 4/9/2018. This is a text–only order by Judge Jon E DeGuilio on 2/9/2018. (saj) (Entered: 02/09/2018)
04/09/2018	<u>108</u>	STATUS REPORT by United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Newton – AUSA, Emily) (Entered: 04/09/2018)
04/12/2018	109	ORDER – Telephonic Status Conference set for 4/26/2018 11:30 AM (EST) before Judge Jon E DeGuilio. The Court will initiate the call to attorneys Baylor and Newton. This is a text–only order by Judge Jon E DeGuilio on 4/12/2018. (saj) (Entered: 04/12/2018)
04/19/2018	<u>110</u>	MOTION for Permanent Injunction <i>and Declaratory Relief</i> by Plaintiffs Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 04/19/2018)
04/23/2018	<u>111</u>	Joint MOTION to Vacate 109 Order, Set Hearings by Defendants United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Newton – AUSA, Emily) (Entered: 04/23/2018)
04/25/2018	112	ORDER – The <u>111</u> Joint MOTION to Vacate is GRANTED and the telephonic status conference set for 4/26/2018 is hereby VACATED. This is a text–only order by Judge Jon E DeGuilio on 4/25/2018. (saj) (Entered: 04/25/2018)
05/03/2018	<u>113</u>	RESPONSE to Motion re <u>110</u> MOTION for Permanent Injunction <i>and Declaratory Relief</i> filed by United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Newton – AUSA, Emily) (Entered: 05/03/2018)
06/01/2018	<u>114</u>	ORDER OF PERMANENT INUNCTION AND DECLARATORY RELIEF re <u>110</u> Motion for Permanent Injunction. Signed by Judge Jon E DeGuilio on 6/1/2018. (tc) (Entered: 06/04/2018)
06/04/2018	<u>115</u>	CLERK'S ENTRY OF JUDGMENT. (tc) (Entered: 06/04/2018)
07/17/2018	<u>116</u>	Consent MOTION for Extension of Time to File <i>Petition for Attorneys' Fees and Costs</i> by Plaintiffs Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 07/17/2018)
07/17/2018	117	ORDER granting <u>116</u> Consented Motion for Extension of Time to File. Plaintiff's petition for attorneys' fees and costs is now due by 8/20/2018. This is a text–only order by Judge Jon E DeGuilio on 7/17/2018. (saj) (Entered: 07/17/2018)
08/15/2018	<u>118</u>	Consent MOTION for Extension of Time to File <i>Petition for Attorneys' Fees and Costs</i> by Plaintiffs Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 08/15/2018)
08/15/2018	119	ORDER granting <u>118</u> Consented Motion for Extension of Time to File. Plaintiff's petition for attorneys' fees and costs is now due by 9/19/2018.. This is a text–only order by Judge Jon E DeGuilio on 8/15/2018. (saj) (Entered: 08/15/2018)
09/18/2018	<u>120</u>	Consent MOTION for Extension of Time to File <i>Petition for Attorneys' Fees and Costs</i> by Plaintiffs Biola University Inc, Grace Schools. (Baylor PHV, Gregory) (Entered: 09/18/2018)
09/18/2018	121	ORDER granting <u>120</u> Consented Motion for Extension of Time to File. Plaintiff's petition for attorneys' fees and costs is now due by 10/3/2018. This is a text–only order by Judge Jon E DeGuilio on 9/18/2018. (saj) (Entered: 09/18/2018)
10/03/2018	<u>122</u>	NOTICE of Settlement of <i>Attorneys' Fees and Expenses</i> by Biola University Inc, Grace Schools (Baylor PHV, Gregory) (Entered: 10/03/2018)