

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

ROMAN CATHOLIC DIOCESE OF FORT)
WORTH, *et al.*,)
)
Plaintiff,)
)
v.)
)
KATHLEEN SEBELIUS, *et al.*,)
)
Defendants.)
)
_____)

Case No. 4:12-cv-314-Y

**DEFENDANTS’ MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR
SUMMARY JUDGMENT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), defendants hereby move to dismiss this action. In the alternative, defendants move for summary judgment on all of plaintiffs’ claims pursuant to Rule 56. The grounds for these motions are set forth in the accompanying memorandum.

Respectfully submitted this 5th day of November, 2013,

STUART

F. DELERY
Assistant Attorney General

United

SARAH R. SALDANA
States Attorney

JENNIFER

RICKETTS
Director

SHEILA
Deputy

M. LIEBER
Director

BRADLEY
Trial
United
Civil

/s/ Bradley P. Humphreys
P. HUMPHREYS (VA Bar No. 83212)
Attorney
States Department of Justice
Division, Federal Programs Branch
20 Massachusetts Avenue N.W., Room 7219
Washington, DC 20530

Telephone: (202) 514-3367
Facsimile: (202) 616-8470
Email: Bradley.P.Humphreys@usdoj.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2013, I caused a true and correct copy of the foregoing to be served on plaintiffs' counsel by means of the Court's ECF system.

/s/ Bradley P. Humphreys
BRADLEY P. HUMPHREYS