

**U.S. District Court
Southern District of Alabama (Mobile)
CIVIL DOCKET FOR CASE #: 1:13-cv-00521-CG-C**

Eternal Word Television Network, Inc. et al v. U.S. Department of Health and Human Services et al
Assigned to: Senior Judge Callie V. S. Granade
Referred to: Magistrate Judge William E. Cassidy
Case in other court: 11th Cir. USCA, 14-12696-CC
Cause: 42:1983 Civil Rights Act

Date Filed: 10/28/2013
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Eternal Word Television Network, Inc.

represented by **Daniel Howard Blomberg**
The Becket Fund for Religious Liberty
1200 New Hampshire Ave NW
Suite 700
Washington, DC 20016
202-955-0095
Fax: 202-955-0090
Email: dblomberg@becketlaw.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lori Windham
The Becket Fund for Religious Liberty
3000 K Street NW
Suite 220
Washington, DC 20007-5153
202-955-0095
Fax: 202-955-0090
Email: lwindham@becketfund.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stuart Kyle Duncan
Duncan PLLC
1629 K Street NW, Suite 300
Washington, DC 20006
(202) 714-9492
Email: kduncan@duncanpllc.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

State of Alabama

represented by **Andrew L. Brasher**
501 Washington Ave.
Montgomery, AL 36103
334-242-7300
Email: abrasher@ago.state.al.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William G. Parker , Jr.
Office of the Governor
Alabama State Capitol
600 Dexter Avenue, Room NB-05
Montgomery, AL 36130
334-242-7120
Fax: 334-242-2335
Email: will.parker@governor.alabama.gov

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Defendant

Sylvia M. Burwell
*Secretary of the United States
Department of Health and Human
Services*

represented by **Bradley Philip Humphreys**
20 Massachusetts Ave, NW, Room 7108
Washington, DC 20529
202-514-3367
Email: bradley.p.humphreys@usdoj.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Michelle Renee Bennett
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue NW
Washington, DC 20529-2099
202-305-8902
Fax: 202-616-8470
Email: michelle.bennett@usdoj.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Amicus

American Civil Liberties Union

represented by **Jennifer Lee**
125 Broad Street, 18th Floor
New York, NY 10004
212-549-2633
Email: jlee@aclu.org
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Randall C. Marshall
ACLU of Alabama Foundation, Inc.
P.O. Box 6179
Montgomery, AL 30106-0179
334-420-1741
Fax: 334-269-5666
Email: rmarshall@aclualabama.org
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Brigitte Amiri
125 Broad St., 18th Floor
New York, NY 10004
212-549-2633
Email: bamiri@aclu.org
ATTORNEY TO BE NOTICED

Daniel Mach
915 15th Street, 8th Floor
Washington, DC 20005
202-548-6605
Email: dmach@aclu.org
ATTORNEY TO BE NOTICED

Amicus

**American Civil Liberties Union of
Alabama**

represented by **Randall C. Marshall**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Brigitte Amiri
(See above for address)
ATTORNEY TO BE NOTICED

Daniel Mach
(See above for address)
ATTORNEY TO BE NOTICED

Jennifer Lee
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**United States Department of Health
and Human Services**

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

Michelle Renee Bennett
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Thomas Perez
*Secretary of the United States
Department of Labor*

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

Michelle Renee Bennett
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

United States Department of Labor

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

Michelle Renee Bennett
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jacob Lew
*Secretary of the United States
Department of the Treasury*

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

Michelle Renee Bennett
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**United States Department of the
Treasury**

represented by **Bradley Philip Humphreys**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Michelle Renee Bennett

