

**U.S. District Court  
Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:12-cv-00676-TFM**

MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE  
ROMAN CATHOLIC DIOCESE OF PITTSBURGH et al v.  
SEBELIUS et al

Assigned to: Judge Terrence F. McVerry  
Case in other court: 3d Cir. USCA, 13-01228  
Cause: 42:2000 Civil Rights: Other

Date Filed: 05/21/2012  
Date Terminated: 11/27/2012  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Amicus**

**AMERICAN CENTER FOR LAW  
AND JUSTICE**  
*American Center for Law & Justice et al*

represented by **Edward L. White**  
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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**MOST REVEREND DAVID A.  
ZUBIK, BISHOP OF THE ROMAN  
CATHOLIC DIOCESE OF  
PITTSBURGH**  
*as Trustee of The Roman Catholic  
Diocese of Pittsburgh, a Charitable Trust*

represented by **John D. Goetz**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**THE ROMAN CATHOLIC DIOCESE  
OF PITTSBURGH**

represented by **John D. Goetz**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Leon F. DeJulius**  
(See above for address)  
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**Ira M. Karoll**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laura E. Ellsworth**  
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**Mary Pat Stahler**  
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**Paul M. Pohl**  
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**Rita Ferko Joyce**  
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ATTORNEY TO BE NOTICED

**Plaintiff**

**CATHOLIC CHARITIES OF THE  
DIOCESE OF PITTSBURGH, INC**  
*an affiliate nonprofit corporation of The  
Roman Catholic Diocese of Pittsburgh*

represented by **John D. Goetz**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Leon F. DeJulius**  
(See above for address)  
**LEAD ATTORNEY**  
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**Paul M. Pohl**  
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**Ira M. Karoll**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Laura E. Ellsworth**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Mary Pat Stahler**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**THE CATHOLIC CEMETERIES  
ASSOCIATION OF THE DIOCESE  
OF PITTSBURGH**  
*an affiliate nonprofit corporation of The  
Roman Catholic Diocese of Pittsburgh*

represented by **John D. Goetz**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Leon F. DeJulius**  
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**Paul M. Pohl**  
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**Laura E. Ellsworth**  
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**ATTORNEY TO BE NOTICED**

**Mary Pat Stahler**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

represented by

**KATHLEEN SEBELIUS**

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

**Bradley P. Humphreys**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**HILDA SOLIS**

*in her official capacity as Secretary of the  
U.S. Department of Labor*

represented by **Bradley P. Humphreys**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**TIMOTHY GEITHNER**

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

represented by **Bradley P. Humphreys**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. DEPARTMENT OF HEALTH  
AND HUMAN SERVICES**

represented by **Bradley P. Humphreys**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. DEPARTMENT OF LABOR**

represented by **Bradley P. Humphreys**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. DEPARTMENT OF TREASURY**

represented by **Bradley P. Humphreys**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Movant**

**CALL TO ACTION PENNSYLVANIA**

represented by **Charles B. Gibbons**  
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**ATTORNEY TO BE NOTICED**

**Francis C. Rapp , Jr.**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Movant****CATHOLICS FOR SOCIAL JUSTICE**

represented by **Charles B. Gibbons**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Francis C. Rapp , Jr.**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Movant****PITTSBURGH AREA PAX CHRISTI**

represented by **Charles B. Gibbons**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Francis C. Rapp , Jr.**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Movant****ASSOCIATION OF PITTSBURGH  
PRIESTS**

represented by **Charles B. Gibbons**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Francis C. Rapp , Jr.**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/21/2012	<u>1</u>	COMPLAINT against TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY (Filing fee \$350, receipt number 2375027), filed by THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Eric Holder, Jr, Attorney General U.S. Dept. of Justice, # <u>3</u> Summons Hilda Solis, Secy of U.S. Dept. of Labor, # <u>4</u> Summons Secy of U.S. Dept of HHS, # <u>5</u> Summons Secy of U.S. Dept of Treasury, # <u>6</u> Summons U.S. Attorney's Office, # <u>7</u> Summons U.S. Dept of Labor, # <u>8</u> Summons U.S. Dept of the Treasury, # <u>9</u> Summons U.S. Dept of HHS) (plh) (Entered: 05/21/2012)
05/21/2012		Summons Issued as to *TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY* (plh) (Entered: 05/21/2012)
05/21/2012	<u>2</u>	Disclosure Statement identifying none as corporate parent or other affiliate, by THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (plh) (Entered: 05/21/2012)

