

**United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 6.2.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:13–cv–08910**

Wheaton College v. Burwell et al
Assigned to: Honorable Robert M. Dow, Jr
Case in other court: 14–02396
Cause: 28:1331 Federal Question

Date Filed: 12/13/2013
Date Terminated: 02/22/2018
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Wheaton College

represented by **Adele Auxier Keim**
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V.

Defendant

Sylvia Mathews Burwell
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TERMINATED: 10/23/2017

Defendant

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TERMINATED: 10/23/2017

Defendant

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Defendant

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Defendant

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Richard Muniz
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/13/2013	<u>1</u>	COMPLAINT filed by Wheaton College; Jury Demand. Filing fee \$ 400, receipt number 0752-9023683. (Attachments: # <u>1</u> Exhibit s A through J)(Poland, Christian) (Entered: 12/13/2013)
12/13/2013	<u>2</u>	CIVIL Cover Sheet (Poland, Christian) (Entered: 12/13/2013)
12/13/2013	<u>3</u>	ATTORNEY Appearance for Plaintiff Wheaton College by Christian Mark Poland (Poland, Christian) (Entered: 12/13/2013)
12/13/2013	<u>4</u>	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Wheaton College (Poland, Christian) (Entered: 12/13/2013)
12/13/2013	<u>5</u>	Notice of Claims of Unconstitutionality by Wheaton College (Poland, Christian) (Entered: 12/13/2013)
12/13/2013		CASE ASSIGNED to the Honorable Robert M. Dow, Jr. Designated as Magistrate Judge the Honorable Sidney I. Schenkier. (nsf,) (Entered: 12/13/2013)
12/17/2013		SUMMONS Issued as to Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury,, and U.S. Attorney General (pg,) (Entered: 12/17/2013)
01/22/2014	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-9124370. (Keim, Adele) (Entered: 01/22/2014)
01/22/2014	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-9125497. (Rienzi, Mark) (Entered: 01/22/2014)
01/22/2014	<u>8</u>	ORDER: MOTION of Attorney Adele Auxier Keim for leave to appear pro hac vice <u>6</u> on behalf of plaintiff, Wheaton College, is granted. Signed by the Honorable Robert M. Dow, Jr on 1/22/2014. Mailed notice (ph,) (Entered: 01/23/2014)
01/23/2014	<u>9</u>	SUMMONS Returned Executed by Wheaton College as to United States Department of Health and Human Services served on 12/23/2013, answer due 2/21/2014 (Keim, Adele) (Entered: 01/23/2014)
01/23/2014	<u>10</u>	SUMMONS Returned Executed by Wheaton College as to United States Department of Labor served on 12/23/2013, answer due 2/21/2014 (Keim, Adele) (Entered: 01/23/2014)
01/23/2014	<u>11</u>	SUMMONS Returned Executed by Wheaton College as to Jacob J. Lew, Sec of US Dept of Treasury served on 12/23/2013, answer due 2/21/2014 (Keim, Adele) (Entered: 01/23/2014)
01/23/2014	<u>12</u>	SUMMONS Returned Executed by Wheaton College as to Thomas E Perez served on 12/23/2013, answer due 2/21/2014 (Keim, Adele) (Entered: 01/23/2014)
01/23/2014	<u>13</u>	SUMMONS Returned Executed by Wheaton College as to Kathleen Sebelius, Sec of US Dept of Health & Human Servs. served on 12/23/2013, answer due 2/21/2014 (Keim, Adele) (Entered: 01/23/2014)
01/23/2014	<u>14</u>	SUMMONS Returned Executed by Wheaton College as to United States Department of Treasury served on 12/23/2013, answer due 2/21/2014 (Keim, Adele) (Entered: 01/23/2014)
01/23/2014	<u>15</u>	SUMMONS Returned Executed by Wheaton College as to All Defendants (Keim, Adele) (Entered: 01/23/2014)
01/23/2014	<u>16</u>	SUMMONS Returned Executed by Wheaton College as to All Defendants (Keim, Adele) (Entered: 01/23/2014)

