

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

GROTE INDUSTRIES, LLC an Indiana)	
limited liability company,)	
<i>et al.</i>)	
)	
Plaintiffs,)	
)	4:12-cv-00134-SEB-DML
vs.)	
)	
SYLVIA M. BURWELL, in her official)	
capacity as Secretary of the United States)	
Department of Health and Human Services,)	
<i>et al.</i>)	
)	
Defendants.)	

INJUNCTION AND JUDGMENT

In light of the Supreme Court’s decision in *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014), the Seventh Circuit’s decision in this case, and upon consideration of the parties’ Joint Status Report as well as the entire record before us,

IT IS ORDERED as follows:

(1) Defendants,¹ their employees, agents, and successors in office are permanently

ENJOINED from enforcing:

- a. the “June 30, 2014 Contraceptive Coverage Requirement,” defined here to include those provisions of federal law in existence on June 30, 2014, when the Supreme Court decided *Hobby Lobby*, that require Plaintiffs to provide

¹ Plaintiffs’ complaint initially named Kathleen Sebelius in her official capacity as Secretary of Health and Human Services. However, since that time, Sylvia M. Burwell has replaced Ms. Sebelius in that position. Pursuant to Federal Rule of Civil Procedure 25(d), Ms. Burwell is substituted as a party.

their employees with health coverage for contraceptive methods, sterilization procedures, and other related patient education and counseling to which Plaintiffs object on religious grounds, *e.g.*, 26 C.F.R. § 54.9815-2713(a)(1)(iv); 29 C.F.R. § 2590.715-2713(a)(1)(iv); 45 C.F.R. § 147.130(a)(1)(iv); and

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

(2) Defendants, their employees, agents, and successors in office are permanently ENJOINED from taking any other actions based on noncompliance with the June 30, 2014 Contraceptive Coverage Requirement against Plaintiffs, their employee health plan(s), the group health coverage provided in connection with such plan(s), and/or Plaintiffs' health insurance issuers and/or third-party administrators with respect to Plaintiffs' health plan(s).

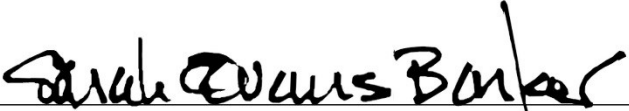
IT IS ORDERED that judgment is entered in favor of Plaintiffs and against Defendants on Plaintiffs' claim under the Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb *et seq.*

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

Finally, the parties are ORDERED to confer and attempt to reach agreement on attorneys' fees and costs. If the parties are unable to reach agreement on these matters, Plaintiffs may file a motion for attorneys' fees and costs within 45 days of the entry of this Judgment.

IT IS SO ORDERED.

Date: 04/30/2015

A handwritten signature in black ink that reads "Sarah Evans Barker". The signature is written in a cursive style and is positioned above a horizontal line.

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

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