05/21/2012	<u>3</u>	Disclosure Statement identifying none as corporate parent or other affiliate, by THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH. (plh) (Entered: 05/21/2012)
05/21/2012	<u>4</u>	Disclosure Statement identifying none as corporate parent or other affiliate, by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC. (plh) (Entered: 05/21/2012)
05/24/2012	<u>5</u>	NOTICE of Appearance by John D. Goetz on behalf of CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Goetz, John) (Entered: 05/24/2012)
05/24/2012	<u>6</u>	NOTICE of Appearance by Leon F. DeJulius on behalf of CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (DeJulius, Leon) (Entered: 05/24/2012)
05/24/2012	<u>7</u>	NOTICE of Appearance by Laura E. Ellsworth on behalf of CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Ellsworth, Laura) (Entered: 05/24/2012)
05/24/2012	<u>8</u>	NOTICE of Appearance by Ira M. Karoll on behalf of CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Karoll, Ira) (Entered: 05/24/2012)
05/24/2012	<u>9</u>	NOTICE of Appearance by Mary Pat Stahler on behalf of CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Stahler, Mary Pat) (Entered: 05/24/2012)
05/25/2012	<u>10</u>	NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Parties are directed to fully complete the required 26(f) report, which includes the stipulation of selecting an ADR process. Counsel for plaintiff (or in the case of a removal action, counsel for removing defendant) shall make service of the notice on all parties. (kly) (Entered: 05/25/2012)
06/14/2012	<u>11</u>	SUMMONS/Return of Service Returned Executed by THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC. UNITED STATES OF AMERICA served on 5/25/2012 answer due 7/24/2012. (Attachments: # <u>1</u> Exhibit) (Pohl, Paul) Modified on 6/15/2012 to add additional docket text. (ksa) (Entered: 06/14/2012)
06/15/2012		Update Answer Deadline: Answer due from KATHLEEN SEBELIUS on 7/24/2012; HILDA SOLIS on 7/24/2012; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES on 7/24/2012; U.S. DEPARTMENT OF LABOR on 7/24/2012; U.S. DEPARTMENT OF TREASURY on 7/24/2012. (ksa) (Entered: 06/15/2012)
06/15/2012		Update Answer Deadline: Answer due from TIMOTHY GEITHNER on 7/24/2012. (ksa) (Entered: 06/15/2012)