01/24/2014	<u>17</u>	ORDER: MOTION of attorney Mark Rienzi for Leave to Appear Pro Hac Vice <u>7</u> on behalf of Plaintiff Wheaton College is granted. Signed by the Honorable Robert M. Dow, Jr on 1/24/2014. Mailed notice (ao,) (Entered: 01/27/2014)
02/19/2014	<u>18</u>	ATTORNEY Appearance for Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury by Julie Shana Saltman (Saltman, Julie) (Entered: 02/19/2014)
02/19/2014	<u>19</u>	MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury for extension of time to file answer regarding complaint <u>1</u> (<i>Unopposed</i>) (Attachments: # <u>1</u> Text of Proposed Order)(Saltman, Julie) (Entered: 02/19/2014)
02/19/2014	<u>20</u>	NOTICE of Motion by Julie Shana Saltman for presentment of motion for extension of time to file answer, motion for relief,, <u>19</u> before Honorable Robert M. Dow Jr. on 2/25/2014 at 09:15 AM. (Saltman, Julie) (Entered: 02/19/2014)
02/24/2014	<u>21</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Initial Status hearing set for 4/8/2014 at 09:00 AM. and parties are to report the following: (1) Possibility of settlement in the case; (2) If no possibility of settlement exists, the nature and length of discovery necessary to get the case ready for trial. Plaintiff is to advise all other parties of the courts action herein. Lead counsel is directed to appear at this status hearing. Parties to prepare and submit a joint status report at least two days prior to set status. (See Judges web page for status report). Mailed notice (tbk,) (Entered: 02/24/2014)
02/24/2014	<u>22</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Unopposed MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury for extension of time <u>19</u> to file respond to the complaint is granted to and including 4/1/2014. Notice of Motion date of 2/25/2014 is stricken and no appearances are necessary on that date. Mailed notice (tbk,) (Entered: 02/24/2014)
04/01/2014	<u>23</u>	NOTICE by All Defendants of <i>Filing of Administrative Record</i> (Saltman, Julie) (Entered: 04/01/2014)
04/01/2014	<u>24</u>	MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury for leave to file excess pages <i>Unopposed</i> (Saltman, Julie) (Entered: 04/01/2014)
04/01/2014	<u>25</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, United States Department of Health and Human Services, United States Department of Treasury, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Labor to dismiss for lack of jurisdiction <i>Count XIV</i> , MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, United States Department of Health and Human Services, United States Department of Treasury, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Labor for summary judgment <i>in the alternative</i> (Saltman, Julie) (Entered: 04/01/2014)
04/01/2014	<u>26</u>	MEMORANDUM by Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury in support of Motion to Dismiss for Failure to State a Claim,,, motion to dismiss/lack of jurisdiction,,, motion for summary judgment,, <u>25</u> (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2)(Saltman, Julie) (Entered: 04/01/2014)
04/01/2014	<u>27</u>	NOTICE of Motion by Julie Shana Saltman for presentment of Motion to Dismiss for Failure to State a Claim,,, motion to dismiss/lack of jurisdiction,,, motion for summary judgment,, <u>25</u> , motion for leave to file excess pages, <u>24</u> before Honorable Robert M.

