

**U.S. District Court Northern District of Indiana [LIVE]
USDC Northern Indiana (South Bend)
CIVIL DOCKET FOR CASE #: 3:13-cv-01276-PPS-MGG**

Notre Dame University of v. Sebelius et al
Assigned to: Chief Judge Philip P Simon
Referred to: Magistrate Judge Michael G Gotsch, Sr
Case in other court: USCA, 13-03853
Cause: 05:702 Administrative Procedure Act

Date Filed: 12/03/2013
Date Terminated: 10/24/2017
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Notre Dame University of

represented by **Matthew A Kairis**
Jones Day – Col/OH
325 John H McConnell Blvd Suite 600
PO Box 165017
Columbus, OH 43216-5017
614-281-3605
Fax: 614-461-4198
Email: makairis@jonesday.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alison M Kilmartin
Jones Day – Pit/PA
500 Grant St Suite 4500
Pittsburgh, PA 15219
412-391-3939
Fax: 412-394-7959
Email: amkilmartin@jonesday.com
TERMINATED: 09/17/2015

Melissa D Palmisciano
Jones Day – Col/OH
325 John H McConnell Blvd Suite 600
PO Box 165017
Columbus, OH 43216-5017
614-469-3950
Fax: 614-461-4198
Email: mpalmisciano@jonesday.com
TERMINATED: 09/29/2016

V.

Defendant

Kathleen Sebelius
*in her official capacity as Secretary of the
US Department of Health and Human
Services*

represented by **Jacek Pruski AUSA**
US Department of Justice – Was/DC/20
Civil Division Federal Programs Branch
20 Massachusetts Ave NW
Washington, DC 20530
202-616-2035
Fax: 202-616-8470
Email: jacek.pruski@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Saltman AUSA
US Department of Justice –
Was/DC/20/7314
Civil Division – Federal Programs Branch
20 Massachusetts Ave NW Rm 7314
Washington, DC 20530

202-532-4252
Fax: 202-616-8470
Email: julie.saltman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael C Pollack
US Department of Justice – Was/DC/6143
20 Massachusetts Ave NW Rm 6143
Washington, DC 20530
202-305-8550
Fax: 202-616-8470
Email: michael.c.pollack@usdoj.gov
TERMINATED: 06/10/2014

Defendant

Thomas Perez
*in his official capacity as Secretary of
the US Department of Labor*

represented by **Jacek Pruski AUSA**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Saltman AUSA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael C Pollack
(See above for address)
TERMINATED: 06/10/2014

Defendant

Jacob J Lew
*in his official capacity as Secretary of the
US Department of the Treasury*

represented by **Jacek Pruski AUSA**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Saltman AUSA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael C Pollack
(See above for address)
TERMINATED: 06/10/2014

Defendant

**US Department of Health and Human
Services**

represented by **Jacek Pruski AUSA**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Saltman AUSA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael C Pollack
(See above for address)
TERMINATED: 06/10/2014

Defendant

US Department of Labor

represented by

Jacek Pruski AUSA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Saltman AUSA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael C Pollack
(See above for address)
TERMINATED: 06/10/2014

Defendant

US Department of the Treasury

represented by **Jacek Pruski AUSA**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Saltman AUSA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael C Pollack
(See above for address)
TERMINATED: 06/10/2014

V.

Movant

Jane Does 1 – 3

represented by **Ayesha Naseem Khan PHV**
Americans United for Separation of
Church and State
1310 L St NW Ste 200
Washington, DC 20005
202-466-3234
Fax: 202-898-0955
Email: khan@au.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Seymour H Moskowitz
Seven Napoleon Street
Valparaiso, IN 46383
219-462-3008
Email: sy81741@gmail.com
ATTORNEY TO BE NOTICED