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/28/2013	<u>1</u>	COMPLAINT (Filing fee \$400 receipt number 1128-1502887, Online Credit Card Payment), filed by Eternal Word Television Network, Inc., State of Alabama against Kathleen Sebelius, United States Department of Health and Human Services, Thomas Perez, United States Department of Labor, Jacob Lew, and United States Department of the Treasury. (Attachments: # <u>1</u> Exhibit A_HRSA Guidelines, # <u>2</u> Exhibit B_FDA Birth Control Guide, # <u>3</u> Exhibit C_Sebelius Press Release, # <u>4</u> Exhibit D_HealthCare.gov Grandfathering Factsheet, # <u>5</u> Exhibit E_Amendment to Grandfathering Regulation, # <u>6</u> Exhibit F_White House Small Business Statement, # <u>7</u> Summons_DOL, # <u>8</u> Summons_HHS, # <u>9</u> Summons_Lew, # <u>10</u> Summons_Perez, # <u>11</u> Summons_Sebelius, # <u>12</u> Summons_Treasury, # <u>13</u> Disclosure Statement) (Blomberg, Daniel) Modified on 10/28/2013 (mab). (Additional attachment(s) added on 10/29/2013: # <u>14</u> Civil Cover Sheet) (mab). (Entered: 10/28/2013)
10/28/2013	<u>2</u>	MOTION for Daniel Blomberg to Appear Pro Hac Vice (Filing fee \$ 50, Receipt number 1128-1502952, Online Credit Card Payment.) by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> PHV Application, # <u>2</u> Certificate of Good Standing) (Blomberg, Daniel) (Entered: 10/28/2013)
10/28/2013	<u>3</u>	MOTION for S. Kyle Duncan to Appear Pro Hac Vice (Filing fee \$ 50, Receipt number 1128-1502977, Online Credit Card Payment.) by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> PHV Application, # <u>2</u> Certificate of Good Standing) (Duncan, Stuart) (Entered: 10/28/2013)
10/28/2013	<u>4</u>	MOTION for Lori H. Windham to Appear Pro Hac Vice (Filing fee \$ 50, Receipt number 1128-1502993, Online Credit Card Payment.) by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> PHV Application, # <u>2</u> Certificate of Good Standing) (Windham, Lori) (Entered: 10/28/2013)
10/28/2013	<u>5</u>	Local Rule 3.4 and blank Disclosure Statement form e-mailed to Plaintiff Eternal Word Television Network, Inc.; Disclosure Statement Due 11/4/2013. (mab) (Entered: 10/28/2013)
10/28/2013	<u>6</u>	Corporate Disclosure Statement filed by Plaintiff Eternal Word Television Network, Inc. (Attachment to Complaint) (mab) (Entered: 10/28/2013)
10/28/2013	<u>7</u>	Summonses Issued as to Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury, U.S. Attorney & U.S. Attorney General. (NOTE TO COUNSEL: The Summonses have been issued. Please print copies necessary for service.) (mab) (Entered: 10/28/2013)
10/28/2013	<u>8</u>	Service Notice issued 10/28/2013. Plaintiffs' Notice of Service Efforts due by 12/12/2013 pursuant to Local Rule 4.1(c). (Entered: 10/28/2013)
10/30/2013	<u>9</u>	ORDER on <u>6</u> Corporate Disclosure Statement filed by Eternal Word Television Network, Inc.. A review does not reveal any reason to believe that there are potential conflicts of interest that would require recusal in this action. Signed by Magistrate Judge William E. Cassady on 10/30/2013. (sdb) (Entered: 10/30/2013)
10/30/2013	<u>10</u>	Order granting <u>3</u> MOTION for S. Kyle Duncan to Appear Pro Hac Vice; granting <u>2</u> MOTION for Daniel Blomberg to Appear Pro Hac Vice; granting <u>4</u> MOTION for Lori H. Windham to Appear Pro Hac Vice. Deadline set for Mr. Duncan to supplement his application with a certificate of good standing by 11/12/2013. Signed by Magistrate Judge William E. Cassady on 10/30/2013. copies to parties. (sdb) (Entered: 10/30/2013)

