

CLOSED,JURY,STAYED,TYPE-L

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:13-cv-01879-RDM**

STEWART et al v. SEBELIUS et al  
Assigned to: Judge Randolph D. Moss  
Cause: 42:2000 Religion

Date Filed: 11/27/2013  
Date Terminated: 04/06/2016  
Jury Demand: Defendant  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JOHN F STEWART**

represented by **Bryan H. Beuman**  
STURGILL TURNER BARKER &  
MOLONEY PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY 40507  
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**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**John R. Garza**  
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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**ENCOMPASS DEVELOP, DESIGN &  
CONSTRUCT, LLC**

represented by **Bryan H. Beuman**  
(See above for address)  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Clinton J. Elliott**  
ATTORNEY OF LAW CLINTON J.  
ELLIOTT  
3601 Doris Court  
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**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**John R. Garza**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**KATHLEEN SEBELIUS**

represented by

**Benjamin Leon Berwick**  
 PROTECT DEMOCRACY PROJECT,  
 INC.  
 10 Ware Street  
 Cambridge, MA 02138  
 (202) 599-0466  
 Fax: (929) 777-8428  
 Email: [ben.berwick@protectdemocracy.org](mailto:ben.berwick@protectdemocracy.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****THOMAS E. PEREZ**

represented by **Benjamin Leon Berwick**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****JACOB J. LEW**

represented by **Benjamin Leon Berwick**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****UNITED STATES DEPARTMENT  
 OF HEALTH AND HUMAN  
 SERVICES**

represented by **Benjamin Leon Berwick**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****UNITED STATES DEPARTMENT  
 OF LABOR**

represented by **Benjamin Leon Berwick**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****UNITED STATES DEPARTMENT  
 OF THE TREASURY**

represented by **Benjamin Leon Berwick**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/27/2013	<u>1</u>	COMPLAINT against All Defendants with Jury Demand (Fee Status: Paid: Receipt No. 4616060928) filed by JOHN R GARZA, ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC, JOHN F STEWART. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons)(Garza, John) (Entered: 11/27/2013)
11/27/2013		Case Assigned to Judge Royce C. Lamberth. (md, ) (Entered: 11/27/2013)
11/27/2013	<u>2</u>	ELECTRONIC SUMMONS (7) ISSUED as to JACOB LEW, THOMAS PEREZ, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons 2nd, # <u>2</u> Summons 3rd, # <u>3</u> Summons 4th, # <u>4</u> Summons 5th, # <u>5</u> Summons 6th, # <u>6</u> Summons 7th, # <u>7</u> Notice of Consent, # <u>8</u> Consent Form)(md, ) (Entered: 11/27/2013)
12/09/2013	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Bryan H. Beauman, :Firm- Sturgill, Turner, Barker & Moloney, PLLC, :Address- 333 West Vine Street Suite 1400 Lexington, Kentucky 40507. Phone No. - 8592558581. Fax No. - (859

