

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:12-cv-03489-WSD**

The Roman Catholic Archdiocese of Atlanta et al v. Sebelius et al

Assigned to: Judge William S. Duffey, Jr

Case in other court: USCA- 11th Circuit, 14-12890-CC

USCA- 11th Circuit, 14-13239-CC

Cause: 05:702 Administrative Procedure Act

Date Filed: 10/05/2012

Date Terminated: 05/30/2014

Jury Demand: None

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: U.S. Government Defendant

Plaintiff

The Roman Catholic Archdiocese of Atlanta

an association of churches and schools

represented by **David Moss Monde**

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ATTORNEY TO BE NOTICED

Plaintiff

The Most Reverend Wilton D. Gregory
*and his successors, Archbishop of The
Roman Catholic Archdiocese of Atlanta*

represented by **David Moss Monde**
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LEAD ATTORNEY
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Edward Kendrick Smith
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Brian C. Lea
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Christ the King Catholic School
TERMINATED: 08/19/2013

represented by **Stephen M. Forte**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Williams
(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

**Catholic Charities of the Archdiocese
of Atlanta, Inc.**
a Georgia non-profit corporation

represented by **Brian C. Lea**
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Stephen M. Forte
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Plaintiff

**The Roman Catholic Diocese of
Savannah**
an ecclesiastical territory

represented by **David Moss Monde**
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Brian C. Lea
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Plaintiff

The Most Reverend John Hartmayer
*and his successors, Bishop of The Roman
Catholic Diocese of Savannah*

represented by **David Moss Monde**
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Brian C. Lea
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Plaintiff

**Catholic Education of North Georgia,
Inc.**

represented by **Brian C. Lea**
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Stephen M. Forte
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Kathleen Sebelius
in her official capacity as Secretary of the
U. S. Department of Health and Human
Services

represented by **Michael C. Pollack**
United States Department of Justice, Civil
Division, Federal
Room 6143
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TERMINATED: 05/23/2014

Michelle R. Bennett
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Federal Programs Branch
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ATTORNEY TO BE NOTICED

Defendant

Hilda Solis
in her official capacity as Secretary of the
U. S. Department of Labor
TERMINATED: 08/19/2013

represented by **Michael C. Pollack**
(See above for address)
TERMINATED: 05/23/2014

Michelle R. Bennett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Timothy Geithner
in his official capacity as Secretary of the
U.S. Department of Treasury
TERMINATED: 08/19/2013

represented by **Michael C. Pollack**
(See above for address)
TERMINATED: 05/23/2014

Michelle R. Bennett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**U. S. Department of Health and
Human Services**

represented by **Michael C. Pollack**
(See above for address)
TERMINATED: 05/23/2014

Michelle R. Bennett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

U. S. Department of Labor

represented by **Michael C. Pollack**
(See above for address)
TERMINATED: 05/23/2014

Michelle R. Bennett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

U. S. Department of Treasury

represented by **Michael C. Pollack**
(See above for address)
TERMINATED: 05/23/2014

Michelle R. Bennett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Thomas Perez
*in his official capacity as Secretary of the
U.S. Department of Labor*

represented by **Michael C. Pollack**
(See above for address)
TERMINATED: 05/23/2014
LEAD ATTORNEY

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

Defendant

Jacob J. Lew
*in his official capacity as Secretary of the
U.S. Department of the Treasury*

represented by **Michael C. Pollack**
(See above for address)
TERMINATED: 05/23/2014
LEAD ATTORNEY

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

Amicus

American Civil Liberties Union
TERMINATED: 10/16/2013

represented by **Chad Michael Brock**
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Amicus

**American Civil Liberties Union
Foundation of Georgia**
TERMINATED: 10/16/2013

represented by **Chad Michael Brock**
(See above for address)

Date Filed	#	Docket Text
10/05/2012	<u>1</u>	COMPLAINT filed by The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc. and The Roman Catholic Diocese of Savannah; and Summon(s) issued. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. (Filing fee \$ 350.00 receipt number 49848.) (Attachments: # <u>1</u> Summons, # <u>2</u> Civil Cover Sheet)(eop) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 10/10/2012)
10/05/2012	<u>2</u>	Certificate of Interested Persons by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta and The Roman Catholic Diocese of Savannah. (eop) (Entered: 10/10/2012)
11/29/2012	<u>3</u>	NOTICE of Appearance by Michelle R. Bennett on behalf of Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Bennett, Michelle) (Entered: 11/29/2012)
11/29/2012	<u>4</u>	Unopposed MOTION for Leave to File Excess Pages by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Text of Proposed Order)(Bennett, Michelle) (Entered: 11/29/2012)
11/30/2012	<u>5</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc., The Roman Catholic Diocese of Savannah. All Defendants. (Williams, James) Modified on 12/3/2012 (kt). Modified on 12/3/2012 (kt). (Entered: 11/30/2012)
11/30/2012	<u>6</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc., The Roman Catholic Diocese of Savannah. All Defendants. (Williams, James) Modified on 12/3/2012 (kt). (Entered: 11/30/2012)
11/30/2012	<u>7</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc., The Roman Catholic Diocese of Savannah. (Williams, James) Modified on 12/3/2012 (kt). Modified on 12/3/2012 (kt). (Entered: 11/30/2012)
11/30/2012	<u>8</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc., The Roman Catholic Diocese of Savannah. (Williams, James) Modified on 12/3/2012 (kt). (Entered: 11/30/2012)
11/30/2012	<u>9</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc., The Roman Catholic Diocese of Savannah. (Williams, James) Modified on 12/3/2012 (kt). (Entered: 11/30/2012)
11/30/2012	<u>10</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc., The Roman Catholic Diocese of Savannah. (Williams, James) Modified on 12/3/2012 (kt).