		Dow Jr. on 4/8/2014 at 09:15 AM. (Saltman, Julie) (Entered: 04/01/2014)
04/02/2014	<u>28</u>	ATTORNEY Appearance for Amicus Parties American Civil Liberties Union, American Civil Liberties Union of Illinios by Lorie Chaiten (Chaiten, Lorie) (Entered: 04/02/2014)
04/02/2014	<u>29</u>	ATTORNEY Appearance for Amicus Parties American Civil Liberties Union, American Civil Liberties Union of Illinios by Richard Muniz (Muniz, Richard) (Entered: 04/02/2014)
04/02/2014	<u>30</u>	MOTION by Amicus Parties American Civil Liberties Union, American Civil Liberties Union of Illinios for leave to file <i>BRIEF OF AMICI CURIAE</i> (Attachments: # <u>1</u> Brief of amici curiae)(Chaiten, Lorie) (Entered: 04/02/2014)
04/02/2014	<u>31</u>	NOTICE of Motion by Lorie Chaiten for presentment of motion for leave to file <u>30</u> before Honorable Robert M. Dow Jr. on 4/8/2014 at 09:15 AM. (Chaiten, Lorie) (Entered: 04/02/2014)
04/02/2014	<u>32</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-9352990. (Amiri, Brigitte) (Entered: 04/02/2014)
04/02/2014	<u>33</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-9353033. (Lee, Jennifer) (Entered: 04/02/2014)
04/02/2014	<u>34</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-9353098. (Mach, Daniel) (Entered: 04/02/2014)
04/02/2014	<u>35</u>	RULE 56 56.1(a)(3) Statement by Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury regarding Motion to Dismiss for Failure to State a Claim,,, motion to dismiss/lack of jurisdiction,,, motion for summary judgment,, <u>25</u> (Saltman, Julie) (Entered: 04/02/2014)
04/04/2014	<u>36</u>	ORDER: MOTIONS of Attorneys Brigitte Amiri, Jennifer Lee, and Daniel Mach, for leave to appear pro hac vice <u>32</u> <u>33</u> <u>34</u> , on behalf of defendants American Civil Liberties Union and American Civil Liberties Union of Illinios, is granted. Signed by the Honorable Robert M. Dow, Jr on 4/4/2014. Mailed notice (ph,) (Entered: 04/04/2014)
04/04/2014	<u>37</u>	STATUS Report by Wheaton College (Rienzi, Mark) (Entered: 04/04/2014)
04/04/2014	<u>38</u>	CERTIFIED COPY OF ADMINISTRATIVE RECORD by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury (Attachments: # <u>1</u> Supplement, # <u>2</u> Supplement, # <u>3</u> Supplement, # <u>4</u> Supplement, # <u>5</u> Supplement, # <u>6</u> Supplement, # <u>7</u> Supplement, # <u>8</u> Supplement, # <u>9</u> Supplement, # <u>10</u> Supplement)(Saltman, Julie) (Entered: 04/04/2014)
04/08/2014	<u>39</u>	MEMORANDUM by American Civil Liberties Union, American Civil Liberties Union of Illinios in support of Motion to Dismiss for Failure to State a Claim,,, motion to dismiss/lack of jurisdiction,,, motion for summary judgment,, <u>25</u> <i>AMICI CURIAE BRIEF</i> (Chaiten, Lorie) (Entered: 04/08/2014)
04/08/2014	<u>40</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Status hearing held on 4/8/2014. MOTION to file a memorandum of law in support of its Motion to Dismiss and, in the alternative, Motion for Summary Judgment in excess <u>24</u> of the 15-page limit provided by Local Rule 7.1., is granted. MOTION of American Civil Liberties Union and American Civil Liberties Union of Illinois, for leave to file <u>30</u> a brief amicus curiae, is granted.Plaintiff is given until 4/22/2014 in which to respond to Defendants motion to dismiss or for summary judgment and to file its cross motion for summary judgment; Government's given until 5/13/2014 to file reply brief in support of it's motion and a response brief in opposition to Plaintiff's cross-motion for summary judgment; Plaintiff is given until 5/19/2014 to file reply brief. Mailed notice (tbk,) (Entered: 04/08/2014)