10/30/2013	<u>11</u>	Document endorsed NOTED by Judge Callie V. S. Granade: Corporate Disclosure Statement <u>6</u> filed by Eternal Word Television Network, Inc. (McDermott, Elizabeth) (Entered: 10/30/2013)
11/05/2013	<u>12</u>	Supplement to <u>3</u> Pro Hac Vice Application/Certificate of Good Standing from USDC New Orleans, LA (Duncan, Stuart) Modified on 11/6/2013 (mab). (Entered: 11/05/2013)
11/13/2013	<u>13</u>	Order, recognizing that Mr. Duncan has appropriately supplemented his motion as requested. (See Doc. <u>12</u>). Signed by Magistrate Judge William E. Cassady on 11/13/2013. (adk) (Entered: 11/13/2013)
11/18/2013	<u>14</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. United States Department of Health and Human Services served on 10/31/2013, answer due 12/30/2013. (Duncan, Stuart) (Entered: 11/18/2013)
11/18/2013	<u>15</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. United States Department of the Treasury served on 11/5/2013, answer due 1/4/2014. (Duncan, Stuart) (Entered: 11/18/2013)
11/18/2013	<u>16</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. Kathleen Sebelius served on 10/31/2013, answer due 12/30/2013. (Duncan, Stuart) (Entered: 11/18/2013)
11/18/2013	<u>17</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. United States Department of Labor served on 11/5/2013, answer due 1/4/2014. (Duncan, Stuart) (Entered: 11/18/2013)
11/18/2013	<u>18</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. Jacob Lew served on 11/1/2013, answer due 12/31/2013. (Duncan, Stuart) (Entered: 11/18/2013)
11/18/2013	<u>19</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. Thomas Perez served on 10/31/2013, answer due 12/30/2013. (Duncan, Stuart) (Entered: 11/18/2013)
11/18/2013	<u>20</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. All Defendants. (Duncan, Stuart) (Entered: 11/18/2013)
11/18/2013	<u>21</u>	SUMMONS Returned Executed by Eternal Word Television Network, Inc.. All Defendants. (Duncan, Stuart) (Entered: 11/18/2013)
12/03/2013	<u>22</u>	NOTICE of Appearance by Bradley Philip Humphreys on behalf of Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury (Humphreys, Bradley) (Entered: 12/03/2013)
12/19/2013	<u>23</u>	Joint MOTION for Extension of Time to File Answer , <i>Extension of Briefing Length, and Adoption of Briefing Schedule</i> by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (Blomberg, Daniel) (Entered: 12/19/2013)
12/20/2013	<u>24</u>	NOTICE of Endorsement by State of Alabama re: <u>23</u> Joint MOTION for Extension of Time to File Answer , <i>Extension of Briefing Length, and Adoption of Briefing Schedule</i> (Brasher, Andrew) (Entered: 12/20/2013)
12/20/2013	<u>25</u>	NOTICE of Endorsement by Jacob Lew, Kathleen Sebelius, United States Department of Labor, United States Department of Health and Human Services, Thomas Perez, United States Department of the Treasury re: <u>23</u> Joint MOTION for Extension of Time to File Answer , <i>Extension of Briefing Length, and Adoption of Briefing Schedule</i> (Humphreys, Bradley) (Entered: 12/20/2013)
12/20/2013	<u>26</u>	ENDORSED ORDER granting <u>23</u> Joint Motion for Briefing Schedule, Extended Briefing Length, and Extension of Defendants' Deadline to Submit a Responsive Pleading. Briefing schedule is adopted, and Defendants' responsive pleading shall be filed no later than February 6, 2014. Signed by Judge Callie V. S. Granade on 12/20/2013. (mab) (Entered: 12/20/2013)
12/31/2013	<u>27</u>	MOTION for Summary Judgment by State of Alabama. (Attachments: # <u>1</u> Text of Proposed Order) (Brasher, Andrew) (Entered: 12/31/2013)