		(Entered: 11/30/2012)
11/30/2012	<u>11</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, The Roman Catholic Diocese of Savannah. (Williams, James) Modified on 12/3/2012 (kt). (Entered: 11/30/2012)
11/30/2012	<u>12</u>	Acknowledgment of Service Executed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, The Roman Catholic Diocese of Savannah. (Williams, James) Modified on 12/3/2012 (kt). (Entered: 11/30/2012)
12/03/2012		Notification of Docket Correction re <u>6</u> Return of Service Executed as to USA, <u>7</u> Return of Service Executed as to USA, <u>12</u> Return of Service Executed as to USA, <u>9</u> Return of Service Executed as to USA, <u>8</u> Return of Service Executed as to USA, <u>10</u> Return of Service Executed as to USA, <u>11</u> Return of Service Executed as to USA, <u>5</u> Return of Service Executed as to USA. Wrong event selected. Edited documents to reflect actual e-filed pleadings. (kt) (Entered: 12/03/2012)
12/04/2012	<u>13</u>	ORDER GRANTING <u>4</u> Motion for Leave to File Excess Pages in excess of the twenty-five page limit set in Local Rule 7.1(D). Defendants may file a thirty-five (35) page brief, excluding the table of contents, table of authorities, signature block, and certificate of service. Signed by Judge William S. Duffey, Jr on 12/3/2012. (kt) (Entered: 12/04/2012)
12/10/2012	<u>14</u>	MOTION to Dismiss <i>for Lack of Jurisdiction</i> with Brief In Support by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Brief)(Bennett, Michelle) (Entered: 12/10/2012)
12/12/2012	<u>15</u>	Unopposed MOTION for Leave to File Excess Pages <i>in Response Brief to Motion to Dismiss</i> with Brief In Support by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Williams, James) (Entered: 12/12/2012)
12/12/2012	<u>16</u>	Unopposed MOTION for Extension of Time to File Response to Motion to Dismiss re: <u>14</u> MOTION to Dismiss <i>for Lack of Jurisdiction</i> with Brief In Support by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Williams, James) (Entered: 12/12/2012)
12/12/2012		ORDER (by docket entry only) granting <u>15</u> Motion for Leave to File Excess Pages; granting <u>16</u> Motion for Extension of Time. Plaintiffs may file and serve their response to Defendants motion to dismiss on or before January 10, 2013. Ordered by Judge William S. Duffey, Jr. on 12/12/12. (jdb) (Entered: 12/12/2012)
12/18/2012	<u>17</u>	Joint MOTION for Extension of Time to comply with Case Management Deadlines by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Text of Proposed Order)(Bennett, Michelle) (Entered: 12/18/2012)
12/19/2012	<u>18</u>	ORDER GRANTING <u>17</u> Motion for Extension of Time. The parties are ORDERED to hold their Rule 26(f) conference by January 9, 2013, and to submit their Rule 16 Report and their Initial Disclosures by January 23, 2013. Signed by Judge William S. Duffey, Jr on 12/19/2012. (kt) (Entered: 12/19/2012)
12/19/2012	<u>19</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Wheaton v. Sebelius)(Bennett, Michelle) (Entered: 12/19/2012)
12/21/2012	<u>20</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re <u>14</u> MOTION to Dismiss <i>for Lack of Jurisdiction Supplemental Authority</i>

		(Attachments: # <u>1</u> Exhibit Catholic Diocese of Biloxi v. Sebelius)(Bennett, Michelle) (Entered: 12/21/2012)
12/31/2012	<u>21</u>	First AMENDED COMPLAINT against All Defendants, filed by Christ the King Catholic School, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Most Reverend John Hartmayer, Catholic Charities of the Archdiocese of Atlanta, Inc., The Roman Catholic Diocese of Savannah.(Williams, James) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 12/31/2012)
01/03/2013	<u>22</u>	NOTICE re <u>21</u> Amended Complaint by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Bennett, Michelle) (Entered: 01/03/2013)
01/07/2013	<u>23</u>	Unopposed MOTION for Clarification re: <u>14</u> MOTION to Dismiss <i>for Lack of Jurisdiction Motion for Direction That No Responsive Briefing is Required</i> by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Text of Proposed Order)(Williams, James) (Entered: 01/07/2013)
01/08/2013	<u>24</u>	ORDER granting <u>23</u> Unopposed Motion for Direction that they are not required to File a Written Response to Defendants' Initial <u>14</u> Motion to Dismiss. On 12/31/2012, an amended complaint was filed mooted out <u>14</u> Motion to Dismiss. Defendants intend to move for dismissal again by 1/14/2013. Plaintiffs' are excused from filing any written response and shall instead file a timely written response to the amended motion after any such motion is filed on or before 1/14/2013. Signed by Judge William S. Duffey, Jr. on 1/8/2013. (bdb) (Entered: 01/09/2013)
01/09/2013		Clerk's Certificate of Mailing to J. Curtis Thomas as to The Roman Catholic Diocese of Savannah re <u>24</u> Order with Notice of Requirement. (bdb) (Entered: 01/09/2013)
01/09/2013	<u>25</u>	UNOPPOSED MOTION to File Over Length Memorandum in Support of Defendants' Renewed Motion to Dismiss by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Text of Proposed Order)(Bennett, Michelle) (Entered: 01/09/2013)
01/10/2013	<u>26</u>	ORDER GRANTING <u>25</u> unopposed Motion for Leave to File Excess Pages. Defendants may file a thirty-five page brief, excluding the table of contents, table of authorities, signature block, and certificate of service. Signed by Judge William S. Duffey, Jr on 1/10/2013. (kt) (Entered: 01/10/2013)
01/14/2013	<u>27</u>	MOTION to Dismiss <i>the Amended Complaint for Lack of Jurisdiction</i> with Brief In Support by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Memorandum in Support)(Bennett, Michelle) (Entered: 01/14/2013)
01/15/2013	<u>28</u>	Unopposed MOTION for Leave to File Excess Pages <i>in Response to Defendants' 27 Motion to Dismiss</i> with Brief In Support by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Williams, James) (Entered: 01/15/2013)
01/17/2013	<u>29</u>	ORDER GRANTING <u>28</u> Motion for Leave to File Excess Pages in excess of the 25-page limit set forth in Local Rule 7/1 D in opposition to Defendants' motion to dismiss. Plaintiffs may file a 35-page brief, excluding the table of contents, table of authorities, signature block, and certificate of service. Signed by Judge William S. Duffey, Jr on 1/16/2013. (kt) (Entered: 01/17/2013)
01/17/2013	<u>30</u>	NOTICE OF REQUIREMENT TO FILE ELECTRONICALLY pursuant to Standing Order 04-01 as to J. Curtis Thomas re <u>29</u> Order on Motion for Leave to File Excess Pages.(kt) (Entered: 01/17/2013)

