

**General Docket  
Seventh Circuit Court of Appeals**

<b>Court of Appeals Docket #:</b> 13-3853 <b>Nature of Suit:</b> 2440 Other Civil Rights University of Notre Dame v. Thomas E. Price, et al <b>Appeal From:</b> Northern District of Indiana, South Bend Division <b>Fee Status:</b> Paid	<b>Docketed:</b> 12/23/2013 <b>Termed:</b> 10/17/2017
<b>Case Type Information:</b> 1) civil 2) us 3) -	
<b>Originating Court Information:</b> <b>District:</b> 0755-3 : <a href="#">3:13-cv-01276-PPS-CAN</a> <b>Court Reporter:</b> Sharon Boleck-Mroz, Court Reporter <b>Trial Judge:</b> Philip P. Simon, District Court Judge <b>Date Filed:</b> 12/03/2013 <b>Date Order/Judgment:</b> 12/20/2013 <span style="float: right;"><b>Date NOA Filed:</b> 12/20/2013</span>	
<b>Prior Cases:</b> None	
<b>Current Cases:</b> None	

UNIVERSITY OF NOTRE DAME Plaintiff - Appellant	Matthew A. Kairis, Attorney Direct: 614-469-3939 [COR LD NTC Retained] JONES DAY Suite 600 325 John H. McConnell Boulevard Columbus, OH 43215-2673
v.	
KATHLEEN SEBELIUS, in her official capacity as Secretary of the U.S. Department of Health and Human Services <b>Terminated:</b> 10/06/2014 Defendant - Appellee	
SYLVIA MATHEWS BURWELL, in her official capacity as Secretary of the U.S. Department of Health and Human Services <b>Terminated:</b> 02/02/2017 Defendant - Appellee	
NORRIS W. COCHRAN, Acting Secretary of the United States Department of Health and Human Services <b>Terminated:</b> 02/17/2017 Defendant - Appellee	
THOMAS E. PRICE, Secretary of the United States Department of Health and Human Services Defendant - Appellee	Adam C. Jed, Attorney [COR LD NTC Government Federal] DEPARTMENT OF JUSTICE Civil Division, Appellate Staff 950 Pennsylvania Avenue N.W. Washington, DC 20530-0000  Alisa B. Klein, Attorney [COR LD NTC Government Federal] DEPARTMENT OF JUSTICE Civil Division, Appellate Staff 950 Pennsylvania Avenue N.W. Washington, DC 20530-0000  Mark B. Stern, Attorney

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950 Pennsylvania Avenue N.W.  
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JACOB J. LEW, in his official capacity as Secretary of the U.S.  
Department of the Treasury  
**Terminated:** 02/02/2017  
Defendant - Appellee

ADAM J. SZUBIN, Acting Secretary of the Treasury  
**Terminated:** 02/17/2017  
Defendant - Appellee

STEVEN T. MNUCHIN, Secretary of the Treasury  
Defendant - Appellee

Adam C. Jed, Attorney  
[COR LD NTC Government Federal]  
(see above)

Alisa B. Klein, Attorney  
[COR LD NTC Government Federal]  
(see above)

Mark B. Stern, Attorney  
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Megan Barbero, Attorney  
[NTC Government Federal]  
(see above)

Laura Myron, Attorney  
[COR NTC Government Federal]  
(see above)

Patrick Nemeroff, Attorney  
[NTC Government Federal]  
(see above)

Joshua Marc Salzman, Attorney  
[NTC Government Federal]  
(see above)

THOMAS E. PEREZ, in his official capacity as Secretary of the U.S. Department of Labor

**Terminated:** 02/02/2017

Defendant - Appellee

EDWARD C. HUGLER, Acting Secretary of Labor

**Terminated:** 05/04/2017

Defendant - Appellee

R. ALEXANDER ACOSTA, Secretary of Labor

Defendant - Appellee

Adam C. Jed, Attorney  
[COR LD NTC Government Federal]  
(see above)

Alisa B. Klein, Attorney  
[COR LD NTC Government Federal]  
(see above)

Mark B. Stern, Attorney  
[COR LD NTC Government Federal]  
(see above)

Megan Barbero, Attorney  
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(see above)

Laura Myron, Attorney  
[COR NTC Government Federal]  
(see above)

Patrick Nemeroff, Attorney  
[NTC Government Federal]  
(see above)

Joshua Marc Salzman, Attorney  
[NTC Government Federal]  
(see above)

UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES

Defendant - Appellee

Adam C. Jed, Attorney  
[COR LD NTC Government Federal]  
(see above)

Alisa B. Klein, Attorney  
[COR LD NTC Government Federal]  
(see above)

Mark B. Stern, Attorney  
[COR LD NTC Government Federal]  
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Megan Barbero, Attorney  
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Laura Myron, Attorney  
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(see above)

Joshua Marc Salzman, Attorney  
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UNITED STATES DEPARTMENT OF LABOR

Defendant - Appellee

Adam C. Jed, Attorney  
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Alisa B. Klein, Attorney  
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(see above)

Mark B. Stern, Attorney  
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Megan Barbero, Attorney  
[NTC Government Federal]  
(see above)

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Patrick Nemeroff, Attorney  
[NTC Government Federal]  
(see above)

Joshua Marc Salzman, Attorney  
[NTC Government Federal]  
(see above)

UNITED STATES DEPARTMENT OF THE TREASURY  
Defendant - Appellee

Adam C. Jed, Attorney  
[COR LD NTC Government Federal]  
(see above)

Alisa B. Klein, Attorney  
[COR LD NTC Government Federal]  
(see above)

Mark B. Stern, Attorney  
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Patrick Nemeroff, Attorney  
[NTC Government Federal]  
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Joshua Marc Salzman, Attorney  
[NTC Government Federal]  
(see above)

-----  
JANE DOE 1  
**Terminated:** 04/09/2015  
Intervenor - Appellee

JANE DOE 2  
**Terminated:** 04/09/2015  
Intervenor - Appellee

JANE DOE 3  
Intervenor - Appellee

Richard Brian Katskee, Attorney  
Direct: 202-466-3234  
[COR LD NTC Retained]  
AMERICANS UNITED FOR SEPARATION OF CHURCH AND  
STATE  
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ANN DOE

Intervenor - Appellee

Richard Brian Katskee, Attorney

Direct: 202-466-3234

[COR LD NTC Retained]

(see above)

UNIVERSITY OF NOTRE DAME,  
Plaintiff - Appellant

v.