12/31/2013	<u>28</u>	Brief filed by State of Alabama re <u>27</u> MOTION for Summary Judgment filed by State of Alabama. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Brasher, Andrew) (Entered: 12/31/2013)
12/31/2013	<u>29</u>	MOTION for Partial Summary Judgment & Either MOTION to Expedite Case or MOTION for Preliminary Injunction by Eternal Word Television Network, Inc. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Affidavit Blomberg, # <u>3</u> Exhibit A_HRSA Guidelines, # <u>4</u> Exhibit B_FDA Birth Control Guide, # <u>5</u> Exhibit C_Sebelius Press Release, # <u>6</u> Exhibit D_Grandfathering Factsheet, # <u>7</u> Exhibit E_Grandfathering Reg Amendment, # <u>8</u> Exhibit F_White House Small Business Statement, # <u>9</u> Exhibit G_Warsaw Declaration, # <u>10</u> Exhibit H_Haas Declaration, # <u>11</u> Exhibit I_Self-Certification Form, # <u>12</u> Exhibit J_Reaching Souls Transcript, # <u>13</u> Exhibit K_Cohen Dep. Excerpt, # <u>14</u> Suggested Statement of Undisputed Facts) (Blomberg, Daniel). (Added MOTION to Expedite, MOTION for Preliminary Injunction on 1/2/2014) (tot). (Entered: 12/31/2013)
12/31/2013	<u>30</u>	Brief filed by Eternal Word Television Network, Inc. re <u>29</u> MOTION for Summary Judgment ; <i>Memorandum in Support of Motion for Summary Judgment</i> . (Blomberg, Daniel) (Entered: 12/31/2013)
02/03/2014	<u>31</u>	PRELIMINARY SCHEDULING ORDER entered. Rule 26 Meeting Report due by 3/20/2014. Signed by Magistrate Judge William E. Cassady on 2/3/2014. (Attachment: # <u>1</u> consent form) (mab) (Entered: 02/03/2014)
02/06/2014	<u>32</u>	Unopposed MOTION for Extension of Time to File <i>Responsive Pleading and to Amend Briefing Schedule</i> by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Attachments: # <u>1</u> Text of Proposed Order) (Humphreys, Bradley) (Entered: 02/06/2014)
02/10/2014	<u>33</u>	ENDORSED ORDER, GRANTING <u>32</u> Unopposed MOTION for Extension of Time and to Amend Briefing Schedule. The deadline for defendants to file their responsive pleading is extended to February 10, 2014. The deadline for defendants to file their response to the plaintiffs' motions for summary judgment is extended to February 10, 2014. The plaintiffs are to file their response to any motion to dismiss or motion for summary judgment and file their reply briefs regarding their motions for summary judgment by February 28, 2014. The defendants are to file their reply briefs by March 11, 2014. Signed by Judge Callie V. S. Granade on 2/10/2014. (mab) (Entered: 02/10/2014)
02/10/2014	<u>34</u>	MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Attachments: # <u>1</u> Exhibit Defendants' Statement of Suggested Findings of Undisputed Facts and Conclusions of Law, # <u>2</u> Text of Proposed Order) (Humphreys, Bradley) (Entered: 02/10/2014)
02/10/2014	<u>35</u>	Memorandum in Support re <u>34</u> MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> filed by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Humphreys, Bradley) (Entered: 02/10/2014)
02/10/2014	<u>36</u>	Memorandum in Opposition re <u>29</u> MOTION for Summary Judgment MOTION to Expedite MOTION for Preliminary Injunction, <u>27</u> MOTION for Summary Judgment filed by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Attachments: # <u>1</u> Exhibit Defendants' Response to EWTN's Statement of Suggested Undisputed Material Facts) (Humphreys, Bradley) (Entered: 02/10/2014)
02/11/2014	<u>37</u>	MOTION for Jennifer Lee to Appear Pro Hac Vice (Filing fee \$ 50, Receipt number 1128-1543217, Online Credit Card Payment.) by American Civil Liberties Union, American Civil Liberties Union of Alabama. (Attachments: # <u>1</u> Pro Hac Vice Application, # <u>2</u> Certificate of Good Standing) (Lee, Jennifer) (Entered: 02/11/2014)