04/22/2014	<u>41</u>	MOTION by Plaintiff Wheaton College for summary judgment <i>and Opp. to Def's Mot. to Dismiss</i> (Attachments: # <u>1</u> Declaration Ex. A Ryken Decl., # <u>2</u> Exhibit Ex. A-1, # <u>3</u> Exhibit Ex. A-2, # <u>4</u> Exhibit Ex. A-3, # <u>5</u> Declaration Ex. B Keim MSJ Decl., # <u>6</u> Exhibit Ex. B-1, # <u>7</u> Exhibit Ex. B-2, # <u>8</u> Exhibit Ex. B-3, # <u>9</u> Exhibit Ex. B-4, # <u>10</u> Exhibit Ex. B-5, # <u>11</u> Exhibit Ex. B-6, # <u>12</u> Exhibit Ex. B-7, # <u>13</u> Exhibit Ex. B-8, # <u>14</u> Exhibit Ex. B-9, # <u>15</u> Exhibit Ex. B-10, # <u>16</u> Exhibit Ex. B-11, # <u>17</u> Exhibit Ex. B-12, # <u>18</u> Exhibit Ex. B-13)(Rienzi, Mark) (Entered: 04/22/2014)
04/22/2014	<u>42</u>	RULE 56 c Statement by Wheaton College regarding motion for summary judgment,, <u>41</u> <i>and Response to Def's Rule 56 Statement</i> (Rienzi, Mark) (Entered: 04/22/2014)
04/22/2014	<u>43</u>	MOTION by Plaintiff Wheaton CollegeFRCP 56(d) <i>Relief</i> (Attachments: # <u>1</u> Declaration Ex. C Keim 56d, # <u>2</u> Exhibit C-1)(Rienzi, Mark) (Entered: 04/22/2014)
04/23/2014	<u>44</u>	MOTION by Plaintiff Wheaton College for summary judgment <i>and Opp. to Def's Mot. to Dismiss</i> (Rienzi, Mark) (Entered: 04/23/2014)
05/13/2014	<u>45</u>	MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury for extension of time to file response/reply as to Rule 56 statement <u>42</u> , motion for miscellaneous relief <u>43</u> , motion for summary judgment,, <u>41</u> <i>Unopposed</i> (Attachments: # <u>1</u> Text of Proposed Order)(Saltman, Julie) (Entered: 05/13/2014)
05/13/2014	<u>46</u>	NOTICE by All Defendants re MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department <u>45</u> (Saltman, Julie) (Entered: 05/13/2014)
05/15/2014	<u>47</u>	RESPONSE by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury to Rule 56 statement <u>42</u> (Saltman, Julie) (Entered: 05/15/2014)
05/15/2014	<u>48</u>	RESPONSE by Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasuryin Opposition to MOTION by Plaintiff Wheaton CollegeFRCP 56(d) <i>Relief</i> <u>43</u> (Saltman, Julie) (Entered: 05/15/2014)
05/15/2014	<u>49</u>	MEMORANDUM by Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury in Opposition to motion for summary judgment <u>44</u> , motion for summary judgment,, <u>41</u> <i>and Reply in Support of Defendants' Motion to Dismiss and, in the alternative, for Summary Judgment</i> (Attachments: # <u>1</u> Exhibit A)(Saltman, Julie) (Entered: 05/15/2014)
05/16/2014	<u>50</u>	NOTICE of Motion by Julie Shana Saltman for presentment of motion for extension of time to file response/reply,, motion for relief,,,,, <u>45</u> before Honorable Robert M. Dow Jr. on 5/21/2014 at 09:15 AM. (Saltman, Julie) (Entered: 05/16/2014)
05/19/2014	<u>51</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: MOTION by Defendants Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, Kathleen Sebelius, Sec of US Dept of Health & Human Servs., United States Department of Health and Human Services, United States Department of Labor, United States Department <u>45</u> two-day extension, to and including May 15, 2014, of the deadline to file their response to the plaintiffs cross-motion for summary judgment and motion for relief under Rule 56(d), Granted. Notice of Motion date of 5/21/2014 is stricken and no appearances are necessary on that date. Mailed notice (tbk,) (Entered: 05/19/2014)
05/19/2014	<u>52</u>	REPLY by Plaintiff Wheaton College <i>in support of motion for summary judgment</i> (Rienzi, Mark) (Entered: 05/19/2014)

