

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

BECKWITH ELECTRIC CO., INC., and  
THOMAS R. BECKWITH,  
Plaintiffs,

Case No. 8:13-cv-648-EAK-MAP

vs.

KATHLEEN SEBELIUS, in her official  
capacity as Secretary, United States  
Department of Health and Human Services,  
*et al.*,  
Defendants.

**ORDER OF INJUNCTION AND JUDGMENT**

This cause is before the Court on the Joint Motion for Entry of Injunction and Judgment (Doc. 51). In light of the Supreme Court’s decision in *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014), and upon the parties’ Joint Motion for Entry of Injunction and Judgment, it is hereby

**ORDERED** that defendants, their employees, agents, and successors in office are permanently enjoined

(a) from enforcing

(1) the “June 30, 2014 Contraceptive Coverage Requirement,” defined here to include those provisions of federal law in existence on June 30, 2014, when the Supreme Court decided *Hobby Lobby*, that require plaintiff Beckwith Electric Co., Inc. to provide its employees with health coverage for contraceptive methods, sterilization procedures, and related patient education and counseling to which plaintiffs object on religious grounds, *e.g.*, 26 C.F.R. § 54.9815-2713(a)(1)(iv); 29 C.F.R. § 2590.715-2713(a)(1)(iv); 45 C.F.R. § 147.130(a)(1)(iv); and

(2) any penalties, fines, or assessments for noncompliance with the June 30, 2014 Contraceptive Coverage Requirement, including those found in 26 U.S.C. § 4980D and 29 U.S.C. §§ 1132 and 1185d; and

(b) from taking any other actions based on noncompliance with the June 30, 2014 Contraceptive Coverage Requirement against plaintiff Beckwith Electric Co., Inc., its employee health plan(s), the group health coverage provided in connection with such plan(s), and/or Beckwith Electric Co., Inc.'s health insurance issuers and/or third-party administrators with respect to plaintiff Beckwith Electric Co., Inc.'s health plan(s); and it is further

**ORDERED** that judgment is entered in favor of plaintiffs and against defendants on plaintiffs' claim under the Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb *et seq.*; and it is further

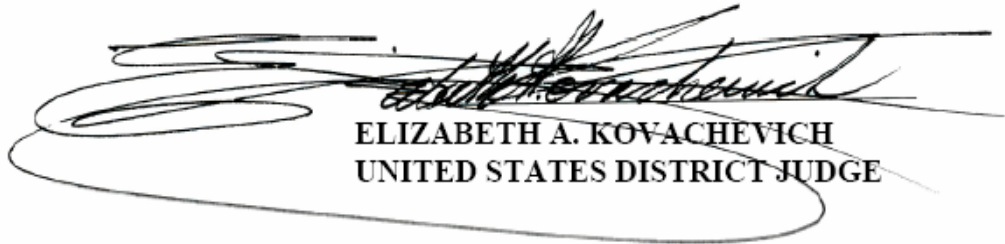
**ORDERED** that all other claims against Defendants are DISMISSED; and it is further

**ORDERED** that the Parties will meet and confer to reach agreement on attorneys' fees and costs. The Parties will file a joint status report, including a recommendation for further proceedings, by no later than April 9, 2015. If there is no resolution of the attorneys' fees and costs in this matter, Plaintiffs may file a motion for attorneys' fees and costs within thirty days of April 9, 2015, pursuant to Fed.R.Civ.P. 54; and it is further

**ORDERED** that this Injunction and Judgment does not apply with respect to any changes in statute or regulation that are enacted or promulgated after this date, and nothing herein prevents plaintiffs from filing a new civil action to challenge any such future changes.

**ORDERED** that the \$75,000.00 bond provided by plaintiffs to secure the preliminary injunction is no longer necessary and shall be returned to plaintiffs with accrued interest, if any. The Clerk of Court is directed to close this case and to terminate any pending motions.

**DONE and ORDERED** in Chambers, in Tampa, Florida, this 10th day of February, 2015.



ELIZABETH A. KOVACHEVICH  
UNITED STATES DISTRICT JUDGE

Copies to: All Parties and Counsel of Record