02/11/2014	<u>38</u>	MOTION for Brigitte Amiri to Appear Pro Hac Vice (Filing fee \$ 50, Receipt number 1128-1543296, Online Credit Card Payment.) by American Civil Liberties Union, American Civil Liberties Union of Alabama. (Attachments: # <u>1</u> Pro Hac Vice Application, # <u>2</u> Certificate of Good Standing) (Amiri, Brigitte) (Entered: 02/11/2014)
02/11/2014	<u>39</u>	MOTION for Daniel Mach to Appear Pro Hac Vice (Filing fee \$ 50, Receipt number 1128-1543327, Online Credit Card Payment.) by American Civil Liberties Union, American Civil Liberties Union of Alabama. (Attachments: # <u>1</u> Pro Hac Vice Application, # <u>2</u> Certificate of Good Standing) (Mach, Daniel) (Entered: 02/11/2014)
02/11/2014	<u>40</u>	MOTION for Leave to File <i>Brief as Amici Curiae</i> by American Civil Liberties Union, American Civil Liberties Union of Alabama. (Attachments: # <u>1</u> Proposed Amicus Brief) (Marshall, Randall) (Entered: 02/11/2014)
02/11/2014	<u>41</u>	Corporate Disclosure Statement filed by Amicus Parties American Civil Liberties Union, American Civil Liberties Union of Alabama. (Marshall, Randall) (Entered: 02/11/2014)
02/11/2014	42	ENDORSED ORDER granting <u>40</u> Motion of American Civil Liberties Union and American Civil Liberties Union of Alabama for Leave to File Brief as Amici Curiae. Signed by Judge Callie V. S. Granade on 2/11/2014. (mab) (Entered: 02/11/2014)
02/11/2014	<u>43</u>	Brief of Amici Curiae filed by American Civil Liberties Union and American Civil Liberties Union of Alabama in Opposition to ETWN's <u>29</u> MOTION for Summary Judgment or for Preliminary Injunction, and in Support of Defendants' <u>34</u> MOTION to Dismiss or for Summary Judgment; referred to Judge Granade (mab) (Entered: 02/11/2014)
02/11/2014	44	Document endorsed NOTED by Judge Callie V. S. Granade: Corporate Disclosure Statement <u>41</u> filed by American Civil Liberties Union, American Civil Liberties Union of Alabama (McDermott, Elizabeth) (Entered: 02/11/2014)
02/11/2014	<u>45</u>	NOTICE by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury <i>of Filing of Administrative Record</i> (Attachments: # <u>1</u> Exhibit Index of Administrative Record) (Humphreys, Bradley) (Three CDs received and placed in RED FILE FOLDER) Modified on 2/12/2014 (mab). (Entered: 02/11/2014)
02/11/2014	46	ENDORSED ORDER granting <u>37</u> Motion to Appear Pro Hac Vice of Attorney Jennifer Lee; granting <u>38</u> Motion to Appear Pro Hac Vice of Attorney Brigitte Amiri; granting <u>39</u> Motion to Appear Pro Hac Vice of Attorney Daniel Mach. Signed by Judge Callie V. S. Granade on 2/11/2014. (mab) (Entered: 02/11/2014)
02/11/2014	<u>47</u>	Order, review of <u>41</u> Corporate Disclosure Statement filed by American Civil Liberties Union and American Civil Liberties Union of Alabama has not revealed any reason to believe that there are potential conflicts of interest that would require disqualification or recusal in this action. Signed by Magistrate Judge William E. Cassidy on 2/11/2014. (mab) (Entered: 02/12/2014)
02/28/2014	<u>48</u>	RESPONSE to Motion re: <u>34</u> MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> , <u>27</u> MOTION for Summary Judgment filed by State of Alabama. (Brasher, Andrew) (Entered: 02/28/2014)
02/28/2014	<u>49</u>	REPLY to Response to Motion <u>29</u> <i>for Partial Summary Judgment</i> filed by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit L, Little Sisters of the Poor Order, # <u>3</u> Exhibit M, Archbishop of Wash. Transcript, # <u>4</u> Exhibit Robertson & Collins Survey) (Blomberg, Daniel) (Entered: 02/28/2014)
02/28/2014	<u>50</u>	RESPONSE in Opposition re <u>34</u> MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> filed by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit L, Little Sisters of the Poor Order, # <u>3</u> Exhibit M, Archbishop of Wash. Transcript, # <u>4</u> Exhibit N, Robertson & Collins Survey, # <u>5</u> Response to Defendants Proposed Statement of Undisputed Fact) (Blomberg, Daniel) (Entered: 02/28/2014)
02/28/2014	<u>51</u>	MOTION for Discovery <i>under Rule 56(d)</i> by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> Affidavit in support of Rule 56(d) Motion, # <u>2</u> Text of Proposed