THOMAS E. PRICE, Secretary of the United States Department of Health & Human Services, et al.,  
Defendants - Appellees

and


JANE DOE 3, et al.,  
Intervening Appellees



- 12/23/2013  [1](#) U.S. civil case docketed. Fee due. Docketing statement filed. Transcript information sheet due by 01/06/2014. Fee or IFP forms due on 01/06/2014 for Appellant University of Notre Dame. [1] [6540466] [13-3853] (AD)  
63 pg, 491.26 KB
- 12/23/2013  [2](#) Disclosure Statement filed by Attorney Matthew A. Kairis for Appellant University of Notre Dame. [2] [6540476] (L-Yes; E-Yes; R-No) [13-3853] (Kairis, Matthew)  
1 pg, 60.52 KB
- 12/23/2013  [3](#) Emergency motion filed by Appellant University of Notre Dame for injunction pending appeal. [3] [6540478] [13-3853] (JR)  
138 pg, 3.23 MB
- 12/23/2013  [4](#) Filed Seventh Circuit Transcript Information Sheet by Appellant University of Notre Dame. [4] [6540482] [13-3853] (Kairis, Matthew)  
2 pg, 147.7 KB
- 12/23/2013  [5](#) Attorney Michael C. Pollack for TREA, LABR, HHS, Kathleen Sebelius, Thomas E. Perez and Jacob J. Lew in 13-3853 terminated and added Attorney(s) Adam C. Jed, Mark B. Stern, Alisa B. Klein for party(s) Appellee LABR Appellee HHS Appellee Thomas E. Perez Appellee TREA Appellee Jacob J. Lew Appellee Kathleen Sebelius, in case 13-3853 per disclosure statement. Disclosure statement filed by Attorney(s) Adam C. Jed, Mark B. Stern, Alisa B. Klein for party(s) Appellee LABR Appellee HHS Appellee Thomas E. Perez Appellee TREA Appellee Jacob J. Lew Appellee Kathleen Sebelius, in case 13-3853. [5] [6540489] (L-Yes; E-Yes; R-Yes) [13-3853]--[Edited 12/23/2013 by SM to reflect added attorney.] (Klein, Alisa)  
6 pg, 1.26 MB
- 12/23/2013  [6](#) ORDER: Filed clerk's notice to Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA to file a response to APPELLANT UNIVERSITY OF NOTRE DAME'S EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL. Response due for Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, United States Department of Health & Human Services, United States Department of Labor and United States Department of the Treasury by 12/27/2013 at noon. MJS [6] [6540527] [13-3853] (AD)  
1 pg, 95.58 KB
- 12/23/2013  [7](#) Notice to appellant VACATING the 12/23/2013 Circuit Rule 3(b) 14 day notice to file a motion to proceed in forma pauperis with the District Court Court or pay the docketing fee in the District Court. The notice was erroneously issued. The docketing fee was paid on 12/20/2013 by the appellant (see receipt #0755-2243817). The appellant's brief will be due on or before 02/03/2014 for the University of Notre Dame. [7] [6540564] [13-3853] (JR)  
1 pg, 88.23 KB
- 12/23/2013  [8](#) Filed Appellant University of Notre Dame Citation of Additional Authority, per Circuit Rule 28(e). [8] [6540647] [13-3853] (Kairis, Matthew)  
57 pg, 1.05 MB
- 12/27/2013  [9](#) Filed Response in Opposition by Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA to Emergency Motion for Injunction Pending Appeal. [9][6541175] [13-3853] (Jed, Adam)  
22 pg, 202.96 KB
- 12/27/2013  [10](#) Filed Reply by Appellant University of Notre Dame Attorney Matthew A. Kairis to Appellee's response to Appellant's emergency motion for an injunction pending appeal. [10][6541338] [13-3853] (Kairis, Matthew)  
13 pg, 181.9 KB
- 12/30/2013  [11](#) Order re: 1. Appellant University of Notre Dame's emergency motion for injunction pending appeal. 2. Opposition to plaintiffs' emergency motion for an injunction pending appeal. The emergency motion for an injunction pending appeal is DENIED. Briefing in the appeal is EXPEDITED and will proceed as follows: [3] 1. Appellant's brief due on or before 01/13/2014 for University of Notre Dame. 2. Appellees' brief due on or before 01/27/2014 for Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, United States Department of Health & Human Services, United States Department of Labor and United States Department of the Treasury. 3. Appellant's reply brief, if any, is due on or before 02/03/2014 for Appellant University of Notre Dame. No extensions of time to file the briefs will be granted. Paper copies of the reply brief, if any, must be submitted to the clerk's office on the due date. Oral argument in the appeal will be scheduled during mid-February. JKL [11] [6541468] [13-3853] (CD)  
2 pg, 109.38 KB
- 01/08/2014  [12](#) Filed Non-Party Motion of Jane Does 1-3 to Intervene as Appellees, to Proceed Using Pseudonyms, and for Expedited Ruling by Jane Does 1-3. [6543273] [13-3853] [6543273] [13-3853] (Khan, Ayesha)  
35 pg, 361.87 KB
- 01/09/2014  [13](#) ORDER: Appellant and Appellees shall respond to the motion to intervene on, or before, January 13, 2014. Regardless of this court's ultimate decision on the motion to intervene, the proposed intervenors will, at a minimum, be permitted to file an amicus brief. [13] MJS [6543570] [13-3853] (AM)  
1 pg, 96.66 KB
- 01/09/2014  [14](#) Notice to the District Court to transmit the record on appeal. [14] [6543573] [13-3853] (RS)  
1 pg, 86.37 KB
- 01/09/2014  [15](#) Argument set for Wednesday, February 12, 2014, at 9:30 a.m. in the Main Courtroom, Room 2721. Each side limited to 25 minutes. [15] [6543583] [13-3853] (RS)  
4 pg, 138.35 KB
- 01/13/2014  [16](#) Filed Response by Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA to Motion to Intervene. [16][6544298] [13-3853] (Jed, Adam)  
2 pg, 74.46 KB
- 01/13/2014  [17](#) Filed Response by Appellant University of Notre Dame to Proposed intervenors' motion to intervene. [17] [6544523] [13-3853] (Kairis, Matthew)  
23 pg, 158.05 KB
- 01/13/2014  [18](#) Submitted appellant brief by Matthew A. Kairis for Appellant University of Notre Dame. [18] [6544571] [13-3853] (Kairis, Matthew)  
233 pg, 5.93 MB