07/03/2012	<u>12</u>	NOTICE of Appearance by Bradley P. Humphreys on behalf of TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Humphreys, Bradley) (Entered: 07/03/2012)
07/03/2012	<u>13</u>	Joint MOTION to Extend Time to Respond to Complaint by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Attachments: # <u>1</u> Proposed Order) (Humphreys, Bradley) (Entered: 07/03/2012)
07/06/2012	<u>14</u>	ORDER granting <u>13</u> Motion to Extend Time for to Respond to Complaint. Defendants' Motion to Dismiss shall be filed on or before 8/6/2012. Plaintiffs shall file their opposition to such Motion on or before 8/27/2012. Defendants shall file their reply no later than 28 days after Plaintiffs file their opposition to any Motion to Dismiss. Signed by Judge Terrence F. McVerry on 7/6/2012. (kly) (Entered: 07/06/2012)
07/06/2012		Update Deadlines: Motions due by 8/6/2012. Response to Motions due by 8/27/2012. (kly) (Entered: 07/06/2012)
08/06/2012	<u>15</u>	MOTION for Leave to File Amicus Curiae Brief in Support of Defendants by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order) (Rapp, Francis) Modified on 8/7/2012. (plh) This document removed from public view and redocketed at Doc. # <u>19</u> . (Entered: 08/06/2012)
08/06/2012	<u>16</u>	Disclosure Statement identifying None as corporate parent or other affiliate, by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Rapp, Francis) Modified on 8/7/2012. (plh) This document removed from public view and redocketed at Doc. # <u>20</u> . (Entered: 08/06/2012)
08/06/2012	<u>17</u>	MOTION to Dismiss for Lack of Jurisdiction by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Attachments: # <u>1</u> Proposed Order) (Humphreys, Bradley) (Entered: 08/06/2012)
08/06/2012	<u>18</u>	BRIEF in Support re <u>17</u> Motion to Dismiss/Lack of Jurisdiction, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Humphreys, Bradley) (Entered: 08/06/2012)
08/06/2012	<u>19</u>	MOTION for Leave to File Amicus Curiae Brief in Support by ASSOCIATION OF PITTSBURGH PRIESTS, CALL TO ACTION PENNSYLVANIA, CATHOLICS FOR SOCIAL JUSTICE, PITTSBURGH AREA PAX CHRISTI. (Attachments: # <u>1</u> Exhibit Amicus Curiae Brief, # <u>2</u> Proposed Order) (plh) (Entered: 08/07/2012)
08/06/2012	<u>20</u>	Disclosure Statement identifying None as corporate parent or other affiliate, by ASSOCIATION OF PITTSBURGH PRIESTS, CALL TO ACTION PENNSYLVANIA, CATHOLICS FOR SOCIAL JUSTICE, PITTSBURGH AREA PAX CHRISTI. (plh) (Entered: 08/07/2012)
08/07/2012		TEXT ORDER Response/Briefing Schedule re <u>17</u> Motion to Dismiss/Lack of Jurisdiction and <u>18</u> Brief in Support of Motion. Response to Motion due by 8/27/2012. Signed by Judge Terrence F. McVerry on 8/7/2012. (kly) (Entered: 08/07/2012)
08/07/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>15</u> Motion for Leave to File, <u>16</u> Disclosure Statement. ERROR: Documents filed as Pltf's Documents in