01/17/2013		Clerks Certificate of Mailing as to Plaintiff Counsel J. Curtis Thomas re <u>30</u> Notice of E-filing Requirement. (kt) (Entered: 01/17/2013)
01/23/2013	<u>31</u>	Joint PRELIMINARY REPORT AND DISCOVERY PLAN filed by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, Timothy Geithner, Kathleen Sebelius, Hilda Solis, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Smith, Edward) (Entered: 01/23/2013)
01/23/2013	<u>32</u>	CERTIFICATE OF SERVICE of <i>Initial Disclosures</i> by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah.(Smith, Edward) (Entered: 01/23/2013)
01/23/2013	<u>33</u>	CERTIFICATE OF SERVICE of <i>Initial Disclosures</i> by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury.(Bennett, Michelle) (Entered: 01/23/2013)
01/28/2013	<u>34</u>	SCHEDULING ORDER re: <u>31</u> Joint Preliminary Report and Discovery Plan. See order for specific details. Signed by Judge William S. Duffey, Jr on 1/28/2013. (kt) (Entered: 01/28/2013)
01/29/2013	<u>35</u>	THIRD NOTICE of Supplemental Authority by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction. (Bennett, Michelle) Modified to accurately reflect entry on 1/30/2013 (bdb). (Entered: 01/29/2013)
01/31/2013	<u>36</u>	FOURTH NOTICE of Supplemental Authority by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction. (Bennett, Michelle) Modified to accurately reflect entry on 1/31/2013 (bdb). (Entered: 01/31/2013)
01/31/2013	<u>37</u>	RESPONSE in Opposition re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction filed by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Affidavit Declaration of Charles Thibaudeau, # <u>2</u> Affidavit Declaration of Jo Ann Green, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Williams, James) (Entered: 01/31/2013)
02/01/2013	<u>38</u>	NOTICE of Appearance by Michael C. Pollack on behalf of Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Pollack, Michael) (Entered: 02/01/2013)
02/01/2013	<u>39</u>	NOTICE by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah of Supplemental Authority to <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction (Attachments: # <u>1</u> Exhibit Diocese of Fort Worth v. Sebelius, Order Denying Motion to Dismiss)(Smith, Edward) (Entered: 02/01/2013)
02/07/2013	<u>40</u>	Notice for Leave of Absence for the following date(s): March 2-9, 2013, by Edward Kendrick Smith. (Smith, Edward) (Entered: 02/07/2013)
02/14/2013	<u>41</u>	Unopposed MOTION for Leave to File Overlength Reply Memorandum In Support of their Renewed Motion to Dismiss by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Text of Proposed Order)(Pollack, Michael) (Entered: 02/14/2013)

02/14/2013	<u>42</u>	REPLY to Response to Motion re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Exhibit 1 – Conlon Decision)(Pollack, Michael) (Entered: 02/14/2013)
02/19/2013		Submission of <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction, to District Judge William S. Duffey. (kt) (Entered: 02/19/2013)
03/04/2013		Submission of <u>41</u> Unopposed MOTION for Leave to File Excess Pages , to District Judge William S. Duffey. (kt) (Entered: 03/04/2013)
03/21/2013	<u>43</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Wenski v. Sebelius)(Pollack, Michael) (Entered: 03/21/2013)
03/28/2013	<u>44</u>	SIXTH NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit EWTN v. Sebelius) (Pollack, Michael) Modified to add text on 3/29/2013 (bdb). (Entered: 03/28/2013)
04/09/2013	<u>45</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction Seventh Notice of <i>Supplemental Authority</i> . (Pollack, Michael) (Entered: 04/09/2013)
04/17/2013	<u>46</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction Eighth Notice of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Criswell College v. Sebelius)(Pollack, Michael) (Entered: 04/17/2013)
04/23/2013	<u>47</u>	Notice for Leave of Absence for the following date(s): September 8–15, 2013, by Edward Kendrick Smith. (Smith, Edward) (Entered: 04/23/2013)
07/01/2013	<u>48</u>	ORDER DIRECTING the parties to appear, by telephone, for a Status Conference with the Court on Monday, July 15, 2013 at 3:00 p.m. (Status Conference set for 7/15/2013 at 03:00 PM before Judge William S. Duffey Jr.) Signed by Judge William S. Duffey, Jr on 7/1/2013. (kt) (Entered: 07/02/2013)
07/11/2013		NOTICE (by docket entry only) of TELECONFERENCE Reset: The telephonic Status Conference set for 7/15/2013 has been moved to 2:00 PM. (jdb) (Entered: 07/11/2013)
07/15/2013	<u>50</u>	Minute Entry for Telephone Conference held on 7/15/2013 before Judge William S. Duffey, Jr: Status conf held by the Court. Dfts will withdraw their motion to dismiss as moot. Pffs shall file their amended complaint on or before 8/19/2013. Cnsl will discuss among themselves and submit a proposed schedule to the Court related to impending Pffs' motion for preliminary injunction and Dfts' motion to dismiss, or in the alternative, motion for summary judgment. (Court Reporter Nick Marrone)(kt) (Entered: 07/22/2013)
07/18/2013	<u>49</u>	TRANSCRIPT of Teleconference Proceedings held on July 15, 2013, before Judge William S. Duffey, Jr. Court Reporter/Transcriber Nicholas A. Marrone, Telephone number 404–215–1486. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/8/2013. Redacted Transcript Deadline set for 8/19/2013. Release of Transcript Restriction set for 10/16/2013. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (kac) (Entered: 07/18/2013)
07/22/2013	<u>51</u>	WITHDRAWAL OF MOTION re <u>27</u> MOTION to Dismiss Amended Complaint for Lack of Jurisdiction by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Pollack, Michael) Modified on 7/23/2013 in order to update docket text (anc). (Entered: 07/22/2013)