- 01/13/2014  [20](#) Appellant's brief filed by Appellant University of Notre Dame. Paper copies due on 01/21/2014 Electronically Transmitted. [20] [6544910] [13-3853] (SP)  
108 pg, 998.3 KB
- 01/13/2014  [21](#) Filed Appendix by Appellant University of Notre Dame. [21] [6544911] Paper copies due on 01/21/2014 [13-3853] (SP)  
125 pg, 5.28 MB
- 01/14/2014  [19](#) Filed Non-Party Reply of Jane Does 1-3 ~~en~~ in support of Motion to Intervene and to Proceed Using Pseudonyms by Jane Does 1-3. [6544802] [13-3853]--[Edited 01/14/2014 by ER - to reflect in support] (Khan, Ayesha)  
12 pg, 447.12 KB
- 01/14/2014  [22](#) ORDER: The intervenors' request to litigate anonymously is GRANTED to the extent that the intervenors may proceed in this matter under the pseudonyms Jane Doe 1, Jane Doe 2, and Jane Doe 3. IT IS FURTHER ORDERED that the motion to intervene as appellees is GRANTED. Jane Does 1-3 are granted leave to proceed as intervening appellees. Their brief shall be due on or before January 27, 2014. [12] [12] MJS [22] [6544934] [13-3853] (ER)  
2 pg, 118.12 KB
- 01/15/2014  [23](#) Original record on appeal filed electronically. Contents of record : 1 vol. of pleadings. [23] [6545214] [13-3853] (GW)  
896 pg, 9.97 MB
- 01/15/2014  24 Filed electronic transcript of proceedings held on 12/19/13. [24] [6545218] THIS TRANSCRIPT IS FOR INTERNAL COURT USE ONLY. Remote electronic access to the transcript is ONLY available through the District Court's PACER system. [13-3853] (GW)
- 01/17/2014  [25](#) Motion filed by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 to add Jane Doe 4 as pseudonymous intervenor and for expedited briefing and ruling on motion. [25] [6545815] [13-3853] (Khan, Ayesha)  
12 pg, 372.35 KB
- 01/17/2014  [26](#) Order issued DENYING motion to add Jane Doe 4 as pseudonymous intervenor and for expedited briefing and ruling, [25] MJS [26] [6546009] [13-3853] (FP)  
1 pg, 96.53 KB
- 01/20/2014  [27](#) Motion filed by Appellant University of Notre Dame Motion for Limited Remand to Seek Discovery and Supplement the Record, or in the Alternative, to Dismiss. [27] [6546140] [13-3853] (Kairis, Matthew)  
12 pg, 111.54 KB
- 01/21/2014  [28](#) Filed Response by Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA to Motion for Limited Remand or to Dismiss the Appeal. [28][6546450] [13-3853] (Jed, Adam)  
5 pg, 109.06 KB
- 01/22/2014  [29](#) Filed Response in Opposition by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 to Motion for Limited Remand to Seek Discovery and Supplement the Record, or in the Alternative, to Dismiss. [29][6546594] [13-3853] (Khan, Ayesha)  
11 pg, 199.65 KB
- 01/22/2014  [30](#) Filed Reply by Appellant University of Notre Dame to Plaintiff-Appellant's motion for limited remand to seek discovery and supplement the record, or in the alternative, to dismiss. [30][6546785] [13-3853] (Kairis, Matthew)  
5 pg, 94.06 KB
- 01/22/2014  31 THIS ENTRY HAS BEEN REMOVED AS ENTERED IN ERROR. (AD)
- 01/22/2014  [32](#) ORDER re: 1) Plaintiff-Appellant's Motion for Limited Remand to Seek Discovery and Supplement the Record, or in the Alternative, to Dismiss. 2) Government's Response to Notre Dame's Motion for Limited Remand Or, in the Alternative, to Dismiss its Appeal. 3) Intervenors-Appellees' Opposition to Plaintiff-Appellant's Motion for Limited Remand to Seek Discovery and Supplement the Record, or in the Alternative, to Dismiss. 4) Plaintiff-Appellant's Reply in Support of its Motion for Limited Remand to Seek Discover and Supplement the Record, or in the Alternative, to Dismiss. The appellant (University of Notre Dame) has moved for a limited remand or, in the alternative, dismissal of its appeal from the denial of a preliminary injunction. The motion is taken under advisement. The appeal will be argued as scheduled on February 12. MJS [32] [6546915] [13-3853] (AD)  
2 pg, 97.99 KB
- 01/27/2014  [33](#) Submitted appellee brief by Adam C. Jed for Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA. [33] [6548067] [13-3853] (Jed, Adam)  
48 pg, 395.38 KB
- 01/27/2014  [34](#) Submitted intervenor brief by Ayesha N. Khan for Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3. [34] [6548083] [13-3853] (Khan, Ayesha)  
72 pg, 223.41 KB
- 01/27/2014  [36](#) Appellee's brief filed by Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA. Paper copies due on 02/04/2014 Electronically Transmitted. [36] [6548135] [13-3853] (RT)  
48 pg, 335.44 KB
- 01/27/2014  [37](#) Intervenor brief filed by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3. Paper copies due on 02/04/2014 Electronically Transmitted. [37] [6548137] [13-3853] (RT)  
72 pg, 233.76 KB
- 01/28/2014  [35](#) Motion filed by Appellant University of Notre Dame Renewed Motion for Injunction Pending Appeal. [35] [6548113] [13-3853]--[Edited 01/28/2014 by ER - Exhibit A attached] (Kairis, Matthew)  
7 pg, 144.88 KB
- 01/28/2014  [38](#) ORDER: Filed clerk's notice to Appellees Jane Doe 1, Jane Doe 2, Jane Doe 3, Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA to file a response to PLAINTIFF-APPELLANT'S RENEWED MOTION FOR INJUNCTION PENDING APPEAL. Response due for Appellees Jane Doe 1, Jane Doe 2, Jane Doe 3, Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, United States Department of Health & Human Services, United States Department of Labor and United States Department of the Treasury by 02/04/2014. JKL [38] [6548306] [13-3853] (AD)  
1 pg, 96.31 KB