05/19/2014	<u>53</u>	REPLY by Plaintiff Wheaton College <i>in support of Rule 56(d) motion</i> (Rienzi, Mark) (Entered: 05/19/2014)
06/05/2014	<u>54</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Status hearing set for 6/13/2014 at 11:00 AM. Mailed notice (tbk,) (Entered: 06/05/2014)
06/05/2014	<u>55</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Telephone Status hearing set for 6/9/2014 at 01:30 AM. Status hearing date of 6/13/2014 is stricken. Mailed notice (tbk,) (Entered: 06/05/2014)
06/06/2014	<u>56</u>	Notice of Supplemental Authority by Wheaton College (Attachments: # <u>1</u> Exhibit D, # <u>2</u> Exhibit E)(Rienzi, Mark) (Entered: 06/06/2014)
06/09/2014	<u>57</u>	ORDER; Status hearing held with counsel for Plaintiff and Defendants appearing by telephone. Plaintiff's oral motion for preliminary injunction is taken under advisement. As discussed on the record, Plaintiff is to submit supplemental brief in support of motion for preliminary injunction by 6/10/2014; Defendants are to submit supplemental brief in opposition to motion for preliminary injunction by 6/13/2014. The Court will set the matter for hearing or issue a ruling by mail on the motion for preliminary injunction and will issue a ruling in advance of the July 1 compliance deadline. The Court will set this case for further status hearing shortly after the Supreme Court issues its decision in the Hobby Lobby and Conestoga Wood cases. Finally, given the swearing-in today of Sylvia Mathews Burwell as Secretary of the United States Department of Health and Human Services, Secretary Burwell is substituted as a party in place of her predecessor, former Secretary Kathleen Sebelius, and the caption in this case going forward will so reflect that substitution of party pursuant to Federal Rule of Civil Procedure 25(d). Signed by the Honorable Robert M. Dow, Jr on 6/9/2014. Mailed notice. (ea,) (Entered: 06/10/2014)
06/10/2014	<u>58</u>	MOTION by Plaintiff Wheaton College for preliminary injunction <i>and brief in support</i> (Attachments: # <u>1</u> Exhibit A)(Rienzi, Mark) (Entered: 06/10/2014)
06/13/2014	<u>59</u>	RESPONSE by Sylvia Mathews Burwell, Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury in Opposition to MOTION by Plaintiff Wheaton College for preliminary injunction <i>and brief in support</i> <u>58</u> (Saltman, Julie) (Entered: 06/13/2014)
06/16/2014	<u>60</u>	REPLY by Plaintiff Wheaton College to motion for preliminary injunction <u>58</u> , response in opposition to motion, <u>59</u> (Rienzi, Mark) (Entered: 06/16/2014)
06/17/2014	<u>61</u>	Notice of Supplemental Authority by Sylvia Mathews Burwell, Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury (Attachments: # <u>1</u> Exhibit)(Saltman, Julie) (Entered: 06/17/2014)
06/23/2014	<u>62</u>	MEMORANDUM OPINION AND ORDER: For the reasons stated below, the Court respectfully denies Plaintiff's motions for preliminary injunction <u>57</u> , <u>58</u> . To the extent that Hobby Lobby and Conestoga call into question any material aspect of the Seventh Circuit's controlling decision in <i>University of Notre Dame v. Sebelius</i> , 743 F.3d 547 (7th Cir. 2014), any party may file a motion for reconsideration of this order. This order is also subject to reconsideration on the Court's own motion. This matter is set for a telephonic status conference on 6/30/2014 at 10:00a.m. Signed by the Honorable Robert M. Dow, Jr on 6/23/2014. Mailed notice(tbk,) (Entered: 06/23/2014)
06/24/2014	<u>63</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Telephone status hearing held. Plaintiff indicates that it wishes to file a motion for reconsideration and will file its motion and brief in support on 6/24/2014; Defendants are given until 12:00 noon on 6/27/2014 to file response. The case remains set for telephone status on 6/30/2014 at 10:00 a.m. Counsel will call chambers. Mailed notice (tbk,) (Entered: 06/24/2014)
06/24/2014	<u>64</u>	MOTION by Plaintiff Wheaton College for reconsideration <i>of preliminary injunction request</i> (Attachments: # <u>1</u> Exhibit Ex. A--Little Sisters Notice)(Rienzi, Mark) (Entered: 06/24/2014)
06/26/2014	<u>65</u>	NOTICE of appeal by Wheaton College regarding orders <u>62</u> Filing fee \$ 505, receipt number 0752-9615154. (Rienzi, Mark) (Entered: 06/26/2014)