Amicus

American Civil Liberties Union
American Civil Liberties Union
Foundation
125 Broad Street
18th Fl.
New York, NY 10004
2125492633

represented by **Jennifer K Lee**
American Civil Liberties Union – NY/NY
125 Broad St 18th Floor
New York, NY 10004-2454
212-549-2601
Email: jlee@aclu.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/03/2013	<u>1</u>	COMPLAINT against Jacob J Lew, Thomas Perez, Kathleen Sebelius, US Department of Health and Human Services, US Department of Labor, US Department of the Treasury (Filing fee \$ 400.) Receipt #3009121, filed by Notre Dame University of. (Attachments: # <u>1</u> Civil Cover Sheet)(jld) (Additional attachment(s) added on 12/3/2013: # <u>2</u> Exhibit A) (jld). (Entered: 12/03/2013)
12/03/2013	<u>2</u>	NOTICE of Appearance by Matthew A Kairis on behalf of Notre Dame University of (jld) (Entered: 12/03/2013)
12/03/2013	<u>3</u>	Corporate Disclosure Statement by Notre Dame University of. (jld) (Entered: 12/03/2013)
12/03/2013	<u>4</u>	Summons Issued as to Jacob J Lew, Thomas Perez, Kathleen Sebelius, US Department of Health and Human Services, US Department of Labor, US Department of the Treasury. NOTE: Only copies that bear the seal of the court should be used for service of process. (jld) (Entered: 12/03/2013)
12/05/2013	<u>5</u>	NOTICE of Appearance by Alison M Kilmartin on behalf of Notre Dame University of (Kilmartin, Alison) (Entered: 12/05/2013)
12/05/2013	<u>6</u>	NOTICE of Appearance by Melissa D Palmisciano on behalf of Notre Dame University of (Palmisciano, Melissa) (Entered: 12/05/2013)
12/09/2013	<u>7</u>	MOTION for Temporary Restraining Order and Request for Hearing by Plaintiff Notre Dame University of. (Kairis, Matthew) (Entered: 12/09/2013)
12/09/2013	<u>8</u>	AFFIDAVIT re <u>7</u> MOTION for Temporary Restraining Order and Request for Hearing of Matthew A. Kairis by Notre Dame University of. (Kairis, Matthew) (Entered: 12/09/2013)
12/09/2013	<u>9</u>	MOTION for Preliminary Injunction and Request for Oral Argument by Plaintiff Notre Dame University of. (Kairis, Matthew) (Entered: 12/09/2013)
12/09/2013	<u>10</u>	AFFIDAVIT re <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument , <u>7</u> MOTION for Temporary Restraining Order and Request for Hearing of John Affleck-Graves by Notre Dame University of. (Kairis, Matthew) (Entered: 12/09/2013)
12/09/2013	<u>11</u>	MOTION for Leave to File Excess Pages <i>for Memorandum of Law in Support of Motion for Temporary Restraining Order and Motion for Preliminary Injunction</i> by Plaintiff Notre Dame University of. (Attachments: # <u>1</u> Exhibit 1 – Memorandum in Support, # <u>2</u> Exhibit A to Ex. 1 – Memorandum in Support, # <u>3</u> Exhibit B to Ex. 1 – Memorandum in Support, # <u>4</u> Exhibit C to Ex. 1 – Memorandum in Support, # <u>5</u> Exhibit D to Ex. 1 – Memorandum in Support, # <u>6</u> Exhibit E to Ex. 1 – Memorandum in Support, # <u>7</u> Exhibit F to Ex. 1 – Memorandum in Support, # <u>8</u> Exhibit G to Ex. 1 – Memorandum in Support, # <u>9</u> Exhibit H to Ex. 1 – Memorandum in Support)(Kairis, Matthew) (Entered: 12/09/2013)
12/10/2013		Chief Judge Philip P Simon added. Senior Judge James T Moody no longer assigned to case. (kwk) (Entered: 12/10/2013)
12/10/2013	<u>12</u>	Consent MOTION for Leave to File Excess Pages <i>and to dispense with table of contents and table of authorities</i> by Defendants Jacob J Lew, Thomas Perez, Kathleen Sebelius, US Department of Health and Human Services, US Department of Labor, US Department of the Treasury. (Pollack, Michael) (Entered: 12/10/2013)
12/10/2013	<u>13</u>	RESPONSE to Motion re <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument , <u>7</u> MOTION for Temporary Restraining Order and Request for Hearing filed by Jacob J Lew, Thomas Perez, Kathleen Sebelius, US Department of Health and Human Services, US Department of Labor, US Department of the Treasury. (Pollack, Michael) (Entered: 12/10/2013)
12/10/2013	<u>14</u>	ORDER REFERRING <u>7</u> MOTION for Temporary Restraining Order and Request for Hearing filed by Notre Dame University of to Judge Van Bokkelen. Parties are directed to contact Judge VanBokkelen's chambers at 219-852-6744 to schedule a hearing on Plaintiff's Motion. Signed by Chief Judge Philip P Simon on 12/10/13. (smp) (Entered: 12/10/2013)