- 01/28/2014  [39](#) Motion filed by Appellant University of Notre Dame for Increased Word Limit for Reply Brief. [39] [6548318] [13-3853] (Kairis, Matthew)  
4 pg, 82 KB
- 01/28/2014  [40](#) Order issued GRANTING Plaintiff-Appellant's Motion for Increased Word Limit for Reply Brief. Appellant may file a reply brief containing up to 10,000 words. [39] MJS [40] [6548399] [13-3853] (AD)  
1 pg, 95.96 KB
- 02/03/2014  [41](#) Motion filed by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 for Enlarged and Divided Oral Argument. [41] [6549536] [13-3853] (Khan, Ayesha)  
4 pg, 32.84 KB
- 02/03/2014  [42](#) Submitted appellant reply brief by Matthew A. Kairis for Appellant University of Notre Dame. [42] [6549679] [13-3853] (Kairis, Matthew)  
49 pg, 230.96 KB
- 02/03/2014  [43](#) Appellant's reply brief filed by Appellant University of Notre Dame. Paper copies due on 02/10/2014 Electronically Transmitted. [43] [6549684] [13-3853] (RS)  
49 pg, 281.52 KB
- 02/03/2014  [44](#) ORDER re: Intervenor-appellees' motion for enlarged and divided oral argument, filed on 2/3/14. The motion is GRANTED. The total allotted time for oral argument on February 12, 2014, is increased to 30 minutes per side. Intervenor are granted leave to participate in the oral argument, using 10 minutes of the argument time allotted to appellees. [41]MJS [44] [6549701] [13-3853] (FP)  
1 pg, 95.61 KB
- 02/04/2014  [45](#) Filed Response in Opposition by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 to Plaintiff-Appellant's Renewed Motion for Injunction Pending Appeal. [45][6550070] [13-3853] (Khan, Ayesha)  
21 pg, 5.5 MB
- 02/04/2014  [46](#) Filed Response in Opposition by Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA to Appellant's Renewed Motion for an Injunction Pending Appeal. [46][6550082] [13-3853] (Jed, Adam)  
8 pg, 138.08 KB
- 02/05/2014  [47](#) ORDER: 1. MOTION FOR INJUNCTION PENDING APPEAL, filed on 1/28/14. 2. INTERVENORS-APPELLEES' OPPOSITION TO PLAINTIFF-APPELLANT'S RENEWED MOTION FOR INJUNCTION PENDING APPEAL, filed on 2/4/14. 3. GOVERNMENT'S OPPOSITION TO NOTRE DAME'S RENEWED MOTION FOR INJUNCTION PENDING APPEAL, filed on 2/4/14. The plaintiff-appellant's renewed motion for injunction pending appeal and the responses to the motion are taken with the case for determination by the assigned merits panel. JKL [47] [6550260] [13-3853] (FP)  
40 pg, 8.58 MB
- 02/06/2014  [48](#) Received argument confirmation from Matthew A. Kairis for Appellant University of Notre Dame. [48] [6550659] [13-3853] (Kairis, Matthew)  
1 pg, 96.74 KB
- 02/06/2014  [49](#) Received argument confirmation from Mark B. Stern for Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA. [49] [6550679] [13-3853] (Stern, Mark)  
1 pg, 19.98 KB
- 02/06/2014  [50](#) Received argument confirmation from Ayesha N. Khan for Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3. [50] [6550722] [13-3853] (Khan, Ayesha)  
1 pg, 246.69 KB
- 02/12/2014  51 Case heard and taken under advisement by panel: Richard A. Posner, Circuit Judge; Joel M. Flaum, Circuit Judge and David F. Hamilton, Circuit Judge. [51] [6551939] [13-3853] (RS)
- 02/12/2014  52 Case argued by Mr. Matthew A. Kairis for Appellant University of Notre Dame, Ms. Ayesha N. Khan for Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 and Mark B. Stern for Appellees LABR, HHS, TREA, Kathleen Sebelius, Jacob J. Lew and Thomas E. Perez. [52] [6551943] [13-3853] (RS)
- 02/21/2014  [53](#) Filed opinion of the court by Judge Posner. **AFFIRMED**. We **DENY** the renewed motion for an injunction pending appeal as moot because the appeal has been resolved. Richard A. Posner, Circuit Judge; Joel M. Flaum, Circuit Judge, dissenting and David F. Hamilton, Circuit Judge. [53] [6554351] [13-3853] (AD)  
44 pg, 292.44 KB
- 02/21/2014  [54](#) ORDER: Final judgment filed per opinion. With costs: yes. [54] [6554353] [13-3853] (AD)  
1 pg, 862.64 KB
- 02/21/2014  [102](#) INTERNET CITATION NOTE: Material from decision with internet citation. ATTACHED. [102] [13-3853] (BF)  
82 pg, 2.84 MB
- 02/21/2014  [103](#) INTERNET CITATION NOTE: Material from decision with internet citation. ATTACHED. Judge Flaum Dissent. [103] [13-3853] (BF)  
1 pg, 255.53 KB
- 04/04/2014  [55](#) Submitted petition for rehearing en banc by Matthew A. Kairis for Appellant University of Notre Dame. [55] [6564997] [13-3853] (Kairis, Matthew)  
22 pg, 162.01 KB
- 04/04/2014  [56](#) Filed Petition for Rehearing and Petition for Rehearing En Banc by Appellant University of Notre Dame. Paper copies due on 04/07/2014 [56] [6565061] [13-3853] (SK)  
22 pg, 184.98 KB
- 04/08/2014  [57](#) Sent clerk's copy of request to Appellees requesting 30 copies of their answer to the Petition for Rehearing and Petition for Rehearing En Banc filed by Appellant on 04/04/2014. Answer to Petition for Rehearing due for Appellees by 04/22/2014. [6565703] [13-3853] (AM)  
1 pg, 863.01 KB
- 04/22/2014  [58](#) Submitted answer to petition for rehearing en banc by Ayesha N. Khan for Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3. [58] [6570147] [13-3853] (Khan, Ayesha)  
24 pg, 101.21 KB
- 04/22/2014  [59](#) Submitted answer to petition for rehearing en banc by Adam C. Jed for Appellees Jacob J. Lew, Thomas E.