07/24/2013		ORDER (by docket entry only) denying as moot <u>41</u> Motion for Leave to File Excess Pages. Ordered by Judge William S. Duffey, Jr. on 7/24/13. (jdb) (Entered: 07/24/2013)
07/24/2013		NOTICE FROM THE COURT (by docket entry only): Parties are advised to go to the district courts website at www.gand.uscourts.gov . On the home page, locate the Attorney Information link which will direct you to Preparation for a Civil and/or Criminal Trial Before Judge Duffey. Here, the Court has provided its Standing Order Regarding Civil Litigants. The Parties shall abide by this Standing Order throughout the processing of this case. Parties are instructed to pay particular attention to the requirements for Motions for Summary Judgment. (jdb) (Entered: 07/24/2013)
07/24/2013		Notification of Docket Correction re 7/24/13 Notice From the Court re Standing Order. 7/24/13 Notice filed in error. (jdb) (Entered: 07/24/2013)
07/24/2013	<u>52</u>	Joint MOTION for Leave to File Excess Pages <i>in Connection with Preliminary Briefing</i> by Catholic Charities of the Archdiocese of Atlanta, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Williams, James) (Entered: 07/24/2013)
07/24/2013	<u>53</u>	PROPOSED ORDER Parties' Proposed Scheduling Order for Preliminary Briefing re: <u>52</u> Joint MOTION for Leave to File Excess Pages <i>in Connection with Preliminary Briefing</i> . (Williams, James) (Entered: 07/24/2013)
07/25/2013	<u>54</u>	SCHEDULING ORDER: APPROVING the Parties' <u>53</u> Proposed Scheduling Order for Preliminary Briefing. Signed by Judge William S. Duffey, Jr on 7/25/2013. (kt) (Entered: 07/26/2013)
08/08/2013	<u>55</u>	Minute Entry for proceedings held before Judge William S. Duffey, Jr: Telephone Conference held on 8/8/2013. The <u>52</u> Motion for Leave to File Excess Pages is GRANTED IN PART AND DENIED IN PART. The Court will allow Pffs to file a 45–page motion for preliminary injunction. Dfts may file a 45–page response. Pffs may file a 15–page reply brief. The Court requires all subsequent motions be bound to the local rule on page limit requirements but may consider a future [narrow] request for an increase in page limits. (Court Reporter Montrell Vann)(anc) (Entered: 08/08/2013)
08/19/2013	<u>56</u>	Second AMENDED COMPLAINT against All Defendants, filed by The Roman Catholic Archdiocese of Atlanta.(Smith, Edward) Please visit our website at http://www.gand.uscourts.gov/forms to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 08/19/2013)
08/19/2013	<u>57</u>	First MOTION for Preliminary Injunction with Brief In Support by The Roman Catholic Archdiocese of Atlanta. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit)(Smith, Edward) (Entered: 08/19/2013)
08/30/2013	<u>58</u>	NOTICE Of Filing Certified Administrative Record by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Attachments: # <u>1</u> Exhibit Certification of the Record, # <u>2</u> Exhibit Record Index)(Pollack, Michael) (Entered: 08/30/2013)
09/03/2013	<u>59</u>	Administrative record received; 3 CDs placed in file (anc) (Entered: 09/05/2013)
09/06/2013		Submission of <u>57</u> First MOTION for Preliminary Injunction , submitted to District Judge William S. Duffey. (anc) (Entered: 09/06/2013)
09/06/2013	<u>60</u>	NOTICE of Appearance by Brian C. Lea on behalf of The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah, Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc. (Lea, Brian) Modified on 9/9/2013 in order to add filing parties (anc). (Entered: 09/06/2013)
09/09/2013	<u>61</u>	Unopposed MOTION for Leave to File Excess Pages , <i>or for Clarification</i> by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Text of Proposed Order)(Pollack, Michael) (Entered: 09/09/2013)

09/12/2013	<u>62</u>	ORDER GRANTING the <u>61</u> Motion for Leave to File Excess Pages. Defendants may file a 15–page brief in support of their motion to dismiss or motion for summary judgment (excluding the table of contents, table of authorities, and signature block) and, in that brief, may incorporate by reference their brief in opposition to Plaintiffs' Motion for Preliminary Injunction. Signed by Judge William S. Duffey, Jr on 9/12/2013. (anc) (Entered: 09/12/2013)
09/12/2013		Clerks Certificate of Mailing as to John Curtis Thomas re <u>62</u> Order on Motion for Leave to File Excess Pages (anc) (Entered: 09/12/2013)
09/23/2013	<u>63</u>	RESPONSE in Opposition re <u>57</u> First MOTION for Preliminary Injunction filed by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) (Entered: 09/23/2013)
09/23/2013	<u>64</u>	MOTION to Dismiss <i>for Lack of Jurisdiction</i> , MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <i>or in the alternative</i> , , MOTION for Summary Judgment with Brief In Support by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Brief, # <u>2</u> Statement of Material Facts)(Pollack, Michael) —Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.— Modified on 9/24/2013 in order to update docket text (anc). (Entered: 09/23/2013)
09/25/2013	<u>65</u>	APPLICATION for Admission of Jenny Lee Pro Hac Vice by Jennifer Lee, Brigitte Amiri, Daniel Mach. (Attachments: # <u>1</u> Motion for Pro Hac Vice, # <u>2</u> Motion for Pro Hac Vice)(Brock, Chad) (Entered: 09/25/2013)
09/25/2013	<u>66</u>	First MOTION for Leave to File Brief as Amici Curiae with Brief In Support by American Civil Liberties Union and American Civil Liberties Union Foundation of Georgia (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Brock, Chad) Modified on 9/26/2013 in order to update docket text (anc). Modified on 9/26/2013 in order to correct filing party (anc). (Entered: 09/25/2013)
09/26/2013		RETURN of <u>65</u> APPLICATION for Admission of Jenny Lee Pro Hac Vice to attorney for correction. (pb) (Entered: 09/26/2013)
09/26/2013	<u>67</u>	APPLICATION for Admission of Jennifer Lee Pro Hac Vice by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 09/26/2013)
09/26/2013	<u>68</u>	APPLICATION for Admission of Brigitte Amiri Pro Hac Vice by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 09/26/2013)
09/26/2013	<u>69</u>	APPLICATION for Admission of Daniel Mach Pro Hac Vice by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 09/26/2013)
09/26/2013		RETURN of <u>67</u> APPLICATION for Admission of Jennifer Lee Pro Hac Vice to attorney for correction. (pb) (Entered: 09/26/2013)
09/26/2013		RETURN of <u>68</u> APPLICATION for Admission of Brigitte Amiri Pro Hac Vice to attorney for correction. (pb) (Entered: 09/26/2013)
09/26/2013	<u>70</u>	APPLICATION for Admission of Jennifer Lee Pro Hac Vice (Application fee \$ 150, receipt number 113E–4807798)by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 09/26/2013)
09/26/2013		RETURN of <u>69</u> APPLICATION for Admission of Daniel Mach Pro Hac Vice to attorney for correction. (pb) (Entered: 09/26/2013)
09/26/2013	<u>71</u>	APPLICATION for Admission of Brigitte Amiri Pro Hac Vice (Application fee \$ 150, receipt number 113E–4807808)by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 09/26/2013)
09/26/2013	<u>72</u>	APPLICATION for Admission of Daniel Mach Pro Hac Vice (Application fee \$ 150, receipt number 113E–4807814)by American Civil Liberties Union, American Civil

		Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 09/26/2013)
10/01/2013	<u>73</u>	Unopposed MOTION modification of briefing instructions re <u>55</u> Order by The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Text of Proposed Order)(Lea, Brian) Modified on 10/2/2013 in order to update docket text (anc). (Entered: 10/01/2013)
10/02/2013		RETURN of <u>70</u> APPLICATION for Admission of Jennifer Lee Pro Hac Vice (Application fee \$ 150, receipt number 113E-4807798) to attorney for correction re: petitioner's address. (pb) (Entered: 10/02/2013)
10/02/2013		RETURN of <u>71</u> APPLICATION for Admission of Brigitte Amiri Pro Hac Vice (Application fee \$ 150, receipt number 113E-4807808) to attorney for correction re: petitioner's address. (pb) (Entered: 10/02/2013)
10/02/2013		RETURN of <u>72</u> APPLICATION for Admission of Daniel Mach Pro Hac Vice (Application fee \$ 150, receipt number 113E-4807814) to attorney for correction re: petitioner's address. (pb) (Entered: 10/02/2013)
10/02/2013	<u>74</u>	APPLICATION for Admission of Jennifer Lee Pro Hac Vice by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 10/02/2013)
10/02/2013	<u>75</u>	APPLICATION for Admission of Daniel Mach Pro Hac Vice by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 10/02/2013)
10/02/2013	<u>76</u>	APPLICATION for Admission of Brigitte Amiri Pro Hac Vice by American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia. (Brock, Chad) (Entered: 10/02/2013)
10/08/2013		ORDER (by docket entry only) granting <u>73</u> Unopposed Motion for Modification of Briefing Instructions. Plaintiffs may file a 55-page brief opposing defendants' motion to dismiss or, in the alternative, for summary judgment and supporting plaintiffs' motion for summary judgment, in addition to a 5-page reply brief in support of plaintiffs' motion for preliminary injunction, which may incorporate by reference relevant arguments contained in the first brief. Tables of contents, tables of authorities, and signature blocks do not count toward the page limits established by this order. Ordered by Judge William S. Duffey, Jr. on 10/8/13. (jdb) (Entered: 10/08/2013)
10/16/2013		Submission of <u>57</u> First MOTION for Preliminary Injunction, <u>66</u> First MOTION for Leave to File Brief as Amici Curiae, <u>64</u> MOTION to Dismiss <i>for Lack of Jurisdiction</i> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM. Submitted to District Judge William S. Duffey., Jr.(bdb) (Entered: 10/16/2013)
10/16/2013		Submission of <u>66</u> First MOTION for Leave to File Brief as Amici Curiae. Submitted to District Judge William S. Duffey, Jr. (bdb) (Entered: 10/16/2013)
10/16/2013	<u>77</u>	OPINION and ORDER denying <u>66</u> Motion for Leave to File Brief as Amici and therefore denying as moot <u>74</u> Application for Admission Pro Hac Vice Jennifer Lee; denying as moot <u>75</u> Application for Admission Pro Hac Vice Daniel Mach and denying as moot <u>76</u> Application for Admission Pro Hac Vice Brigitte Amiri which relate to <u>66</u> . Signed by Judge William S. Duffey, Jr. on 10/16/2013. (bdb) (Entered: 10/16/2013)
10/16/2013		Clerk's Certificate of Mailing as to American Civil Liberties Union, American Civil Liberties Union Foundation of Georgia re <u>77</u> Order mailed to PHV Attorneys, Jennifer Lee, Daniel Mach and Brigitte Amiri. (bdb) (Entered: 10/16/2013)
10/21/2013	<u>78</u>	MOTION for Summary Judgment with Brief In Support by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Brief Brief In Support of Plaintiffs' Motion for Summary Judgment and in Opposition to Defendants' Motion for Summary Judgment, # <u>2</u> Statement of Material Facts Plaintiffs' Statement of Material Facts and Additional Statement of Facts, # <u>3</u> Statement of Material Facts Plaintiffs' Response to Defendants' Statement of Material Facts)(Williams, James) ---Please refer to http://www.gand.uscourts.gov to

		obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 10/21/2013)
10/21/2013	<u>79</u>	AFFIDAVIT re <u>78</u> MOTION for Summary Judgment <i>Second Declaration of Jo Ann Green</i> by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Williams, James) (Entered: 10/21/2013)
10/21/2013	<u>80</u>	AFFIDAVIT re <u>78</u> MOTION for Summary Judgment <i>Second Declaration of Charles Thibaudeau</i> by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Williams, James) (Entered: 10/21/2013)
10/21/2013	<u>81</u>	DEPOSITION of Gary M. Cohen taken on April 16, 2013 by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah.(Williams, James) (Entered: 10/21/2013)
10/21/2013	<u>82</u>	NOTICE Of Filing Notice of Hand Delivery of Plaintiffs' Supporting Excerpts by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah re <u>78</u> MOTION for Summary Judgment (Williams, James) (Entered: 10/21/2013)
10/21/2013	<u>83</u>	REPLY BRIEF re <u>57</u> First MOTION for Preliminary Injunction filed by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Williams, James) (Entered: 10/21/2013)
10/22/2013		Submission of <u>57</u> First MOTION for Preliminary Injunction , submitted to District Judge William S. Duffey. (anc) (Entered: 10/22/2013)
11/12/2013	<u>84</u>	Unopposed MOTION for Leave to File Excess Pages by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Text of Proposed Order)(Pollack, Michael) (Entered: 11/12/2013)
11/14/2013	<u>85</u>	ORDER GRANTING <u>84</u> Motion for Leave to File Excess Pages. Defendants may file a 55–page brief, excluding the table of contents, table of authorities, and signature block. Signed by Judge William S. Duffey, Jr on 11/14/2013. (anc) (Entered: 11/14/2013)
11/14/2013		Clerks Certificate of Mailing as to unregistered attorneys re <u>85</u> Order on Motion for Leave to File Excess Pages (anc) (Entered: 11/14/2013)
11/18/2013	<u>86</u>	REPLY to Response to Motion re <u>64</u> MOTION to Dismiss <i>for Lack of Jurisdiction</i> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <i>or in the alternative</i> , MOTION for Summary Judgment filed by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) (Entered: 11/18/2013)
11/18/2013	<u>87</u>	RESPONSE in Opposition re <u>78</u> MOTION for Summary Judgment filed by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Attachments: # <u>1</u> Statement of Material Facts Defendants' Response to Plaintiffs' Statement of Material Facts)(Pollack, Michael) (Entered: 11/18/2013)
11/20/2013		Submission of <u>64</u> MOTION to Dismiss <i>for Lack of Jurisdiction</i> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <i>or in the alternative</i> , MOTION for Summary Judgment , submitted to District Judge William S. Duffey. (anc) (Entered: 11/20/2013)