USDC IN/ND Case: 3:13-cv-1276 As of: 11/27/2017 01:50 PM EST 5 of 9		
12/11/2013	<u>15</u>	ORDER granting <u>11</u> Motion for Leave to File Excess Pages. Notre Dames Memorandum of Law in Support of Plaintiffs Motion for Temporary Restraining Order and Motion for Preliminary Injunction shall not exceed fifty (50) pages. Signed by Magistrate Judge Christopher A Nuechterlein on 12/11/13. (cck) (Entered: 12/11/2013)
12/11/2013	<u>16</u>	SUPPLEMENT to <u>10</u> Affidavit, <i>Exhibit A attached to Affidavit of John Affleck-Graves</i> filed by Notre Dame University of. (Kairis, Matthew) (Entered: 12/11/2013)
12/11/2013	<u>17</u>	NOTICE by Notre Dame University of <i>Withdrawal of Motion for Temporary Restraining Order and Request for Hearing</i> (Kairis, Matthew) (Entered: 12/11/2013)
12/11/2013	<u>18</u>	MEMORANDUM in Support of <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument , <u>7</u> MOTION for Temporary Restraining Order and Request for Hearing filed by Notre Dame University of. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Kairis, Matthew) (Entered: 12/11/2013)
12/11/2013	<u>21</u>	ORDER Setting Hearing on Motion <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument : ORAL ARGUMENT set for 12/19/2013 09:00 AM (CST) in US District Court – Hammond before Chief Judge Philip P Simon.. Signed by Chief Judge Philip P Simon on 12/11/13. (smp) (Entered: 12/12/2013)
12/12/2013	<u>19</u>	ORDER granting <u>12</u> Motion for Leave to File Excess Pages. Defendants' Brief in Opposition to Plaintiff's Motions for Temporary Restraining Order and for Preliminary Injunction shall not exceed twenty-nine (29) pages and need not include a table of contents and table of authorities. Signed by Magistrate Judge Christopher A Nuechterlein on 12/12/13. (cck) (Entered: 12/12/2013)
12/12/2013	<u>20</u>	MOTION for Leave to File <i>Amicus Curiae Brief</i> by Amicus American Civil Liberties Union. (Attachments: # <u>1</u> Addendum Proposed Amicus Brief)(Lee, Jennifer) (Entered: 12/12/2013)
12/13/2013	<u>22</u>	Consent MOTION for Leave to File Excess Pages <i>for Reply Regarding Motion for Preliminary Injunction</i> by Plaintiff Notre Dame University of. (Kairis, Matthew) (Entered: 12/13/2013)
12/16/2013	<u>23</u>	ORDER granting <u>22</u> Motion for Leave to File Excess Pages. Notre Dame's reply brief regarding its Motion for Preliminary Injunction shall not exceed twenty-five (25) pages. Signed by Magistrate Judge Christopher A Nuechterlein on 12/16/13. (cck) (Entered: 12/16/2013)
12/16/2013	<u>24</u>	AFFIDAVIT of <i>John Affleck-Graves (Supplemental)</i> by Notre Dame University of. (Kairis, Matthew) (Entered: 12/16/2013)
12/16/2013	<u>25</u>	AFFIDAVIT of <i>Meritain Health, Inc.</i> by Notre Dame University of. (Kairis, Matthew) (Entered: 12/16/2013)
12/16/2013	<u>26</u>	REPLY to Response to Motion re <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument filed by Notre Dame University of. (Attachments: # <u>1</u> Transcript Excerpt, # <u>2</u> EDNY Decision & Order, # <u>3</u> IOM Report)(Kairis, Matthew) (Entered: 12/16/2013)
12/17/2013	<u>27</u>	ORDER granting <u>20</u> ACLU's Motion for Leave to File amicus curiae brief. The ACLU will not be heard at oral argument regarding preliminary injunction. Signed by Chief Judge Philip P Simon on 12/17/13. (smp) (Entered: 12/18/2013)
12/19/2013	<u>28</u>	NOTICE by Jacob J Lew, Thomas Perez, Kathleen Sebelius, US Department of Health and Human Services, US Department of Labor, US Department of the Treasury <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Priests for Life v. HHS)(Pollack, Michael) (Entered: 12/19/2013)
12/19/2013	<u>29</u>	APPLICATION for Attorney Ayesha Naseem Khan to Appear Pro Hac Vice on behalf of Jane Doe #1, Jane Doe #2, and Jane Doe #3 ; Receipt #3009282. (smp) (Entered: 12/19/2013)
12/19/2013	<u>30</u>	BRIEF in Opposition to <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument , <u>7</u> MOTION for Temporary Restraining Order and Request for