- 23 pg, 289.6 KB Perez, Kathleen Sebelius, HHS, LABR and TREA. [59] [6570152] [13-3853] (Jed, Adam)
- 04/22/2014  [60](#) Filed Answer to Petition for Rehearing and Petition for Rehearing Enbanc by Appellees Jacob J. Lew, Thomas E. Perez, Kathleen Sebelius, HHS, LABR and TREA, per order. [60] [6570174] Paper copies due on 04/25/2014 [13-3853] (RS)  
23 pg, 219.61 KB
- 04/22/2014  [61](#) Brief deficiency letter sent to Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3. [61] [6570231] [13-3853] (SK)  
2 pg, 93.94 KB
- 04/22/2014  [63](#) Filed Answer to Petition for Rehearing and Petition for Rehearing Enbanc by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3. [63] [6570433] Paper copies due on 04/25/2014 [13-3853] (SK)  
24 pg, 108.54 KB
- 04/23/2014  [62](#) Submitted answer to petition for rehearing enbanc by Ayesha N. Khan for Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3. [62] [6570428] [13-3853] (Khan, Ayesha)  
24 pg, 101.96 KB
- 05/07/2014  [64](#) ORDER: Appellant University of Notre Dame Petition for Rehearing and Petition for Rehearing Enbanc is DENIED. \* Judge Williams did not participate in consideration of whether to rehear the case en banc. [64] [6573784] [13-3853] (FP)  
1 pg, 102.35 KB
- 05/15/2014  [65](#) Mandate issued. No record to be returned. [65] [6575719] [13-3853] (SK)  
2 pg, 90.34 KB
- 05/15/2014   FOR COURT USE ONLY: Certified copy of 02/21/2014 Final Order with Mandate sent to the District Court Clerk. [6575722-2] [6575722] [13-3853] (SK)  
48 pg, 1.73 MB
- 06/24/2014  [66](#) Notice from the Supreme Court that a motion for extension of time to file a Petition for Writ of Certiorari has been GRANTED extending such time to 10/04/2014. [66] [6585128] [13-3853] (AM)  
2 pg, 56.17 KB
- 10/06/2014  67 Appellee Kathleen Sebelius has been substituted by Appellee Sylvia Mathews Burwell in 13-3853, pursuant to FRAP 43(c). [67] [6611035] [13-3853] (JR)
- 10/06/2014  [68](#) Filed notice from the Supreme Court of the filing of a Petition for Writ of Certiorari. 14-392 [68] [6611036] [13-3853] (JR)  
1 pg, 54.1 KB
- 03/09/2015  [69](#) Filed order from the Supreme Court GRANTING the Petition for Writ of Certiorari. 14-392. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of Burwell v. Hobby Lobby Stores, Inc., 573 U. S. \_\_\_\_ (2014). The judgment or mandate of this Court will not issue for at least twenty-five days pursuant to Rule 45. Should a petition for rehearing be filed timely, the judgment or mandate will be further stayed pending this Court's action on the petition for rehearing. [69] [6646653] [13-3853] (FP)  
1 pg, 63.33 KB
- 03/13/2015  [70](#) ORDER: The parties file statements of position in light of the Supreme Court's order dated March 9, 2015, granting the petition for a writ of certiorari, vacating this court's judgment, and remanding the case to this court for further consideration in light of Burwell v. Hobby Lobby Stores, Inc., 134 S. Ct. 2751, 573 U.S. \_\_\_\_ (2014). University of Notre Dame v. Burwell, No. 14-392 (Mar. 9, 2015). The parties' statements of position are due by April 7, 2015. JKL [70] [6647860] [13-3853] (AD)  
1 pg, 862.76 KB
- 03/13/2015  [71](#) Argument set for Wednesday, April 22, 2015, at 2:30 p.m. in the Main Courtroom, Room 2721. Each side limited to 20 minutes. [71] [6647905] [13-3853] (RS)  
2 pg, 91.5 KB
- 04/07/2015  [72](#) Filed Statement of position by Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA to respond to court order of 3/13/2015. [72][6653576] [13-3853] (Klein, Alisa)  
9 pg, 113.32 KB
- 04/07/2015  [73](#) Filed Circuit Rule 54 Statement of Position by Appellant University of Notre Dame , as ordered by this court. [73] [6653611] [13-3853] (Kairis, Matthew)  
20 pg, 129.33 KB
- 04/07/2015  [74](#) Filed Statement of position by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 to to respond to court order of 3/13/2015. [74][6653632] [13-3853] (Khan, Ayesha)  
17 pg, 89.82 KB
- 04/07/2015  [75](#) Motion filed by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 to withdraw Jane Does 1 & 2. [75] [6653638] [13-3853] (Khan, Ayesha)  
5 pg, 48 KB
- 04/07/2015  [76](#) Motion filed by Appellees Jane Doe 1, Jane Doe 2 and Jane Doe 3 to participate in oral argument. [76] [6653647] [13-3853] (Khan, Ayesha)  
4 pg, 37.87 KB
- 04/09/2015  [77](#) ORDER: 1. Motion to withdraw Jane Does 1 & 2, filed on 4/7/2015. 2. Motion for divided oral argument, filed April 7, 2015. The motion to withdraw Jane Does 1 and 2 is GRANTED. The clerk of this court shall remove Jane Does 1 and 2 from the court's docket. Further, the motion for divided oral argument is GRANTED. Jane Doe 3 may use 5 minutes of the appellees' 20 minutes of argument time. [75] [76] MJG [77] [6654069] [13-3853] (FP)  
2 pg, 93.02 KB
- 04/10/2015  [78](#) Filed Supreme Court judgment in 14-392. 04/10/2015, The petition for writ of certiorari is GRANTED. The judgment is VACATED with costs, and the case is REMANDED to the United States Court of Appeals for the Seventh Circuit for further consideration in light of Burwell v. Hobby Lobby Stores, Inc., 573 U.S. \_\_\_\_ (2014). University of Notre Dame shall recover from Sylvia Burwell, Secretary of Health and Human Services, et al. \$300.00 for costs herein expended. [78] [6654484] [13-3853] (CD)  
3 pg, 136.75 KB

