

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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| TRIJICON, INC., a Michigan Corporation; STEPHEN G. BINDON; MICHAEL BINDON, MARK BINDON, SHARON LYCOS, TIMOTHY BINDON, AND BETHANNE FALKOWSKI; |) | |
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| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. |
| |) | 1:13-CV-01207-EGS |
| KATHLEEN SEBELIUS, in her official capacity as Secretary of the United States Department of Health and Human Services; THOMAS PEREZ, in HIS official capacity as Secretary of the United States Department of Labor; JACOB LEW, in his official capacity as Secretary of the United States Department of the Treasury; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES DEPARTMENT OF LABOR; and UNITED STATES DEPARTMENT OF THE TREASURY; |) | |
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| Defendants. |) | |
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**[PROPOSED] ORDER GRANTING
MOTION FOR PRELIMINARY INJUNCTION**

This matter having come before the Court on Plaintiffs’ Motion for Preliminary Injunction [Dkt. #___], and this Court having reviewed the pleadings and heard arguments from counsel, the Court hereby **GRANTS** Plaintiffs’ Motion for Preliminary Injunction.

The Plaintiffs have satisfied all of the requirements for preliminary injunctive relief. In particular, the Plaintiffs have demonstrated that they are substantially likely to succeed in proving that the regulations at issue are invalid under the Religious Freedom Restoration Act, 42 U.S.C. §2000bb *et seq.*, and the First Amendment’s Free Exercise Clause. Plaintiffs have demonstrated that, without relief, they would suffer substantial, irreparable harm and have no

adequate remedy at law. The public interest favors an injunction, as the public interest always favors the enforcement of constitutional and civil rights, and the Defendants have numerous other means available to achieve their stated policy goals.

Accordingly, the substantive requirements imposed in 42 U.S.C. § 300gg-13(a)(4), Pub. L. 111-148, §1563(e)-(f), and 77 Fed. Reg. 8,725, that Plaintiffs provide what they believe to be abortifacients or related education and counseling in Trijicon, Inc.'s employee health plans, contrary to the religious objections of Plaintiffs; and the application of any penalties or enforcement found in 26 U.S.C. §§ 4980D & H and 29 U.S.C. § 113 2 accruing from these requirements; and any determination that the requirements are applicable to Plaintiffs; and any enforcement of said requirements by the Defendants, their agents, officers, and employees; are hereby **ENJOINED**.

It is so **ORDERED**, this ____ day of August, 2013.

Hon. Emmet G. Sullivan, U.S.D.J.