		Order) (Blomberg, Daniel) (Entered: 02/28/2014)
03/07/2014	<u>52</u>	REPORT of Rule 26(f) Planning Meeting . (Blomberg, Daniel) (Entered: 03/07/2014)
03/11/2014	<u>53</u>	REPLY Brief filed by Defendants Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury re: <u>34</u> MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment Addressing EWTN's Claims</i> filed by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Humphreys, Bradley) (Entered: 03/11/2014)
03/18/2014	<u>54</u>	Order, the Court's Rule 16(b) Scheduling Order will be HELD IN ABEYANCE until after Judge Granade has ruled upon the pending motions. Signed by Magistrate Judge William E. Cassady on 3/18/2014. (mab) (Entered: 03/19/2014)
03/20/2014	<u>55</u>	Unopposed MOTION to Expedite <i>Consideration of Case and For Oral Argument</i> by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (Blomberg, Daniel) (Entered: 03/20/2014)
05/01/2014	<u>56</u>	NOTICE by Eternal Word Television Network, Inc. of <i>Supplemental Authority</i> (Blomberg, Daniel) (Entered: 05/01/2014)
05/22/2014	<u>57</u>	NOTICE by Eternal Word Television Network, Inc. <i>Second Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Affidavit) (Blomberg, Daniel) (Entered: 05/22/2014)
06/06/2014	<u>58</u>	NOTICE by Eternal Word Television Network, Inc. <i>Third Notice of Supplemental Authority</i> (Blomberg, Daniel) (Entered: 06/06/2014)
06/13/2014	<u>59</u>	NOTICE by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury of <i>Supplemental Authority</i> (Humphreys, Bradley) (Entered: 06/13/2014)
06/13/2014	<u>60</u>	RESPONSE to <u>59</u> Notice (Other) filed by Eternal Word Television Network, Inc.. (Blomberg, Daniel) (Entered: 06/13/2014)
06/17/2014	<u>61</u>	ORDER, GRANTING EWTN's motion to expedite summary judgment proceedings; DENYING EWTN's motion for summary judgment; and GRANTING Defendants' motion for summary judgment with respect to Counts I, II, V, and IX of the complaint. The court will address EWTN's motion for discovery under 56(d) and the remainder of the Defendants' dispositive motion in a separate order. Signed by Judge Callie V. S. Granade on 6/17/2014. (mab) (Entered: 06/17/2014)
06/17/2014	<u>62</u>	ORDER, Defendants' Motion to Dismiss (Doc. <u>34</u>) is DENIED with respect to Counts XII, XIII, XIV, XVI, XVII, and is GRANTED with respect to all remaining claims; Defendants' Motion for Summary Judgment is DENIED with respect to Counts XII, XIII, XIV, XVI, and XVII; EWTN's 56(d) motion (Doc. <u>51</u>) is DENIED AS MOOT. Signed by Judge Callie V. S. Granade on 6/17/2014. (mab) (Entered: 06/17/2014)
06/17/2014	<u>63</u>	Joint MOTION for Entry of Judgment under Rule 54(b) for <i>Counts I, II, V, and IX, and for a stay of litigation with respect to the remaining counts</i> by Eternal Word Television Network, Inc., State of Alabama. (Attachments: # <u>1</u> Text of Proposed Order) (Blomberg, Daniel) (Entered: 06/17/2014)
06/18/2014	<u>64</u>	MOTION for Preliminary Injunction <i>Pending Appeal</i> by Eternal Word Television Network, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (Blomberg, Daniel) (Entered: 06/18/2014)
06/18/2014	<u>65</u>	ORDER, certifying that the order of partial summary judgment dated June 17, 2014, (Doc. <u>61</u>), constitutes a final judgment as to Counts I, II, V, and IX. A separate final judgment as to those Counts will be entered on the docket. Remaining claims STAYED pending appeal of the partial summary judgment. Signed by Judge Callie V. S. Granade on 6/18/2014. (mab) (Entered: 06/18/2014)
06/18/2014		Case Stayed pursuant to <u>65</u> Order. (mab) (Entered: 06/18/2014)
06/18/2014	<u>66</u>	FINAL JUDGMENT entered in favor of United States Department of Health and Human Services, United States Department of Labor, United States Department of the