- 04/13/2015  [79](#) Received argument confirmation from Matthew A. Kairis for Appellant University of Notre Dame. [79] [6654917] [13-3853] (Kairis, Matthew)  
1 pg, 247.92 KB
- 04/13/2015  [80](#) Received argument confirmation from Mark B. Stern for Appellee Sylvia Mathews Burwell. [80] [6655122] [13-3853] (Stern, Mark)  
1 pg, 246.71 KB
- 04/15/2015  [81](#) Received argument confirmation from Ayesha N. Khan for Appellee Jane Doe 3. [81] [6655731] [13-3853] (Khan, Ayesha)  
1 pg, 235.42 KB
- 04/17/2015  [82](#) Mandate issued only as to Jane Doe 1 and Jane Doe 2. [82] [6656310] [13-3853] (SP)  
2 pg, 90.18 KB
- 04/17/2015   FOR COURT USE ONLY: Certified copy of 04/09/2015 Order Dismissing a Party with Mandate sent to the District Court Clerk. [6656317-2] [6656317] [13-3853] (SP)  
4 pg, 202.99 KB
- 04/22/2015  83 Case heard and taken under advisement by panel: Richard A. Posner, Circuit Judge; Joel M. Flaum, Circuit Judge and David F. Hamilton, Circuit Judge. [83] [6657548] [13-3853] (LJ)
- 04/22/2015  84 Case argued by Mr. Matthew A. Kairis for Appellant University of Notre Dame, Ms. Ayesha N. Khan, Esq. for Appellee Jane Doe 3 and Mark B. Stern for Appellees LABR, HHS, TREA, Jacob J. Lew, Thomas E. Perez and Sylvia Mathews Burwell. [84] [6657549] [13-3853] (LJ)
- 05/19/2015  [85](#) Filed opinion of the court by Judge Posner. AFFIRMED. Richard A. Posner, Circuit Judge; Joel M. Flaum, Circuit Judge, dissenting, and David F. Hamilton, Circuit Judge, concurring. [85] [6663997] [13-3853] (FP)  
50 pg, 319.94 KB
- 05/19/2015  [86](#) ORDER: Final judgment filed per opinion. With costs: yes. [86] [6664000] [13-3853] (FP)  
1 pg, 606.51 KB
- 05/19/2015  [101](#) INTERNET CITATION NOTE: Material from decision with internet citation. ATTACHED. [101] [13-3853] (BF)  
64 pg, 3.25 MB
- 07/02/2015  [87](#) Submitted petition for rehearing en banc by Matthew A. Kairis for Appellant University of Notre Dame. [87] [6674977] [13-3853] (Kairis, Matthew)  
22 pg, 162.2 KB
- 07/02/2015  [88](#) Filed Petition for Rehearing and Petition for Rehearing En Banc by Appellant University of Notre Dame. Paper copies due on 07/06/2015 [88] [6675084] [13-3853] (AB)  
22 pg, 187.51 KB
- 07/07/2015  [89](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Gregory M. Lipper for Appellee Jane Doe 3. [89] [6675956] (L-Yes; E-Yes; R-Yes) [13-3853] [Edited 07/08/2015 by MM to reflect the addition and termination of counsel.] (Lipper, Gregory)  
2 pg, 80.83 KB
- 07/24/2015  [90](#) ORDER: Appellant University of Notre Dame Petition for Rehearing and Petition for Rehearing En Banc is DENIED. \*Judge Ann Claire Williams did not participate in the consideration of this petition for rehearing. [90] [6680083] [13-3853] (CAG)  
1 pg, 91.54 KB
- 08/03/2015  [91](#) Mandate issued. No record to be returned. [91] [6681989] [13-3853] (LJ)  
2 pg, 90.61 KB
- 08/03/2015   FOR COURT USE ONLY: Certified copy of 05/19/2015 Final Order with Mandate sent to the District Court Clerk. [6681992-2] [6681992] [13-3853] (LJ)  
54 pg, 591.3 KB
- 10/22/2015  [92](#) Notice from the Supreme Court that a motion for extension of time to file a Petition for Writ of Certiorari has been GRANTED, extending such time to 12/21/2015. [92] [6702238] [13-3853] (JR)  
2 pg, 53.42 KB
- 12/23/2015  [93](#) Filed notice from the Supreme Court of the filing of a Petition for Writ of Certiorari. 15-812. [93] [6716981] [13-3853] (CR)  
1 pg, 55.83 KB
- 05/17/2016  [94](#) Filed order from the Supreme Court GRANTING the Petition for Writ of Certiorari. 15-812. The judgment or mandate of the S.C. will not issue for at least 25 days pursuant to Rule 45. [94] [6750789] [13-3853] (AD)  
2 pg, 71.14 KB
- 05/23/2016  [95](#) Appearance form filed by Attorney Patrick G. Nemeroff for Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [95] [6752344] (L-No; E-Yes; R-No) [13-3853]-[Edited 05/23/2016 by VG - to reflect addition of counsel] (Nemeroff, Patrick)  
2 pg, 72.07 KB
- 05/23/2016  [96](#) Filed Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA Citation of Additional Authority, per Circuit Rule 28(e). [96] [6752351] [13-3853] (Nemeroff, Patrick)  
15 pg, 191.4 KB
- 05/26/2016  [97](#) Filed Appellant University of Notre Dame Citation of Additional Authority, per Circuit Rule 28(e). [97] [6753511] [13-3853] (Kairis, Matthew)  
12 pg, 220.84 KB
- 05/27/2016  [98](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Richard B. Katskee for Appellee Jane Doe 3. [98] [6753819] (L-Yes; E-Yes; R-Yes) [13-3853]-[Edited 05/27/2016 by AP- Added Attorney Richard B. Katskee] (Katskee, Richard)  
2 pg, 96.28 KB
- 05/31/2016  [99](#) Appearance form filed by Attorney Joshua M. Salzman for Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [99] [6754265] (L-No; E-Yes; R-No) [13-3853]-[Edited 05/31/2016 by CR to reflect addition of counsel] (Salzman, Joshua)  
2 pg, 96.38 KB