		Hearing by <i>Amicus Curiae</i> filed by American Civil Liberties Union. (Lee, Jennifer) (Entered: 12/19/2013)
12/19/2013	<u>31</u>	ORDER granting <u>29</u> Application to Appear Pro Hac Vice of Attorney Ayesha Naseem Kahn PHV for Jane Doe #1-3. Signed by Chief Judge Philip P Simon on 12/10/13. (smp) Modified on 12/19/2013 (copy sent to attorney Kahn)(smp). (Entered: 12/19/2013)
12/19/2013	<u>32</u>	RESPONSE by Notre Dame University of to <u>28</u> Notice (Other), . (Kairis, Matthew) (Entered: 12/19/2013)
12/19/2013	<u>33</u>	VACATED per de <u>73</u> Order – MOTION to Intervene by Movant Jane Does 1 – 3. (Moskowitz, Seymour) Modified on 7/22/2014 (rmc). (Entered: 12/19/2013)
12/19/2013	<u>34</u>	MEMORANDUM in Support of <u>33</u> MOTION to Intervene <i>and for Consideration of Intervenors' Arguments in Opposition to Plaintiff's Motion for Preliminary Injunction</i> filed by Jane Does 1 – 3. (Attachments: # <u>1</u> Affidavit Declaration of Doe #1, # <u>2</u> Affidavit Declaration of Doe #2, # <u>3</u> Affidavit Declaration of Doe #3)(Moskowitz, Seymour) (Entered: 12/19/2013)
12/19/2013	<u>35</u>	<i>Proposed Intervenors'</i> ANSWER to <u>1</u> Complaint, <i>pursuant to FRCP 24(c)</i> by Jane Does 1 – 3.(Moskowitz, Seymour) (Entered: 12/19/2013)
12/19/2013	<u>36</u>	MOTION HEARING held on 12/19/2013 re <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument filed by Notre Dame University of before Chief Judge Philip P Simon. Pla appeared by atty Matthew A. Kairis. Dft appeared by atty Michael C. Pollack. Court hears oral argument on the motion. Court to issue ruling. Plf requests a TRO and argument was heard. (Court Reporter Sharon Boleck–Mroz.) (nac) (Entered: 12/20/2013)
12/20/2013	<u>37</u>	NOTICE by Notre Dame University of re <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument (Attachments: # <u>1</u> Exhibit A)(Kairis, Matthew) (Entered: 12/20/2013)
12/20/2013	<u>38</u>	<p>TRANSCRIPT of Preliminary Injunction hearing held on December 19, 2013, before Judge Philip P. Simon. Court Reporter Sharon Boleck Mroz, Telephone number 219-852-6728. 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.</p> <p>IMPORTANT: Notice is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above matter. The parties have 7 calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. Within 21 days of the filing of the transcript, a Redaction Request – Transcript shall be e-filed with the Court. Access to this request will be restricted to the Court and attorneys of record in the case. If no such Notice and Redaction Request are filed, the transcript may be made remotely, electronically available to the public without redaction. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the Court Reporter. Counsel are strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain materials may be made. The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk and Court Reporter will not review each transcript for compliance with this rule.</p> <p>Notice of Intent to Redact due 1/6/2014. Redaction Request due 1/10/2014. Redacted Transcript Deadline set for 1/21/2014. Release of Transcript Restriction set for 3/20/2014. (sbm) (Entered: 12/20/2013)</p>
12/20/2013	<u>39</u>	NOTICE by Notre Dame University of re <u>9</u> MOTION for Preliminary Injunction and Request for Oral Argument of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Kairis, Matthew) (Entered: 12/20/2013)
12/20/2013	<u>40</u>	OPINION AND ORDER: DENYING Plf University of Notre Dame's Motion for a Preliminary Injunction <u>9</u> . Signed by Chief Judge Philip P Simon on 12/20/2013. (nac) Modified dkt text on 12/27/2013 (kjp). (Entered: 12/20/2013)