		Treasury, Jacob Lew, Sylvia M. Burwell, Thomas Perez against Eternal Word Television Network, Inc. and State of Alabama. Counts I, II, V and IX of the Plaintiff's complaint are DISMISSED with prejudice. Costs are to be taxed against the plaintiffs. Signed by Judge Callie V. S. Granade on 6/18/2014. (mab) (Entered: 06/18/2014)
06/18/2014	<u>67</u>	Order re: <u>64</u> MOTION for Preliminary Injunction <i>Pending Appeal</i> filed by Eternal Word Television Network, Inc. Defendant's response due by 6/20/2014. Plaintiff's reply due by 6/23/2014. Signed by Judge Callie V. S. Granade on 6/18/2014. (mab) (Entered: 06/18/2014)
06/18/2014	<u>68</u>	NOTICE OF APPEAL as to <u>65</u> Judgment, <u>61</u> Order on Motion for Summary Judgment,, Order on Motion to Expedite, Order on Motion for Preliminary Injunction, Order on Motion to Dismiss, <u>66</u> Judgment, by Eternal Word Television Network, Inc.. (Filing fee \$505 receipt number 1128-1595729, Online Credit Card Payment.) (Blomberg, Daniel) (Note: No Hearings). (Entered: 06/18/2014)
06/18/2014	<u>69</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re: <u>65</u> Judgment, <u>61</u> Order on Motion for Summary Judgment,, Order on Motion to Expedite, Order on Motion for Preliminary Injunction, Order on Motion to Dismiss, <u>66</u> Judgment, <u>68</u> Notice of Appeal, Judge Appealed: Judge Granade, Court Reporter: No Hearings, Fee Paid: PAID (as to Claims I, II, V, IX), all other claims stayed (No Hearings.) (jal) (Entered: 06/18/2014)
06/18/2014	<u>70</u>	RESPONSE in Opposition re <u>64</u> MOTION for Preliminary Injunction <i>Pending Appeal</i> filed by Sylvia M. Burwell, Jacob Lew, Thomas Perez, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Humphreys, Bradley) (Entered: 06/18/2014)
06/18/2014	<u>71</u>	NOTICE of Docketing Record on Appeal from USCA re <u>68</u> Notice of Appeal, filed by Eternal Word Television Network, Inc.. USCA Case Number 14-12696-CC (jal) (Entered: 06/19/2014)
06/19/2014		Pursuant to F.R.A.P. 11(c), the Clerk of the District Court for the Southern District of Alabama certifies that the record is complete for purposes of this appeal re: <u>68</u> Notice of Appeal,, Appeal No. 14-12696-CC. The record on appeal is available electronically with the exception of 1 Red Folder of CDs at doc. 45. (jal) (Entered: 06/19/2014)
06/19/2014	<u>72</u>	REPLY to Response to Motion <u>64</u> for <i>Injunction Pending Appeal</i> filed by Eternal Word Television Network, Inc.. (Blomberg, Daniel) (Entered: 06/19/2014)
06/19/2014	<u>73</u>	ORDER denying <u>64</u> Motion for Preliminary Injunction pending appeal. Signed by Judge Callie V. S. Granade on 6/19/2014. (mab) (Entered: 06/19/2014)
04/24/2015	<u>74</u>	NOTICE of Appearance by Michelle Renee Bennett on behalf of Sylvia M. Burwell, Jacob Lew, Thomas Perez, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury (Bennett, Michelle) (Entered: 04/24/2015)
02/19/2016	<u>75</u>	OPINION of USCA as to <u>68</u> Notice of Appeal, filed by Eternal Word Television Network, Inc., Opinion issued by court as to Appellant Eternal Word Television Network, Inc. in 14-12696, Appellants Secretary, U.S. Department of Health and Human Services, Secretary, U.S. Department of Labor, Secretary, U.S. Department of the Treasury, U.S. Department of Health and Human Services, U.S. Department of Labor and U.S. Department of the Treasury in 14-12890, 14-13239. Decision: Affirmed in part, Reversed in part and Remanded. Opinion type: Published. Opinion method: Signed. [14-12696, 14-12890, 14-13239], (Mandate to issue at a later date.) (jal) (Entered: 02/19/2016)
05/31/2016	<u>76</u>	ORDER of USCA as to <u>68</u> Notice of Appeal, filed by Eternal Word Television Network, Inc., Given the Zubik decision, we are VACATING OUR 2/18/16 OPINION in (14-12696 SDAL), (14-12890 and 141329 NDGA). (jal) (Entered: 07/06/2016)