06/26/2014	<u>66</u>	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal <u>65</u> . (smm) (Entered: 06/26/2014)
06/26/2014	<u>67</u>	TRANSMITTED to the 7th Circuit the short record on notice of appeal <u>65</u> . Notified counsel (smm) (Entered: 06/26/2014)
06/27/2014	<u>68</u>	MEMORANDUM by Sylvia Mathews Burwell, Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury in Opposition to motion for reconsideration <u>64</u> (Saltman, Julie) (Entered: 06/27/2014)
06/27/2014	<u>69</u>	NOTICE by Wheaton College of <i>supplemental authority</i> (Attachments: # <u>1</u> Exhibit CA 3 Order)(Rienzi, Mark) (Entered: 06/27/2014)
06/27/2014	<u>70</u>	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal <u>65</u> ; USCA Case No. 14-2396. (ea,) (Entered: 06/27/2014)
06/28/2014	<u>71</u>	REPLY by Plaintiff Wheaton College to memorandum in opposition to motion, <u>68</u> , motion for reconsideration <u>64</u> (Rienzi, Mark) (Entered: 06/28/2014)
06/30/2014	<u>72</u>	ORDER: For the reasons stated below, Plaintiff's emergency motion for reconsideration or, in the alternative, for injunction pending appeal <u>64</u> is respectfully denied. Signed by the Honorable Robert M. Dow, Jr on 6/30/2014. Mailed notice(tbk,) (Entered: 06/30/2014)
06/30/2014	<u>73</u>	ORDER dated 6/30/14 from the Seventh Circuit regarding notice of appeal <u>65</u> ; Appellate case no. : 14-2396. The following is before the court: WHEATON COLLEGE'S EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL - RELIEF REQUESTED BY JUNE 30, 2014, filed on June 26, 2014, by counsel for Appellant Wheaton College. On the basis of this court's decision in Notre Dame v. Sebelius, 743 F.3d 547 (7th Cir. 2014), we believe that the appellant has not shown that it is likely to prevail on the merits. And the decision today by the United States Supreme Court in Burwell v. Hobby Lobby Stores, Inc., ---U.S.---, slip op. (June 30, 2014), emphasizes that the accommodation provision (applicable in this case) "constitutes an alternative that achieves all of the Government's aims while providing greater respect for religious liberty." Id. at 3. IT IS ORDERED that the emergency motion for injunction pending appeal is therefore DENIED. (ea,) (Entered: 07/01/2014)
07/11/2014	<u>74</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Status hearing set for 7/15/2014 at 09:00 AM. Mailed notice (tbk,) (Entered: 07/11/2014)
07/14/2014	<u>75</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: The time of the Status hearing set for 7/15/2014 is reset to 10a.m. Mailed notice (tbk,) (Entered: 07/14/2014)
07/15/2014	<u>76</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Phone Status hearing held on 7/15/2014. Further Phone Status hearing set for 8/18/2014 at 10:30 AM. Mailed notice (tbk,) (Entered: 07/15/2014)
07/15/2014	<u>77</u>	TRANSMITTED to the USCA for the 7th Circuit the long record on appeal <u>65</u> (USCA no. 14-2396). (smm) (Entered: 07/15/2014)
07/15/2014	<u>78</u>	USCA RECEIVED on 7/15/14 the long record regarding notice of appeal <u>65</u> . (smm) (Entered: 07/15/2014)
07/15/2014	<u>79</u>	SEVENTH CIRCUIT transcript information sheet by Wheaton College (Keim, Adele) (Entered: 07/15/2014)
08/18/2014	80	MINUTE entry before the Honorable Robert M. Dow, Jr: Phone Status hearing held on 8/18/2014. Further phone Status hearing set for 9/8/2014 at 09:30 AM. Mailed notice(tbk,) (Entered: 08/18/2014)
09/08/2014	<u>81</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Phone Status hearing held on 9/8/2014. Further phone Status hearing set for 10/23/2014 at 09:45 AM. Mailed notice (tbk,) (Entered: 09/08/2014)
10/23/2014	<u>82</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Phone Status hearing held on 10/23/2014. Further phone Status hearing set for 11/25/2014 at 11:00 AM. Mailed notice (tbk,) (Entered: 10/23/2014)