		231-0851 by ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC, JOHN F STEWART (Garza, John) (Entered: 12/09/2013)
12/17/2013	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Clinton J. Elliott, :Address- 3601 Doris Court Crestwood, Kentucky, 40014. Phone No. - 502-931-2251. by ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC, JOHN F STEWART (Attachments: # <u>1</u> Declaration Clinton Declaration-SIGNED)(Garza, John) (Entered: 12/17/2013)
12/17/2013		MINUTE ORDER granting <u>3</u> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Royce C. Lamberth on December 17, 2013. (lcrcl4) (Entered: 12/17/2013)
02/28/2014	<u>5</u>	Unopposed MOTION for Preliminary Injunction <i>and Stay of Proceedings</i> by ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Unopposed Motion for Preliminary Injunction and Stay of Proceedings)(Beaman, Bryan). Added MOTION to Stay on 3/3/2014 (znmw, ). (Entered: 02/28/2014)
03/03/2014	<u>6</u>	NOTICE of Appearance by Benjamin Leon Berwick on behalf of All Defendants (Berwick, Benjamin) (Entered: 03/03/2014)
04/03/2014	<u>7</u>	ORDER Granting <u>5</u> Motion for Preliminary Injunction; and <u>5</u> Motion to Stay of Proceedings (See Image for Details). Signed by Judge Royce C. Lamberth on 4/2/14. (mpt, ) (Entered: 04/04/2014)
04/08/2014		MINUTE ORDER granting <u>4</u> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Royce C. Lamberth on April 8, 2014. (lcrcl4) (Entered: 04/08/2014)
11/19/2014		Case randomly reassigned to Judge Randolph D. Moss. Judge Royce C. Lamberth no longer assigned to the case. (gt, ) (Entered: 11/19/2014)
12/08/2014	<u>8</u>	NOTICE of Proposed ORDER AND JUDGMENT by ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC, JOHN F STEWART (Garza, John) Modified on 12/9/2014 (rdj). (Entered: 12/08/2014)
02/02/2015	<u>9</u>	ORDER AND JUDGMENT (See Order for details). Signed by Judge Randolph D. Moss on 2/2/2015. (kt) (Entered: 02/02/2015)
03/19/2015	<u>10</u>	Joint MOTION for Extension of Time to <i>File for Attorney's Fees and Costs</i> by ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC (Attachments: # <u>1</u> Text of Proposed Order)(Beaman, Bryan) (Entered: 03/19/2015)
03/19/2015		MINUTE ORDER: Upon consideration of the Joint Motion for Extension of Time <u>10</u> , it is hereby ORDERED that the motion is GRANTED. Plaintiffs shall submit any motion for attorneys' fees and costs on or before April 18, 2015. Signed by Judge Randolph D. Moss on March 19, 2015. (lcrdm3, ) (Entered: 03/19/2015)
03/20/2015		Set/Reset Deadline: Plaintiffs shall submit any motion for attorneys' fees and costs on or before 4/18/2015. (kt) (Entered: 03/20/2015)
04/17/2015	<u>11</u>	MOTION for Extension of Time to <i>Extend Deadline for Attorney's Fees and Costs</i> by ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC (Attachments: # <u>1</u> Text of Proposed Order)(Beaman, Bryan) (Entered: 04/17/2015)
04/17/2015		MINUTE ORDER: Upon consideration of the Motion for Extension of Time <u>11</u> , it is hereby ORDERED that the motion is GRANTED. Plaintiffs shall file any motion for attorneys' fees and costs on or before June 2, 2015. Signed by Judge Randolph D. Moss on April 17, 2015. (lcrdm3, ) (Entered: 04/17/2015)
04/17/2015		Set/Reset Deadline: Plaintiffs shall file any motion for attorneys' fees and costs on or before 6/2/2015. (kt) (Entered: 04/17/2015)
06/01/2015	<u>12</u>	STATUS REPORT of <i>Plaintiffs</i> by ENCOMPASS DEVELOP, DESIGN & CONSTRUCT, LLC. (Beaman, Bryan) (Entered: 06/01/2015)
11/16/2015		MINUTE ORDER: Upon consideration of the parties' Joint Status Report <u>12</u> , it is hereby ORDERED that the parties shall show cause on or before November 24, 2015, why this case should not be terminated. Signed by Judge Randolph D. Moss on 11/16/2015. (lcrdm3, ) (Entered: 11/16/2015)

11/17/2015		Set/Reset Deadline: The parties shall show cause on or before 11/24/2015, why this case should not be terminated. (kt) (Entered: 11/17/2015)
04/06/2016		MINUTE ORDER: Upon consideration of the parties' joint status report <u>12</u> informing the Court that they have settled all issues related to attorney's fees, and the lack of response to the Court's Minute Order of November 16, 2015, it is hereby ORDERED that this case is dismissed. Signed by Judge Randolph D. Moss on 4/6/2016. (lcrdm3, ) (Entered: 04/06/2016)