11/21/2013	<u>88</u>	First MOTION for Leave to File Excess Pages by The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Lea, Brian) (Entered: 11/21/2013)
11/22/2013	<u>89</u>	ORDER GRANTING <u>88</u> Motion for Leave to File Excess Pages. Plaintiffs may file a 30–page reply brief in support of their motion for summary judgment, excluding the table of contents, table of authorities, and signature block. Signed by Judge William S. Duffey, Jr on 11/22/2013. (anc) (Entered: 11/22/2013)
11/22/2013		Clerks Certificate of Mailing as to unregistered attorneys re <u>89</u> Order on Motion for Leave to File Excess Pages, (anc) (Entered: 11/22/2013)
11/25/2013	<u>90</u>	NOTICE of Supplemental Authority re <u>57</u> First MOTION for Preliminary Injunction by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah (Attachments: # <u>1</u> Exhibit Court's Injunction Opinion)(Smith, Edward) Modified on 11/27/2013 in order to update docket text (anc). (Entered: 11/25/2013)
12/04/2013	<u>91</u>	REPLY BRIEF re <u>78</u> MOTION for Summary Judgment filed by The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Smith, Edward) (Entered: 12/04/2013)
12/05/2013		Submission of <u>78</u> MOTION for Summary Judgment , submitted to District Judge William S. Duffey. (anc) (Entered: 12/05/2013)
12/06/2013	<u>92</u>	RESPONSE re <u>90</u> Notice (Other), of <i>Supplemental Authority</i> filed by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) (Entered: 12/06/2013)
12/20/2013	<u>93</u>	NOTICE of <i>Supplemental Authority</i> re <u>64</u> MOTION to Dismiss by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Attachments: # <u>1</u> Exhibit Priests for Life v. HHS)(Pollack, Michael) Modified on 12/23/2013 in order to update docket text (anc). (Entered: 12/20/2013)
12/23/2013	<u>94</u>	NOTICE by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah re <u>57</u> First MOTION for Preliminary Injunction <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Archdiocese of New York Decision, # <u>2</u> Exhibit Zubik Decision, # <u>3</u> Exhibit Legatus Decision, # <u>4</u> Exhibit Reaching Souls Decision)(Smith, Edward) (Entered: 12/23/2013)
12/23/2013	<u>95</u>	RESPONSE re <u>93</u> Notice (Other), <i>Response to Notice of Supplemental Authority</i> filed by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Smith, Edward) (Entered: 12/23/2013)
12/23/2013	<u>96</u>	NOTICE of <i>Supplemental Authority</i> by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury > (Attachments: # <u>1</u> Exhibit <i>University of Notre Dame v. Sebelius</i>)(Pollack, Michael) Modified on 12/23/2013 in order to update docket text (anc). (Entered: 12/23/2013)
12/23/2013	<u>97</u>	RESPONSE re <u>94</u> Notice (Other),, <i>Response to Notice of Supplemental Authority</i> filed by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) (Entered: 12/23/2013)
12/26/2013	<u>98</u>	NOTICE of <i>Supplemental Authority</i> by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Attachments: # <u>1</u> Exhibit Catholic Diocese of Nashville v. Sebelius)(Pollack, Michael) Modified on 12/27/2013 in order to update docket text (anc). (Entered: 12/26/2013)

12/27/2013	<u>99</u>	NOTICE by The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah <i>regarding Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Geneva College v. Sebelius decision, # <u>2</u> Exhibit Southern Nazarene v. Sebelius decision)(Smith, Edward) (Entered: 12/27/2013)
12/27/2013	<u>100</u>	RESPONSE re <u>99</u> Notice (Other), <i>Response to Notice of Supplemental Authority</i> filed by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) (Entered: 12/27/2013)
12/27/2013	<u>101</u>	NOTICE of <i>Supplemental Authority</i> by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Attachments: # <u>1</u> Exhibit Michigan Catholic Conference v. Sebelius)(Pollack, Michael) Modified on 1/2/2014 in order to update docket text (anc). (Entered: 12/27/2013)
12/30/2013	<u>102</u>	RESPONSE to <u>101</u> , <u>99</u> and <u>96</u> Notices of Supplemental Authority filed by The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah. (Smith, Edward) Modified on 1/2/2014 in order to update docket text (anc). (Entered: 12/30/2013)
12/30/2013	<u>103</u>	NOTICE of <i>Supplemental Authority</i> by The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah(Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Smith, Edward) Modified on 1/2/2014 in order to update docket text (anc). (Entered: 12/30/2013)
12/31/2013	<u>104</u>	NOTICE of <i>Supplemental Authority</i> by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury (Attachments: # <u>1</u> Exhibit Univ. of Notre Dame v. Sebelius (7th Cir.))(Pollack, Michael) Modified on 1/2/2014 in order to update docket text (anc). (Entered: 12/31/2013)
12/31/2013	<u>105</u>	NOTICE of <i>Supplemental Authority</i> re <u>57</u> First MOTION for Preliminary Injunction by The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah (Attachments: # <u>1</u> Exhibit)(Smith, Edward) Modified on 1/2/2014 in order to update docket text (anc). (Entered: 12/31/2013)
12/31/2013	<u>106</u>	NOTICE of <i>Supplemental Authority</i> re <u>78</u> MOTION for Summary Judgment , <u>57</u> First MOTION for Preliminary Injunction by The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Smith, Edward) Modified on 1/2/2014 in order to update docket text (anc). (Entered: 12/31/2013)
01/14/2014	<u>107</u>	Notice for Leave of Absence for the following date(s): March 10–14, 2014, September 2–12, 2014, by Edward Kendrick Smith. (Smith, Edward) (Entered: 01/14/2014)
03/26/2014	<u>108</u>	OPINION AND ORDER that the Defendants are PERMANENTLY RESTRAINED and ENJOINED from enforcing the contraceptive mandate against Plaintiffs CENGI and Catholic Charities. IT IS FURTHER ORDERED that the Government is PERMANENTLY RESTRAINED and ENJOINED from enforcing the requirement against CENGI and Catholic Charities to execute and deliver a self–certification form to their TPA. IT IS FURTHER ORDERED that Plaintiff CENGI and Plaintiff Catholic Charities' Motion for Summary Judgment is GRANTED in part and DENIED in part <u>78</u> . CENGI and Catholic Charities' Motion for Summary Judgment on their RFRA claim is GRANTED. Summary Judgment on the claim that the accommodation violates the First Amendment because it places a content–based restriction on their freedom of speech is also GRANTED. The Motion for Summary Judgment on their remaining claims is DENIED. IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Plaintiffs Atlanta Archdiocese, Savannah Diocese, Archbishop Gregory and Bishop Hartmayer is DENIED AS MOOT with respect to all claims, including claims based on the RFRA and the federal constitution, because, as the Government acknowledges, these Plaintiffs are exempt from the contraceptive