USDC IN/ND Case: 3:13-cv-1276 As of: 11/27/2017 01:50 PM EST 7 of 9		
12/20/2013	<u>41</u>	MOTION for Preliminary Injunction Pending Appeal by Plaintiff Notre Dame University of. (Kairis, Matthew) (Entered: 12/20/2013)
12/20/2013	<u>42</u>	BRIEF in Support of <u>41</u> MOTION for Preliminary Injunction Pending Appeal filed by Notre Dame University of. (Kairis, Matthew) (Entered: 12/20/2013)
12/20/2013	<u>43</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>40</u> Order on Motion for Preliminary Injunction, filed by Plaintiff Notre Dame University of. Filing fee \$ 455, receipt number 0755-2243817. (Kairis, Matthew) (Entered: 12/20/2013)
12/20/2013	<u>44</u>	Docketing Statement re: <u>43</u> Notice of Interlocutory Appeal filed by Notre Dame University of. (Kairis, Matthew) (Entered: 12/20/2013)
12/23/2013	<u>46</u>	***THIS REPLACES DOCUMENT 45 *** TRANSCRIPT REQUEST by Notre Dame University of for proceedings held on 12/19/2013 before Judge Simon, re <u>43</u> Notice of Interlocutory Appeal (Kairis, Matthew) Modified on 12/23/2013 to note this entry replaces DE 45 because of an incorrect document format --- DE 46 has the correct format of the document (lyb). (Entered: 12/23/2013)
12/23/2013	<u>47</u>	Short Record Sent to US Court of Appeals re <u>43</u> Notice of Interlocutory Appeal. Appeal filing fees paid in the amount of \$455.00 – Receipt # 0755-2243817. (Attachments: # <u>1</u> Notice of Interlocutory Appeal, # <u>2</u> Docketing Statement, # <u>3</u> Order being appealed, # <u>4</u> Docket sheet)(smp) (Entered: 12/23/2013)
12/23/2013	<u>48</u>	RESPONSE to Motion re <u>41</u> MOTION for Preliminary Injunction Pending Appeal filed by Jacob J Lew, Thomas Perez, Kathleen Sebelius, US Department of Health and Human Services, US Department of Labor, US Department of the Treasury. (Pollack, Michael) (Entered: 12/23/2013)
12/23/2013	<u>49</u>	ORDER denying <u>41</u> Plaintiff's Motion For Preliminary Injunction Pending Appeal. Signed by Chief Judge Philip P Simon on 12/23/2013. (nac) (Entered: 12/23/2013)
12/23/2013	<u>52</u>	USCA Case Number 13-3853 for <u>43</u> Notice of Interlocutory Appeal filed by Notre Dame University of. (Attachments: # <u>1</u> 3(b) Fee Notice, # <u>2</u> Notice Vacating Fee Notice)(smp) (Entered: 12/27/2013)
12/26/2013	<u>50</u>	VACATED per de <u>73</u> Order – MOTION to Proceed Anonymously by Movant Jane Does 1 – 3. (Moskowitz, Seymour) Modified on 7/22/2014 (rmc). (Entered: 12/26/2013)
12/26/2013	<u>51</u>	MEMORANDUM in Support of <u>50</u> MOTION to Proceed Anonymously filed by Jane Does 1 – 3. (Moskowitz, Seymour) (Entered: 12/26/2013)
12/30/2013	<u>56</u>	ORDER of USCA as to <u>43</u> Notice of Interlocutory Appeal filed by Notre Dame University of DENYING emergency motion for an injunction. Briefing in the appeal is EXPEDITED. (smp) (Entered: 01/08/2014)
12/31/2013	<u>53</u>	Joint MOTION to Stay <i>District Court Proceedings Pending Appeal</i> by Plaintiff Notre Dame University of. (Attachments: # <u>1</u> Exhibit Seventh Circuit Order (Dec. 30, 2013))(Kairis, Matthew) (Entered: 12/31/2013)
01/02/2014	<u>54</u>	ORDER granting <u>53</u> Motion to Stay; proceedings before this Court wil be STAYED during the pendency of the appeal to the Seventh Circuit of the denial of Notre Dame's request for a preliminary injunction. Signed by Chief Judge Philip P Simon on 1/2/14. (smp) (Entered: 01/02/2014)
01/09/2014	<u>63</u>	Letter from 7th Circuit Court of Appeals requesting record on appeal. (lyb) (Entered: 01/13/2014)
01/10/2014	<u>57</u>	ACKNOWLEDGEMENT OF SERVICE Executed as to <u>1</u> Complaint, <i>David A. Capp c/o Civil Process Clerk, United States Attorney</i> Acknowledgement filed by Notre Dame University of. (Kilmartin, Alison) (Entered: 01/10/2014)
01/10/2014	<u>58</u>	ACKNOWLEDGEMENT OF SERVICE Executed as to <u>1</u> Complaint, <i>Eric H. Holder, Jr., Attorney General of the United States, U.S. Department of Justice</i> Acknowledgement filed by Notre Dame University of. (Kilmartin, Alison) (Entered: 01/10/2014)