11/24/2014	<u>83</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Phone status hearing date of 11/25/2014 is stricken and phone status reset to 1/7/2015 at 10:30a.m. Parties to call chambers (312-435-5665) on a conference call. Mailed notice (tbk,) (Entered: 11/24/2014)
01/08/2015	<u>84</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Phone conference held and continued to 2/17/2015 at 10:00 a.m. Parties to call chambers (312-435-5665) on a conference call. Mailed notice (cdh,) (Entered: 01/08/2015)
02/17/2015	<u>85</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Phone conference held and continued to 3/23/2015 at 10:00 a.m. Parties to call chambers (312-435-5665) on a conference call. Pending motions [25, 41, 43, 44] are stricken without prejudice to being refiled at a later date. Parties are requested to file a joint status report when the Supreme Court issues an order on the Notre Dame case. Mailed notice (cdh,) (Entered: 02/17/2015)
03/11/2015	<u>86</u>	STATUS Report , <i>Filed Jointly by Defendants and</i> by Wheaton College (Attachments: # <u>1</u> Exhibit)(Rienzi, Mark) (Entered: 03/11/2015)
03/23/2015	<u>87</u>	ORDER: Telephone status hearing held. This Court will await the rulings from the Seventh Circuit Court of Appeals on the two pending appeals. In the event of a ruling on either motion, the parties shall notify the Court in writing. Signed by the Honorable Robert M. Dow, Jr on 3/23/2015. Mailed notice. (as,) Modified on 4/2/2015 (cdh,). (Entered: 04/01/2015)
05/12/2015	<u>88</u>	NOTICE to Transmit Record on Appeal regarding notice of appeal <u>65</u> ; USCA Case No. 14-2396. (as,) (Entered: 05/13/2015)
05/12/2015	<u>89</u>	ORDER dated 05/12/2015 from the 7th Circuit regarding notice of appeal <u>65</u> ; Appellate case no. : 14-2396. IT IS ORDERED that the motion is GRANTED. The case will be orally argued on June 10, 2015 at 9:00 a.m. (as,) (Entered: 05/13/2015)
05/21/2015	<u>90</u>	CERTIFIED copy of order dated 5/21/2015 from the USCA 7th Circuit regarding notice of appeal <u>65</u> ; Appellate case no. : 14-2396. IT IS ORDERED that the motions for leave to file amici curiae briefs are GRANTED. The clerk of the court shall file INSTANTER the briefs tendered by the National Health Law Program, et al., and The National Women's Law Center and 11 Other National, Regional, and State Organizations. The brief tendered by Americans United for Separation of Church and State, et al., is missing the required disclosure statement within the brief. An amici curiae brief with the disclosure statement shall be filed by May 21, 2015. (kp,) (Entered: 05/22/2015)
08/24/2015	<u>91</u>	LETTER from the Seventh Circuit returning the record on appeal in USCA no. 14-2396 no record to be returned. (sr,) (Entered: 08/25/2015)
08/24/2015	<u>92</u>	MANDATE of USCA dated 07/01/2015 regarding notice of appeal <u>65</u> ; USCA No. 14-2396. The judgment of the District Court is AFFIRMED, with costs, in accordance with the decision of this court entered on this date. (sr,) (Entered: 08/25/2015)
08/24/2015	<u>93</u>	OPINION from the USCA for the Seventh Circuit; Argued 06/10/2015; Decided 07/01/2015 in USCA case no. 14-2396 (sr,) (Entered: 08/25/2015)
11/25/2015	<u>94</u>	MOTION by Plaintiff Wheaton College to stay <i>JOINT STATUS REPORT AND JOINT MOTION TO STAY CASE</i> (Poland, Christian) (Entered: 11/25/2015)
11/25/2015	<u>95</u>	<i>NOTICE OF JOINT MOTION</i> -- NOTICE of Motion by Christian Mark Poland for presentment of motion to stay <u>94</u> before Honorable Robert M. Dow Jr. on 12/3/2015 at 09:15 AM. (Poland, Christian) (Entered: 11/25/2015)
12/02/2015	<u>96</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: The joint motion to stay the case <u>94</u> is granted. Parties anticipate a ruling from the Supreme Court in the Little Sisters cases in or before June 2016. A status hearing set for 7/27/2016 at 9:00 a.m. to determine how this case should proceed thereafter. No appearances are necessary on 12/3/2015. Mailed notice (cdh,) (Entered: 12/02/2015)
07/25/2016	<u>97</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: By agreement of the parties, status hearing set for 7/27/2016 at 9:00 a.m. is converted to a telephonic status hearing and reset to 7/27/2016 at 9:45 a.m Mailed notice (cdh,) (Entered: 07/25/2016)

07/27/2016	<u>98</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Telephone status conference held and continued to 10/18/2016 at 10:30 a.m. Counsel to e-mail the courtroom deputy 3 days before the conference with a call-in phone number. Mailed notice (cdh,) (Entered: 07/27/2016)
10/18/2016	<u>99</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Telephone conference call held. Settlement discussions are ongoing. Parties to file a joint status report by 12/15/2016. Mailed notice (cdh,) (Entered: 10/21/2016)
12/15/2016	<u>100</u>	STATUS Report <i>Jointly filed</i> by Wheaton College (Rienzi, Mark) (Entered: 12/15/2016)
12/16/2016	<u>101</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Upon review of the parties' joint status report <u>100</u> , the Court accepts the parties' request for a further stay of proceedings. The Court requests that the parties file a revised joint status report no later than 3/22/2017. Mailed notice (cdh,) (Entered: 12/16/2016)
03/22/2017	<u>102</u>	STATUS Report <i>Jointly filed</i> by Wheaton College (Rienzi, Mark) (Entered: 03/22/2017)
04/10/2017	<u>103</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Upon review of the parties' joint status report <u>102</u> , the Court concurs in the parties' request to extend the stay of this litigation and to direct the parties to file an updated joint status report on 5/22/2017. Mailed notice (cdh,) (Entered: 04/10/2017)
05/22/2017	<u>104</u>	STATUS Report by Sylvia Mathews Burwell, Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury (Saltman, Julie) (Entered: 05/22/2017)
05/22/2017	<u>105</u>	NOTICE by All Plaintiffs <i>Status Report</i> (Rienzi, Mark) (Entered: 05/22/2017)
06/19/2017	<u>106</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Upon review of the status reports [104, 105] submitted on May 22, 2017, and the Seventh Circuit's recent orders in Appeal Nos. 13-3853 and 14-1430, the Court extends the current stay and directs the parties to file a joint status report no later than 7/21/2017. Mailed notice (cdh,) (Entered: 06/19/2017)
07/21/2017	<u>107</u>	STATUS Report <i>Jointly filed</i> by Wheaton College (Rienzi, Mark) (Entered: 07/21/2017)
10/02/2017	<u>108</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Consistent with the Court of Appeals' order in Appeal No. 14-1430, the Court requests that the parties file an updated status report by 10/30/2017. In the meantime, the case remains stayed. Mailed notice (cdh,) (Entered: 10/02/2017)
10/23/2017	<u>109</u>	WITHDRAWING <i>Julie Saltman</i> as counsel for Defendants Sylvia Mathews Burwell, Jacob J. Lew, Sec of US Dept of Treasury, Thomas E Perez, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury and substituting Emily Sue Newton as counsel of record (Newton, Emily) (Entered: 10/23/2017)
10/30/2017	<u>110</u>	STATUS Report by United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury (Newton, Emily) (Entered: 10/30/2017)
11/13/2017	<u>111</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Upon review of the parties' recent joint status report [see 110], this case remains stayed and the parties are directed to file an updated joint status report no later than 11/30/2017. Mailed notice (cdh,) (Entered: 11/13/2017)
11/30/2017	<u>112</u>	STATUS Report by Jacob J. Lew, Sec of US Dept of Treasury, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury (Newton, Emily) (Entered: 11/30/2017)
12/15/2017	<u>113</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Upon review of the parties' recent joint status report [see 112], this case remains stayed and the parties are directed to file an updated joint status report no later than 1/5/2018. Mailed notice (cdh,) (Entered: 12/15/2017)