- 05/31/2016  [100](#) Appearance form filed by Attorney Megan Barbero for Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [100] [6754268] (L-No; E-Yes; R-No) [13-3853]--[Edited 05/31/2016 by CR to reflect addition of counsel] (Salzman, Joshua)  
2 pg, 96.36 KB
- 06/01/2016  [104](#) Filed Notice of Intent to Withdraw by Appellee Jane Doe 3. [104] [6754906] [13-3853] (Lipper, Gregory)  
2 pg, 71.93 KB
- 06/02/2016  Attorney Gregory M. Lipper terminated as counsel of record for Intervenor-Appellee Jane Doe 3 in 13-3853, pursuant to 6/1/2016 notice of intent to withdraw. [6755086-2] [6755086] [13-3853] (JR)
- 06/17/2016  [105](#) Filed Supreme Court judgment in 15-812 on 06/17/2016. The petition for writ of certiorari is GRANTED. The judgment of the above court in this cause is VACATED, and the case is REMANDED to the United States Court of Appeals for the Seventh Circuit in light of Zubik v. Burwell, 578 U. S. \_\_\_\_ (2016). (See order for details). [105] [6759196] [13-3853] (MM)  
3 pg, 114.05 KB
- 06/17/2016  [106](#) The Supreme Court has REMANDED this appeal to this court for further proceedings. The Supreme Court issued a certified copy of its judgment on 06/17/2016. IT IS ORDERED that a Circuit Rule 54 Statement is due by 07/08/2016. [106] [6759209] [13-3853] (MM)  
1 pg, 88.92 KB
- 06/22/2016  [107](#) Filed Response by Appellees Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA to June 17, 2016 Court Order requesting Circuit Rule 54 Statement. [107][6760673] [13-3853] (Nemeroff, Patrick)  
3 pg, 85.84 KB
- 06/24/2016  [108](#) Filed Response by Appellant University of Notre Dame Attorney Matthew A. Kairis to June 17, 2016 Court Order requesting Rule 54 Statement. [108][6761576] [13-3853] (Kairis, Matthew)  
4 pg, 86.86 KB
- 07/08/2016  [109](#) Circuit Rule 54 statement filed by Appellee Jane Doe 3. [109] [6765531] [13-3853]--[Edited 07/08/2016 by CR to reflect document filed] (Katskee, Richard)  
3 pg, 54.69 KB
- 07/08/2016  [110](#) Filed Non-Party Motion to add pseudonymous intervenor by Ann Doe. [6765532] [13-3853] (Katskee, Richard)  
15 pg, 82.03 KB
- 07/13/2016  [111](#) ORDER re: Intervenor-Appellees' Motion to Add Ann Doe as Pseudonymous Intervenor. [110] [110] The motion is GRANTED. Ann Doe shall be added as an intervenor-appellee and is permitted to proceed under the pseudonym Ann Doe. Ann Doe shall file a sealed disclosure statement with her true identity by 07/20/2016. JKL [111] [6766809] [13-3853] (MM)  
1 pg, 95.97 KB
- 07/19/2016  112 Sealed Disclosure Statement Filed by Attorney Richard Brian Katskee for Appellees Ann Doe and Jane Doe 3. Filed under SEAL per court's 7/13/2016 order. ~~Motion by Appellees Ann Doe and Jane Doe 3 to proceed using a pseudonym.~~ [112] [6768390] [13-3853]--[Edited 07/19/2016 by JAD] (Katskee, Richard)
- 07/21/2016  [113](#) Filed status report by Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [113] [6769105] [13-3853] (Barbero, Megan)  
7 pg, 118.86 KB
- 07/25/2016  [114](#) Filed status report by Appellant University of Notre Dame. [114] [6770250] [13-3853] (Kairis, Matthew)  
5 pg, 95.35 KB
- 09/26/2016  [115](#) Filed status report by Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [115] [6785510] [13-3853] (Barbero, Megan)  
3 pg, 95.33 KB
- 09/26/2016  [116](#) Filed status report by Appellees Ann Doe and Jane Doe 3. [116] [6785642] [13-3853] (Katskee, Richard)  
3 pg, 79.53 KB
- 09/28/2016  [117](#) Filed status report by Appellant University of Notre Dame. [117] [6786412] [13-3853] (Kairis, Matthew)  
4 pg, 92.99 KB
- 10/13/2016  [118](#) Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Laura Myron for Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [118] [6789909] (L-No; E-Yes; R-No) [13-3853]--[Edited 10/13/2016 by FP to reflect that atty. Myron is added to the docket.] (Myron, Laura)  
2 pg, 1.3 MB
- 11/30/2016  [119](#) Filed status report by Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [119] [6800799] [13-3853] (Barbero, Megan)  
3 pg, 82.58 KB
- 11/30/2016  [120](#) Filed status report by Appellees Ann Doe and Jane Doe 3. [120] [6800962] [13-3853] (Katskee, Richard)  
3 pg, 78.96 KB
- 12/02/2016  [121](#) Filed status report by Appellant University of Notre Dame. [121] [6801788] [13-3853] (Kairis, Matthew)  
4 pg, 73.21 KB
- 12/06/2016  [122](#) ORDER re: 1. Status report of 11/30/16. 2. Status report of 11/30/16. 3. Status report of 12/02/2016. Counsel for the parties file further status reports by February 28, 2016. JKL. [122] [6802337] [13-3853] (FP)  
1 pg, 94.69 KB
- 01/10/2017  [123](#) Filed status report by Appellees Sylvia Mathews Burwell, Jacob J. Lew, Thomas E. Perez, HHS, LABR and TREA. [123] [6810424] [13-3853] (Barbero, Megan)  
3 pg, 81.71 KB
- 01/18/2017  [124](#) ORDER re: Status report of 01/10/2017. The parties shall file further status reports, as previously scheduled, by 2/28/17. JKL [124] [6812389] [13-3853] (VG)  
1 pg, 118.29 KB

- 02/02/2017  [125](#) Appellee Sylvia Mathews Burwell has been substituted by Appellee Norris W. Cochran; Appellee Jacob J. Lew has been substituted by Appellee Adam J. Szubin; and Appellees Thomas E. Perez and Seth D. Harris have been substituted by Appellee Edward C. Hugler in 13-3853, 14-1430, 14-1431 & 15-3648, pursuant to FRAP 43(c). [125] [6815901] [13-3853, 14-1430, 14-1431, 15-3648] (JR)
- 02/17/2017  [126](#) Appellee Norris W. Cochran has been substituted by Appellee Thomas E. Price, and Adam J. Szubin has been substituted by Appellee Steven T. Mnuchin, in 13-3853, 14-1430, 14-1431 & 15-3648, pursuant to FRAP 43(c). [126] [6819848] [13-3853, 14-1430, 14-1431, 15-3648] (JR)
- 02/28/2017  [127](#)  
3 pg, 78.5 KB Filed status report by Appellees Edward C. Hugler, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [127] [6821944] [13-3853] (Salzman, Joshua)
- 02/28/2017  [128](#)  
4 pg, 88.7 KB Filed status report by Appellant University of Notre Dame. [128] [6822152] [13-3853] (Kairis, Matthew)
- 02/28/2017  [129](#)  
2 pg, 72.92 KB Filed status report by Appellees Ann Doe and Jane Doe 3. [129] [6822248] [13-3853] (Katskee, Richard)
- 03/10/2017  [130](#)  
2 pg, 90.54 KB ORDER: Upon consideration of the parties' status reports filed on February 28, 2017, the court directs that the parties file another status report on May 1, 2017. In the report(s) for May 1, 2017, the court expects to see either a report of an agreement to resolve the case or detailed reports on the parties' respective positions. In the event no agreement is reported on or before May 1, 2017, the court will plan to schedule oral argument on the merits of the case on short notice after that date. JKL. [130] [6825031] [13-3853] (ER)
- 05/01/2017  [131](#)  
7 pg, 75.83 KB Filed status report by Appellees Ann Doe and Jane Doe 3. [131] [6837984] [13-3853] (Katskee, Richard)
- 05/01/2017  [132](#)  
6 pg, 112.62 KB Filed status report by Appellant University of Notre Dame and Appellees Edward C. Hugler, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [132] [6837987] [13-3853] (Klein, Alisa)
- 05/04/2017  [133](#) Appellee/Respondent Edward C. Hugler & Thomas E. Perez have been substituted by Appellee/Respondent R. Alexander Acosta, as Secretary of Labor, in 13-3853, 14-1430, 14-1431, 15-3648, 16-4244, 17-1087, 17-1096, 17-1184, 17-1201, 17-1216, 17-1321, 17-1329 & 17-1555, pursuant to FRAP 43(c). [133] [6838781] [13-3853, 14-1430, 14-1431, 15-3648, 16-4244, 17-1087, 17-1096, 17-1184, 17-1201, 17-1216, 17-1321, 17-1329, 17-1555] (JR)
- 05/10/2017  [134](#)  
1 pg, 121.12 KB ORDER re: 1. Joint status report. 2. Status report of intervenors-appellees. IT IS ORDERED that the parties file a further status report by June 1, 2017. In the report(s) for June 1, the court expects to see either a report of an agreement to resolve the case or detailed reports on the parties' respective positions. JKL [134] [6839990] [13-3853] (VG)
- 06/01/2017  [135](#)  
4 pg, 108.13 KB Filed status report by Appellant University of Notre Dame and Appellees R. Alexander Acosta, ~~Ann Doe, Jane Doe 3~~, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [135] [6844974] [13-3853]--[Text edited 06/01/2017 by JR, and to note that status report correctly refiled at doc. #136.] (Klein, Alisa)
- 06/01/2017  [136](#)  
4 pg, 108.13 KB Filed status report by Appellant University of Notre Dame and Appellees R. Alexander Acosta, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [136] [6844981] [13-3853] (Klein, Alisa)
- 06/01/2017  [137](#)  
2 pg, 219.17 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Carmen Green for Appellees Ann Doe and Jane Doe 3. [137] [6845166] (L-No; E-No; R-No) [13-3853] (Katskee, Richard)
- 06/01/2017  [138](#)  
2 pg, 219.44 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Kelly Percival for Appellees Ann Doe and Jane Doe 3. [138] [6845167] (L-No; E-No; R-No) [13-3853] (Katskee, Richard)
- 06/01/2017  [139](#)  
5 pg, 182.34 KB Filed status report by Appellees Ann Doe and Jane Doe 3. [139] [6845169] [13-3853] (Katskee, Richard)
- 06/05/2017  [140](#)  
1 pg, 97.63 KB ORDER re: 1. Joint Status Report. 2. Status Report of Intervenors-Appellees. The parties shall file a further status report by July 3, 2017. In the report(s), the court expects to see either a report of an agreement to resolve the case or detailed reports on the parties' respective positions. JKL. [140] [6845513] [13-3853] (CD)
- 07/03/2017  [141](#)  
4 pg, 87.94 KB Filed status report by Appellant University of Notre Dame and Appellees R. Alexander Acosta, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [141] [6851684] [13-3853] (Salzman, Joshua)
- 07/03/2017  [142](#)  
2 pg, 430.42 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Fatima Goss Graves for Appellees Ann Doe and Jane Doe 3. [142] [6851689] (L-No; E-No; R-No) [13-3853] (Katskee, Richard)
- 07/03/2017  [143](#)  
2 pg, 276.89 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Mara Gandal-Powers for Appellees Ann Doe and Jane Doe 3. [143] [6851690] (L-No; E-No; R-No) [13-3853] (Katskee, Richard)
- 07/03/2017  [144](#)  
2 pg, 296.82 KB Circuit Rule 26.1 Disclosure Statement and Appearance filed by Attorney Gretchen Borchelt for Appellees Ann Doe and Jane Doe 3. [144] [6851691] (L-No; E-No; R-No) [13-3853] (Katskee, Richard)
- 07/03/2017  [145](#)  
5 pg, 170.86 KB Filed status report by Appellees Ann Doe and Jane Doe 3. [145] [6851692] [13-3853] (Katskee, Richard)