USDC IN/ND Case: 3:13-cv-1276 As of: 11/27/2017 01:50 PM EST 8 of 9		
01/10/2014	<u>59</u>	SUMMONS Returned Executed by Notre Dame University of. Kathleen Sebelius served on 12/6/2013, answer due 2/4/2014; US Department of Health and Human Services served on 12/6/2013, answer due 2/4/2014. (Kilmartin, Alison) (Entered: 01/10/2014)
01/10/2014	<u>60</u>	SUMMONS Returned Executed by Notre Dame University of. Jacob J Lew served on 12/9/2013, answer due 2/7/2014; Thomas Perez served on 12/9/2013, answer due 2/7/2014. (Kilmartin, Alison) (Entered: 01/10/2014)
01/10/2014	<u>61</u>	SUMMONS Returned Executed by Notre Dame University of. US Department of Labor served on 12/11/2013, answer due 2/10/2014. (Kilmartin, Alison) (Entered: 01/10/2014)
01/10/2014	<u>62</u>	SUMMONS Returned Executed by Notre Dame University of. US Department of the Treasury served on 12/13/2013, answer due 2/11/2014. (Kilmartin, Alison) (Entered: 01/10/2014)
01/13/2014	<u>64</u>	Transmitted Record on Appeal (1 volume of Pldgs. and 1 volume of a Transcript – both sent via Email) to US Court of Appeals re <u>43</u> Notice of Interlocutory Appeal. (lyb) (Entered: 01/13/2014)
01/15/2014	<u>65</u>	NOTICE of Docketing Record on Appeal (1 volume electronically) from USCA re <u>43</u> Notice of Interlocutory Appeal filed by Notre Dame University of. (Attachments: # <u>1</u> Receipt for transcript on 1/15/14)(smp) (Entered: 01/16/2014)
05/15/2014	<u>66</u>	MANDATE of USCA as to <u>43</u> Notice of Interlocutory Appeal filed by Notre Dame University of AFFIRMING the judgment of the District Court (Attachments: # <u>1</u> USCA Certified Opinion, # <u>2</u> USCA Certified Final Judgment)(smp) (Entered: 05/20/2014)
05/28/2014	<u>67</u>	NOTICE of Appearance by Jacek Pruski on behalf of All Defendants (Pruski, Jacek) (Entered: 05/28/2014)
06/09/2014	<u>68</u>	MOTION to Withdraw as Attorney <i>Michael C. Pollack</i> by Defendants Jacob J Lew, Thomas Perez, Kathleen Sebelius, US Department of Health and Human Services, US Department of Labor, US Department of the Treasury. (Pollack, Michael) (Entered: 06/09/2014)
06/10/2014	<u>69</u>	ORDER granting <u>68</u> Motion to Withdraw as Attorney. Attorney Michael C Pollack terminated. Signed by Magistrate Judge Christopher A Nuechterlein on 6/10/14. (slm) (Entered: 06/10/2014)
06/18/2014	<u>70</u>	STATUS REPORT <i>Of The Parties</i> by Notre Dame University of. (Kairis, Matthew) (Entered: 06/18/2014)