01/05/2018	<u>114</u>	STATUS Report <i>Joint Status Report</i> by Wheaton College (Rienzi, Mark) (Entered: 01/05/2018)
01/10/2018	<u>115</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Upon review of the parties' joint status report <u>114</u> , the Court lifts the stay and adopts the parties' proposed briefing schedule: Plaintiffs' motion for permanent injunction is due on 1/18/2018; Defendants' response is due on 2/1/2018; Plaintiffs' reply is due on 2/8/2018. The Court will either issue a ruling by mail or set the case for further hearing after it reviews the briefs. Mailed notice (cdh,) (Entered: 01/10/2018)
01/18/2018	<u>116</u>	MOTION by Plaintiff Wheaton College for permanent injunction (Attachments: # <u>1</u> Text of Proposed Order)(Rienzi, Mark) (Entered: 01/18/2018)
02/01/2018	<u>117</u>	RESPONSE by Defendants United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury to motion for permanent injunction <u>116</u> (Newton, Emily) (Entered: 02/01/2018)
02/08/2018	<u>118</u>	REPLY by Wheaton College to Response <u>117</u> , MOTION by Plaintiff Wheaton College for permanent injunction <u>116</u> (Rienzi, Mark) (Entered: 02/08/2018)
02/22/2018	<u>119</u>	ORDER GRANTING PERMANENT INJUNCTION AND DECLARATORY RELIEF Signed by the Honorable Robert M. Dow, Jr. on 2/22/2018. Mailed notice(cdh,) (Entered: 02/22/2018)
02/22/2018	<u>120</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: In view of the entry of a permanent injunction <u>119</u> on Count I, and consistent with the position articulated by the parties in their most recent joint status report [see 114, at 2], the remainder of the live claims in Plaintiff's complaint (Counts II–XVI) are dismissed as moot. A final judgment under FRCP 58 will be entered in favor of Plaintiff and against Defendants on Count I only and this civil case will be terminated. Mailed notice (cdh,) (Entered: 02/22/2018)
02/22/2018	<u>121</u>	JUDGMENT IN A CIVIL CASE. Mailed notice(cdh,) (Entered: 02/22/2018)
03/07/2018	<u>122</u>	MOTION by Plaintiff Wheaton College for extension of time (Rienzi, Mark) (Entered: 03/07/2018)
03/12/2018	<u>123</u>	ORDER GRANTING WHEATON COLLEGE'S UNOPPOSED MOTION FOR EXTENSION OF DEADLINES PERTAINING TO PROCESS FOR AWARDING ATTORNEYS FEES AND COSTS Signed by the Honorable Robert M. Dow, Jr. on 3/12/2018. Mailed notice(cdh,) (Entered: 03/12/2018)
03/12/2018	<u>124</u>	MINUTE entry before the Honorable Robert M. Dow, Jr: Wheaton College's unopposed motion for extension of deadlines pertaining to process for awarding attorneys fees and cost <u>122</u> is granted. Mailed notice (cdh,) (Entered: 03/12/2018)