		mandate and the requirements of the accommodation <u>78</u> . IT IS FURTHER ORDERED that Defendants' Motion to Dismiss or, in the alternative, for Summary Judgment regarding the Plaintiffs' claims based on the Establishment Clause, the APA, and the unconstitutional delegation of congressional authority is GRANTED <u>64</u> . IT IS FURTHER ORDERED that Plaintiffs' Motion for Preliminary Injunction is DENIED AS MOOT <u>57</u> . Signed by Judge William S. Duffey, Jr on 3/26/2014. (anc) (Entered: 03/26/2014)
03/26/2014		Clerks Certificate of Mailing as to John Curtis Thomas re <u>108</u> Order (anc) (Entered: 03/26/2014)
04/03/2014	<u>109</u>	MOTION for Reconsideration and/or MOTION for Clarification of Specific Issues in <u>108</u> Order by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) Modified on 4/3/2014 in order to update docket text (anc). Modified on 4/24/2014 in order to update motion text (anc). (Entered: 04/03/2014)
04/15/2014	<u>110</u>	RESPONSE in Opposition re <u>109</u> MOTION for Reconsideration filed by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., Christ the King Catholic School. (Lea, Brian) Modified on 4/21/2014 in order to update docket text (anc). (Entered: 04/15/2014)
04/21/2014		Submission of <u>109</u> MOTION for Reconsideration, submitted to District Judge William S. Duffey. (anc) (Entered: 04/21/2014)
04/23/2014	<u>111</u>	REPLY to Response to <u>109</u> MOTION for Reconsideration re <u>108</u> Order filed by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) Modified on 4/24/2014 in order to update docket text (anc). (Entered: 04/23/2014)
04/24/2014		Submission of <u>109</u> MOTION for Reconsideration re <u>108</u> Order, submitted to District Judge William S. Duffey. (anc) (Entered: 04/24/2014)
05/21/2014	<u>112</u>	MOTION to Withdraw Michael C. Pollack as Attorneyby Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. (Pollack, Michael) (Entered: 05/21/2014)
05/23/2014		ORDER (by docket entry only) granting <u>112</u> Motion to Withdraw as Attorney. Attorney Michael C. Pollack terminated. Ordered by Judge William S. Duffey, Jr. on 5/23/14. (jdb) (Entered: 05/23/2014)
05/23/2014	<u>113</u>	NOTICE OF APPEAL as to <u>108</u> Order on Motion for Preliminary Injunction, Order on Motion to Dismiss, Order on Motion to Dismiss for Failure to State a Claim, Order on Motion for Summary Judgment,,,,,,,,,,,,,,,,,,,,,,,,,,,,, by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. Transcript Order Form due on 6/6/2014 (Bennett, Michelle) (Entered: 05/23/2014)
05/23/2014	<u>114</u>	NOTICE Of Filing Appeal Transmission Letter by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury re: <u>113</u> Notice of Appeal. (kac) (Entered: 05/23/2014)
05/23/2014	<u>115</u>	Transmission of Certified Copy of Notice of Appeal, Order and Docket Sheet to US Court of Appeals re: <u>113</u> Notice of Appeal. (kac) (Entered: 05/23/2014)
05/30/2014	<u>116</u>	OPINION AND ORDER that the Defendants' <u>109</u> Motion for Reconsideration is GRANTED in part and DENIED in part. It is GRANTED with respect to the Defendants' request to enter a final judgment on the Diocesan Plaintiffs' RFRA claim, and the Plaintiffs' free exercise clause, compelled speech, and internal church governance claims. IT IS FURTHER ORDERED that the Defendants' Motion to Dismiss or, in the alternative, for Summary Judgment <u>64</u> on the Diocesan Plaintiffs RFRA claim, and the Plaintiffs' free exercise clause, compelled speech, and internal church governance claims is GRANTED. Defendants' Motion for Reconsideration is DENIED with respect to the Defendants' claim that the Court should reevaluate its