06/20/2014	<u>71</u>	ORDER continuing STAY <u>70</u> Status Report filed by Notre Dame University of. The parties are therefore ORDERED to promptly notify this Court when either a decision is made not to seek a writ of certiorari or when the Supreme Court proceedings are complete by filing a status report requesting a lift of the stay and proposing an appropriate schedule for an answer or other pleading responsive to the complaint, as well as for briefing on the pending motion to intervene. Signed by Chief Judge Philip P Simon on 6/20/2014. (rmc) (Entered: 06/23/2014)
07/11/2014	<u>72</u>	ORDER re <u>50</u> MOTION to Proceed Anonymously filed by Jane Does 1 – 3, <u>33</u> MOTION to Intervene filed by Jane Does 1 – 3. It is ORDERED: Because the case is stayed indefinitely, these motions are VACATED, SUBJECT TO REVIVAL when the stay ends. The stay order requires the parties to file a status report when proceedings before the Supreme Court terminate or if the plaintiff decides not to petition the Supreme Court. The parties are HEREBY FURTHER ORDERED to note in the status report that, with the lift of the stay, the intervenors motions (DE 33, 50) should be revived, or to show cause why that is not the case. Signed by Chief Judge Philip P Simon on 7/11/2014. (rmc) (Entered: 07/14/2014)
07/14/2014	<u>73</u>	(INCORRECT ENTRY – DOCKETED UNDER THE WRONG CASE NUMBER) ORDER FOR SETTLEMENT CONFERENCE: Settlement Conference set for 9/3/2014 at 1:00 PM in US District Court – Fort Wayne before Magistrate Judge Roger B Cosby. To assist the court and to facilitate the conduct of the settlement conference, lead counsel for each side shall submit via e–mail to

		cosbey_chambers@innd.uscourts.gov, a "Confidential Statement of the Case" on or before the end of the business day on August 29, 2014. Signed by Magistrate Judge Roger B Cosbey on 7/14/2014. (rmc) Modified on 7/17/2014 (mc). (Entered: 07/14/2014)
07/22/2014		***Deadlines/Hearings terminated. (rmc) (Entered: 07/22/2014)
04/17/2015	<u>74</u>	MANDATE of USCA Mandate is issued dismissing appellee Jane Doe 1; appellee Jane Doe 2. Record to be retained for use in remainder of this appeal. (Attachments: # <u>1</u> certified order)(kds) (Entered: 04/23/2015)
06/09/2015	<u>75</u>	NOTICE of Appearance by Julie Saltman AUSA on behalf of All Defendants (Saltman AUSA, Julie) (Entered: 06/09/2015)
08/03/2015	<u>76</u>	MANDATE of USCA – The decision of the district court is AFFIRMED. No record to be returned. (Attachments: # <u>1</u> certified order denying rehearing, # <u>2</u> certified opinion)(kds) Modified on 8/5/2015 to correct text (jld). (Additional attachment(s) added on 8/10/2015: # <u>3</u> