

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ROMAN CATHOLIC DIOCESE OF	§	
FORT WORTH, et al.	§	
	§	
VS.	§	CIVIL ACTION NO. 4:12-CV-314-Y
	§	
KATHLEEN SEBELIUS, et al.	§	

ORDER GRANTING PRELIMINARY INJUNCTION

Before the Court is the motion for a preliminary injunction of Plaintiffs Roman Catholic Diocese of Fort Worth; Our Lady of Victory Catholic School; and Catholic Charities, Diocese of Fort Worth, Inc. (doc. 103). After review of the motion, response, and reply, the Court GRANTS the motion.

I. BACKGROUND

This case involves a challenge by several entities affiliated with the Catholic Church to the contraceptive mandate in the Affordable Care Act ("the ACA"). This Court previously granted injunctive relief to Plaintiff University of Dallas ("the University"). The University moved for injunctive relief separately from the other plaintiffs given that its plan year began January 1, 2014, and it would be required to comply with the contraceptive mandate first. The remaining Plaintiffs, whose plan years begin this summer, now seek injunctive relief.

The government has filed an interlocutory appeal of this Court's order granting injunctive relief as to the University. The Fifth Circuit has consolidated the appeal from this case with two other,

similar appeals from the Eastern and Southern Districts of Texas.¹ As of the date of this order, however, briefing has not been completed and the Fifth Circuit is not expected to rule in time for Plaintiffs to avoid injury. Furthermore, the Court is not persuaded that the remaining Plaintiffs are any less entitled to injunctive relief than the University.

Accordingly, the motion for injunctive relief of Plaintiffs Roman Catholic Diocese of Fort Worth; Our Lady of Victory Catholic School; and Catholic Charities, Diocese of Fort Worth, Inc., is GRANTED. The government is hereby ENJOINED from enforcing, as to the remaining plaintiffs, the requirements set out in 42 U.S.C. § 300gg-13(a)(4), as well as any related fines and penalties, until further order of this Court.

SIGNED June 5, 2014.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE

¹ *Catholic Diocese of Beaumont v. Kathleen Sebelius*, No. 1:13-CV-00709; *E. Tex. Baptist Univ. v. Sebelius*, No. 4:12-CV-03009