

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 14-1376 and 14-1377

MOST REVEREND LAWRENCE T. PERSICO,
BISHOP OF THE ROMAN CATHOLIC DIOCESE OF ERIE,
AS TRUSTEE OF THE ROMAN CATHOLIC DIOCESE OF ERIE,
A CHARITABLE TRUST;
THE ROMAN CATHOLIC DIOCESE OF ERIE;
ST. MARTIN CENTER, INC., AN AFFILIATE NONPROFIT CORPORATION
OF CATHOLIC CHARITIES OF THE DIOCESE OF ERIE;
PRINCE OF PEACE CENTER, INC., AN AFFILIATE NONPROFIT CORPORATION
OF CATHOLIC CHARITIES OF THE DIOCESE OF ERIE;
ERIE CATHOLIC PREPARATORY SCHOOL, AN AFFILIATE NONPROFIT
CORPORATION
OF THE ROMAN CATHOLIC DIOCESE OF ERIE

v.

SECRETARY OF UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES;
SECRETARY OF UNITED STATES DEPARTMENT OF LABOR;
SECRETARY OF UNITED STATES DEPARTMENT OF THE TREASURY;
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES;
UNITED STATES DEPARTMENT OF LABOR;
UNITED STATES DEPARTMENT OF THE TREASURY,

Appellants in Case No.: 14-1376

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;
THE ROMAN CATHOLIC DIOCESE OF PITTSBURGH,
as the Beneficial Owner of the Pittsburgh series of The Catholic Benefits Trust;
CATHOLIC CHARITIES OF THE DIOCESE OF PITTSBURGH, INC.,
an affiliate nonprofit corporation of The Roman Catholic Diocese of Pittsburgh

v.

SECRETARY OF UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES;
SECRETARY OF UNITED STATES DEPARTMENT OF LABOR;
SECRETARY OF UNITED STATES DEPARTMENT OF THE TREASURY;
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES;
UNITED STATES DEPARTMENT OF LABOR;
UNITED STATES DEPARTMENT OF THE TREASURY,

Appellants in Case No.: 14-1377

(District Court Nos.: 1-13-cv-00303 and 2-13-cv-01459)

SUR PETITION FOR REHEARING

Present: McKEE, Chief Judge, RENDELL, AMBRO, FUENTES, SMITH,
FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR.,
VANASKIE, SHWARTZ, KRAUSE, and SLOVITER* Circuit Judges

The petition for rehearing filed by **appellees** in the above-entitled cases having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petitions for rehearing by the panel and the Court en banc, is denied.

* The vote of Judge Dolores K. Sloviter, is limited to Panel Rehearing only.

BY THE COURT,

s/MARJORIE O. RENDELL
Circuit Judge

Dated: April 6, 2015

CJG/cc: All Counsel of Record