		RFRA analysis because Plaintiffs did not allege that they operate and maintain a church plan within the meaning of ERISA. Given that the Court's March 26, 2014 Opinion and Order granted the Plaintiffs' Motion for Summary Judgment on the RFRA claim raised by Plaintiffs Catholic Charities and CENGI, and the Plaintiffs' gag-order claim, the Defendants' Motion to Dismiss, or in the alternative, for Summary Judgment on these claims is necessarily DENIED.. Signed by Judge William S. Duffey, Jr on 5/30/2014. (anc) (Entered: 05/30/2014)
05/30/2014		Clerks Certificate of Mailing as to John Curtis Thomas re <u>116</u> Order and <u>117</u> Clerk's Judgment (anc) Modified on 5/30/2014 in order to update docket text (anc). (Entered: 05/30/2014)
05/30/2014	<u>117</u>	CLERK'S JUDGMENT entered dismissing case. Defendants are PERMANENTLY RESTRAINED and ENJOINED from enforcing the contraceptive mandate against Plaintiffs CENGI and Catholic Charities. Defendants are PERMANENTLY RESTRAINED and ENJOINED from enforcing the requirement against CENGI and Catholic Charities to execute and deliver a self-certification form to their TPA. Judgment is entered in favor of Plaintiffs Catholic Charities and CENGI and against Defendants on Plaintiffs Catholic Charities and CENGI's gag-order claim and Religious Freedom Restoration Act claim. Judgment is entered in favor of Defendants and against Plaintiffs on Plaintiffs' free exercise clause, compelled speech, internal church governance, Establishment Clause, APA, and unconstitutional delegation of authority claims. Judgment is entered in favor of Defendants and against the Diocesan Plaintiffs on the Diocesan Plaintiffs' Religious Freedom Restoration Act and gag-order claims. (anc)—Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist— (Entered: 05/30/2014)
05/30/2014		Civil Case Terminated. (anc) (Entered: 05/30/2014)
07/02/2014	<u>118</u>	USCA Acknowledgment of <u>113</u> Notice of Appeal, filed by U. S. Department of Treasury, U. S. Department of Labor, Kathleen Sebelius, Thomas Perez, Jacob J. Lew and U. S. Department of Health and Human Services. Case Appealed to USCA- 11th Circuit. Case Number 14-12890-C. (pjm) (Entered: 07/02/2014)
07/15/2014	<u>119</u>	TRANSCRIPT ORDER FORM (No transcript is required for appeal purposes) re: <u>113</u> Notice of Appeal. FRAP 11 to be entered by 7/28/14 (Bennett, Michelle) Modified on 7/15/2014 to update text (pjm). (Entered: 07/15/2014)
07/15/2014		Pursuant to F.R.A.P.11(c), the Clerk certifies that the record is complete for purposes of this appeal, <u>113</u> Notice of Appeal. Case Appealed to USCA- 11th Circuit. Case Number 14-12890-CC. The entire record on appeal is available electronically. (pjm) (Entered: 07/15/2014)
07/18/2014	<u>120</u>	NOTICE OF APPEAL as to <u>117</u> Clerk's Judgment,,,,, <u>116</u> Order on Motion for Reconsideration, Order on Motion for Clarification,,,,,, by Jacob J. Lew, Thomas Perez, Kathleen Sebelius, U. S. Department of Health and Human Services, U. S. Department of Labor, U. S. Department of Treasury. Transcript Order Form due on 8/1/2014 (Bennett, Michelle) (Entered: 07/18/2014)
07/18/2014	<u>121</u>	NOTICE Of Filing of NOA Transmittal Letter re: <u>120</u> Notice of Appeal. (pjm) (Entered: 07/18/2014)
07/18/2014	<u>122</u>	Transmission of Certified Copy of Notice of Appeal, Judgment, Order and Docket Sheet to US Court of Appeals re: <u>120</u> Notice of Appeal. (pjm) (Entered: 07/18/2014)
07/31/2014	<u>123</u>	USCA Acknowledgment of <u>120</u> Notice of Appeal, filed by U. S. Department of Treasury, U. S. Department of Labor, Kathleen Sebelius, Thomas Perez, Jacob J. Lew and U. S. Department of Health and Human Services. Case Appealed to USCA- 11th Circuit. Case Number 14-13239-C. (pjm) (Entered: 08/01/2014)
08/14/2014	<u>124</u>	TRANSCRIPT ORDER FORM (No transcript is required for appeal purposes) re: <u>120</u> Notice of Appeal. F.R.A.P.11 Certification due 8/28/14. (Bennett, Michelle) Modified on 8/14/2014 to update text(pjm). (Entered: 08/14/2014)
08/14/2014		Pursuant to F.R.A.P.11(c), the Clerk certifies that the record is complete for purposes of this appeal, <u>120</u> Notice of Appeal. Case Appealed to USCA- 11th Circuit. Case Number 14-13239-CC. The entire record on appeal is available electronically. (pjm) (Entered: 08/14/2014)

10/29/2014	<u>125</u>	ENTRY OF DISMISSAL of USCA DISMISSING <u>120</u> Notice of Appeal, filed by U. S. Department of Treasury, U. S. Department of Labor, Kathleen Sebelius, Thomas Perez, Jacob J. Lew and U. S. Department of Health and Human Services for want of prosecution because the appellants have failed to file a brief within the time fixed by the rules. Case Appealed to USCA- 11th Circuit. Case Number 14-13239-CC. (pjm) (Entered: 10/29/2014)
10/29/2014	<u>126</u>	Appeal notice from USCA REINSTATING <u>120</u> Notice of Appeal. Case Appealed to USCA- 11th Circuit. Case Number 14-13239-CC. (pjm) (Entered: 10/29/2014)
01/13/2015	<u>127</u>	NOTICE by Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., Christ the King Catholic School, The Most Reverend John Hartmayer, The Most Reverend Wilton D. Gregory, The Roman Catholic Archdiocese of Atlanta, The Roman Catholic Diocese of Savannah <i>Notice of Leave of Absence for March 7-15, 2015</i> (Smith, Edward) (Entered: 01/13/2015)
01/14/2015	<u>128</u>	Notice for Leave of Absence for the following date(s): March 7-15, 2015, by Edward Kendrick Smith. (anc) (Entered: 01/14/2015)
01/16/2015	<u>129</u>	Notice for Leave of Absence for the following date(s): March 7-15, 2015, by Edward Kendrick Smith. (anc) (Entered: 01/16/2015)
07/14/2015	<u>130</u>	Notice for Leave of Absence for the following date(s): August 24-28, 2015, by Edward Kendrick Smith. (Smith, Edward) (Entered: 07/14/2015)
11/07/2017	<u>131</u>	Certified copy of USCA ORDER: Motion to voluntarily dismiss appeal filed by Appellants U.S. Department of Labor, U.S. Department of Health and Human Services, Secretary, U.S. Department of the Treasury, U.S. Department of the Treasury, Secretary, U.S. Department of Health and Human Services and Secretary, U.S. Department of Labor is GRANTED. In 14-12890, Motion to voluntarily dismiss appeal filed by Appellants U.S. Department of Labor, U.S. Department of Health and Human Services, Secretary, U.S. Department of the Treasury, U.S. Department of the Treasury, Secretary, U.S. Department of Health and Human Services and Secretary, U.S. Department of Labor is GRANTED re: <u>113</u> Notice of Appeal, filed by U. S. Department of Treasury, U. S. Department of Labor, Kathleen Sebelius, Thomas Perez, Jacob J. Lew, U. S. Department of Health and Human Services and <u>120</u> Notice of Appeal, filed by U. S. Department of Treasury, U. S. Department of Labor, Kathleen Sebelius, Thomas Perez, Jacob J. Lew, U. S. Department of Health and Human Services. Case Appealed to USCA- 11th Circuit. Case Numbers 14-12890-CC & 14-13239-CC. (pjm) (Entered: 11/07/2017)