- 07/13/2017  [146](#)  
1 pg, 98.08 KB  
ORDER re: 1. Joint Status Report. 2. Status Report of Intervenors-Appellees. The parties shall file a further status report by August 1, 2017. In the report(s), the court expects to see either a report of an agreement to resolve the case or detailed reports on the parties' respective positions. In particular, the appellees should detail what steps have been taken in the rulemaking process to reconsider the regulations at issue in the appeal and what additional steps, if any, remain to be taken. JKL. [146] [6854044] [13-3853] (CD)
- 08/01/2017  [147](#)  
6 pg, 180.45 KB  
Filed status report by Appellees Ann Doe and Jane Doe 3. [147] [6857987] [13-3853] (Katskee, Richard)
- 08/01/2017  [148](#)  
4 pg, 85.8 KB  
Filed status report by Appellant University of Notre Dame and Appellees R. Alexander Acosta, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [148] [6858140] [13-3853] (Salzman, Joshua)
- 08/04/2017  [149](#)  
2 pg, 149.84 KB  
Filed Notice of Intent to Withdraw Carmen Green as Counsel for Intervenors-Appellees by Appellees Ann Doe and Jane Doe 3. [149] [6858847] [13-3853] (Katskee, Richard)
- 08/14/2017  [150](#)  
1 pg, 97.42 KB  
ORDER re: 1. Joint status report. 2. Status report of intervenors-appellees. The partie shall file a further status report by August 31, 2017. In the report, the court expects to see either a report of an agreement to resolve the case or detailed reports on the parties' respective positions. In particular, the appellees should detail what is the status of the Office of Management and Budget's review of the draft interim final rule, and what additional steps, if any, remain to be taken. JKL. [150] [6861271] [13-3853] (CR)
- 08/31/2017  [151](#)  
4 pg, 84.56 KB  
Filed status report by Appellant University of Notre Dame and Appellees R. Alexander Acosta, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [151] [6865767] [13-3853] (Salzman, Joshua)
- 08/31/2017  [152](#)  
7 pg, 77.03 KB  
Filed status report by Appellees Ann Doe and Jane Doe 3. [152] [6865881] [13-3853] (Katskee, Richard)
- 10/02/2017  [153](#)  
3 pg, 80.11 KB  
Filed status report by Appellees R. Alexander Acosta, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA. [153] [6873296] [13-3853] (Salzman, Joshua)
- 10/02/2017  [154](#)  
7 pg, 76.68 KB  
Filed status report by Appellees Ann Doe and Jane Doe 3. [154] [6873318] [13-3853] (Katskee, Richard)
- 10/16/2017  [155](#)  
3 pg, 90.83 KB  
Joint motion filed by Appellant University of Notre Dame and Appellees R. Alexander Acosta, Ann Doe, Jane Doe 3, Steven T. Mnuchin, Thomas E. Price, HHS, LABR and TREA to dismiss case. [155] [6876730] [13-3853] (Kairis, Matthew)
- 10/17/2017  [156](#)  
3 pg, 185.54 KB  
ORDER re: Joint stipulation of dismissal of appeal, filed on 10/16/17. This appeal is voluntarily DISMISSED. See Fed. R. App. P. 42(b). All parties shall bear their own costs. Mandate issued, no record to be returned. Richard A. Posner\*, Circuit Judge; Joel M. Flaum, Circuit Judge and David F. Hamilton, Circuit Judge. \* Circuit Judge Posner retired on September 2, 2017. He participated in this case prior to his retirement, but he did not participate in the consideration of the joint stipulation of dismissal of appeal. See 28 U.S.C. § 46(d). [155][156][6877000] [13-3853] (FP)
- 10/17/2017    
3 pg, 330.83 KB  
FOR COURT USE ONLY: Certified copy of 10/17/2017 Final Order with Mandate sent to the District Court Clerk. [6877013-2] [6877013] [13-3853] (FP)

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<b>PACER Login:</b>	hs0328:2563377:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report (filtered)	<b>Search Criteria:</b>	13-3853
<b>Billable Pages:</b>	12	<b>Cost:</b>	1.20