		error. CORRECTION: Documents removed from public view and redocketed correctly. This message is for informational purposes only. (plh) (Entered: 08/07/2012)
08/20/2012	<u>21</u>	Unopposed MOTION for Leave to File Excess Pages by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Proposed Order) (DeJulius, Leon) (Entered: 08/20/2012)
08/21/2012	<u>22</u>	ORDER granting <u>21</u> Motion for Leave to File Excess Pages. Signed by Judge Terrence F. McVerry on 8/21/2012. (kly) (Entered: 08/21/2012)
08/21/2012	<u>23</u>	MOTION for attorney Edward L. White III to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2478997) by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Proposed Order) (Fardo, Noah) (Entered: 08/21/2012)
08/21/2012	<u>24</u>	MOTION to <i>Participate as Amici Curiae in Support of Plaintiffs by the AMERICAN CENTER FOR LAW AND JUSTICE and Seventy-Nine (79) Members of the United States Congress</i> by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Proposed Order) (Fardo, Noah) Modified on 8/22/2012 to correctly title motion. (ksa) (Entered: 08/21/2012)
08/21/2012	<u>25</u>	Errata re <u>24</u> Motion to <i>Participate as Amici Curiae in Support of Plaintiffs by THE AMERICAN CENTER FOR LAW AND JUSTICE and Seventy-Nine (79) Members of the United States Congress</i> by AMERICAN CENTER FOR LAW AND JUSTICE. Reason for Correction: Failed to attach proposed Amici Brief as Exhibit previously. (Attachments: # <u>1</u> Exhibit Proposed Amici Curiae Brief, # <u>2</u> Proposed Order) (Fardo, Noah) Modified on 8/22/2012 to edit docket text. (ksa) (Entered: 08/21/2012)
08/21/2012	<u>26</u>	Disclosure Statement identifying None as corporate parent or other affiliate, by AMERICAN CENTER FOR LAW AND JUSTICE. (Fardo, Noah) (Entered: 08/21/2012)
08/22/2012		TEXT ORDER granting <u>23</u> Motion for Edward L. White III, Esquire to Appear Pro Hac Vice. Signed by Judge Terrence F. McVerry on 8/22/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (kly) (Entered: 08/22/2012)
08/27/2012	<u>27</u>	BRIEF in Opposition re <u>17</u> Motion to Dismiss/Lack of Jurisdiction, filed by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Affidavit of Susan Rauscher, # <u>3</u> Exhibit Affidavit of David S. Stewart, # <u>4</u> Exhibit Affidavit of Annabelle McGannon) (Pohl, Paul) (Entered: 08/27/2012)
08/30/2012		TEXT ORDER granting <u>19</u> Motion for Leave to File File Amicus Curiae Brief in Support. Signed by Judge Terrence F. McVerry on 8/30/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (kly) (Entered: 08/30/2012)
08/30/2012		TEXT ORDER granting <u>24</u> Motion Participate as Amici Curiae in Support of Plaintiffs. Signed by Judge Terrence F. McVerry on 8/30/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (kly) (Entered: 08/30/2012)
08/30/2012	<u>28</u>	NOTICE of Appearance by Edward L. White on behalf of AMERICAN CENTER FOR LAW AND JUSTICE. (White, Edward) (Entered: 08/30/2012)
08/30/2012	<u>29</u>	AMICI CURIAE BRIEF in Opposition re <u>17</u> Motion to Dismiss/Lack of Jurisdiction, by Amici Curiae American Center for Law & Justice and 79 Members of Congress filed by AMERICAN CENTER FOR LAW AND JUSTICE. (White, Edward) Modified on 8/31/2012. (plh) (Entered: 08/30/2012)

08/31/2012	<u>30</u>	BRIEF in Support re <u>17</u> Motion to Dismiss/Lack of Jurisdiction, filed by ASSOCIATION OF PITTSBURGH PRIESTS, CALL TO ACTION PENNSYLVANIA, CATHOLICS FOR SOCIAL JUSTICE, PITTSBURGH AREA PAX CHRISTI. (Rapp, Francis) (Entered: 08/31/2012)
09/19/2012	<u>31</u>	MOTION for Leave to File Excess Pages by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Attachments: # <u>1</u> Proposed Order) (Humphreys, Bradley) (Entered: 09/19/2012)
09/21/2012	<u>32</u>	ORDER granting <u>31</u> Motion for Leave to File Excess Pages. Signed by Judge Terrence F. McVerry on 9/21/2012. (kly) (Entered: 09/21/2012)
09/21/2012	<u>33</u>	MOTION for Leave to File Excess Pages for Memorandum in Support of Motions for (1) Preliminary and Permanent Injunctions, (2) Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing, and (3) Scheduling Order or In-Person or Telephonic Status or Trial Setting Conference by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Proposed Order) (Pohl, Paul) (Entered: 09/21/2012)
09/21/2012	<u>34</u>	MOTION for Preliminary Injunction and, MOTION for Permanent Injunction by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Proposed Order) (Pohl, Paul) (Entered: 09/21/2012)
09/21/2012	<u>35</u>	MOTION for a Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Proposed Order) (Pohl, Paul) (Entered: 09/21/2012)
09/21/2012	<u>36</u>	MOTION for a Scheduling Order or In-Person or Telephonic Status or Trial Setting Conference re <u>35</u> MOTION for a Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing filed by THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Proposed Order) (Pohl, Paul) (Entered: 09/21/2012)
09/21/2012	<u>37</u>	BRIEF in Support re <u>35</u> Motion for Rule 65 (a)(2) Consolidated Trial and Preliminary Hearing, <u>34</u> Motion for Preliminary Injunction, Motion for Permanent Injunction, <u>36</u> Motion for a Scheduling Order, Memorandum of Law in Support of Plaintiffs' Motion for Preliminary and Permanent Injunctions, Motion for Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing, and Motion for Scheduling Order or In-Person or Telephonic Status or Trial-Setting Conference filed by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Exhibit) (Pohl, Paul) Modified on 9/24/2012. (plh) (Entered: 09/21/2012)

09/24/2012	<u>38</u>	ORDER granting <u>33</u> Motion for Leave to File Excess Pages. Signed by Judge Terrence F. McVerry on 9/24/2012. (kly) (Entered: 09/24/2012)
09/24/2012	<u>39</u>	BRIEF in Opposition re <u>36</u> Motion for Scheduling Order or In-Person or Telephonic Status or Trial Setting Conference, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Attachments: # <u>1</u> Exhibit) (Humphreys, Bradley) (Entered: 09/24/2012)
09/24/2012	<u>40</u>	REPLY BRIEF re <u>18</u> Brief in Support of <u>17</u> Motion to Dismiss/Lack of Jurisdiction, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Humphreys, Bradley) Modified on 9/25/2012. (plh) (Entered: 09/24/2012)
09/25/2012	<u>41</u>	REPLY BRIEF re <u>36</u> Motion for a Scheduling Order or In-Person or Telephonic Status or Trial Setting Conference, filed by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Pohl, Paul) Modified on 9/26/2012. (plh) This document removed from public view and redocketed at Doc. # <u>42</u> . (Entered: 09/25/2012)
09/25/2012	<u>42</u>	BRIEF in Support re <u>36</u> Motion for Scheduling Order or In-Person or Telephonic Status or Trial Setting Conference, filed by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (plh) (Entered: 09/26/2012)
09/26/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>41</u> Reply Brief. ERROR: Wrong event selected. CORRECTION: Re-docketed as Brief in Support of Motion. This message is for informational purposes only. (plh) (Entered: 09/26/2012)
09/26/2012	<u>43</u>	ORDER OF COURT – Defendants brief in opposition to Plaintiffs Motion for Preliminary and Permanent Injunctions <u>34</u> and Motion for Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing <u>35</u> shall be filed on or before October 15, 2012. Signed by Judge Terrence F. McVerry on 09/26/2012. (bsc) (Entered: 09/26/2012)
09/26/2012	<u>44</u>	MOTION for Leave to File Surreply in Opposition to Defendants' Motion to Dismiss by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Proposed Order) (Pohl, Paul) (Entered: 09/26/2012)
09/27/2012	<u>45</u>	ORDER granting <u>44</u> Motion for Leave to File Surreply in Opposition to Defendants' Motion to Dismiss. Surreply due by 10/1/2012. Signed by Judge Terrence F. McVerry on 9/27/2012. (kly) (Entered: 09/27/2012)
10/01/2012	<u>46</u>	Sur-Reply Brief re <u>17</u> Motion to Dismiss/Lack of Jurisdiction, filed by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Pohl, Paul) (Entered: 10/01/2012)
10/15/2012	<u>47</u>	MOTION for Leave to File Excess Pages for Memorandum in Opposition to Plaintiffs' re: <u>34</u> Motions for Preliminary and Permanent Injunctions and re: <u>35</u> for a Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT

		OF LABOR, U.S. DEPARTMENT OF TREASURY. (Attachments: # <u>1</u> Proposed Order) (Humphreys, Bradley) Modified on 10/16/2012. (plh) (Entered: 10/15/2012)
10/15/2012	<u>48</u>	BRIEF in Opposition re <u>35</u> Motion for Rule 65 (a)(2) Consolidated Trial and Preliminary Injunction Hearing, <u>34</u> Motion for Preliminary Injunction, Motion for Permanent Injunction, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY. (Humphreys, Bradley) Modified on 10/16/2012. (plh) (Entered: 10/15/2012)
10/16/2012	<u>49</u>	ORDER granting <u>47</u> Motion for Leave to File Excess Pages for Memorandum in Opposition to Plaintiffs' Motions for Preliminary and Permanent Injunctions and for a Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing. Signed by Judge Terrence F. McVerry on 10/16/2012. (kly) (Entered: 10/16/2012)
10/18/2012	<u>50</u>	MOTION Extension of Page Limits and Time to File Reply Brief re <u>35</u> MOTION for a Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing filed by THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, <u>34</u> MOTION for Preliminary Injunction and MOTION for Permanent Injunction filed by THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, <u>36</u> MOTION for a Scheduling Order or In-Person or Telephonic Status or Trial Setting Conference re <u>35</u> MOTION for a Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing filed by THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Attachments: # <u>1</u> Proposed Order) (Pohl, Paul) (Entered: 10/18/2012)
10/19/2012	<u>51</u>	ORDER granting <u>50</u> Motion to Extend Page Limits and Time to File Reply Brief. Reply Brief due by 10/25/2012. Signed by Judge Terrence F. McVerry on 10/19/2012. (kly) (Entered: 10/19/2012)
10/19/2012		Reply brief due by 10/25/2012. (kly) (Entered: 10/19/2012)
10/25/2012	<u>52</u>	REPLY BRIEF re <u>35</u> Motion for a Rule 65(a)(2) Consolidated Trial and Preliminary Injunction Hearing, <u>34</u> Motion for Preliminary Injunction, Motion for Permanent Injunction,, filed by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Pohl, Paul) Modified on 11/8/2012. (tt) (Entered: 10/25/2012)
11/08/2012	<u>53</u>	NOTICE of Supplemental Authority by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. DEPARTMENT OF LABOR, U.S. DEPARTMENT OF TREASURY re <u>17</u> Motion to Dismiss/Lack of Jurisdiction, (Attachments: # <u>1</u> Exhibit A – Legatus v. Sebelius) (Humphreys, Bradley) (Entered: 11/08/2012)
11/13/2012	<u>54</u>	RESPONSE to <u>53</u> Notice, filed by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE

		ROMAN CATHOLIC DIOCESE OF PITTSBURGH. (Pohl, Paul) (Entered: 11/13/2012)
11/19/2012	<u>55</u>	NOTICE of Supplemental Authority by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH re <u>27</u> Brief in Opposition to Motion,, <u>37</u> Brief in Support of Motion. (Attachments: # <u>1</u> Exhibit A) (Pohl, Paul) (Entered: 11/19/2012)
11/27/2012	<u>56</u>	MEMORANDUM OPINION AND ORDER granting <u>17</u> Defendants' Motion to Dismiss for Lack of Jurisdiction. All counts of Plaintiffs' Complaint are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 12(b)(1). Signed by Judge Terrence F. McVerry on 11/27/2012. (bsc) (Entered: 11/27/2012)
01/23/2013	<u>57</u>	NOTICE OF APPEAL as to <u>56</u> Order on Motion to Dismiss/Lack of Jurisdiction, by CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH. Filing fee \$455, receipt number 0315-2651482. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporter(s): N/A. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Pohl, Paul) (Entered: 01/23/2013)
07/23/2013	<u>59</u>	ORDER of USCA as to <u>57</u> Notice of Appeal, filed by THE CATHOLIC CEMETERIES ASSOCIATION OF THE DIOCESE OF PITTSBURGH, MOST REVEREND DAVID A. ZUBIK, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC, THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH, dismissing the appeal pursuant to F.R.A.P. 42(b), without costs to either party; A certified copy of this order is issued in lieu of a formal mandate. (tw3) Modified on 7/24/2013. (plh) (Entered: 07/23/2013)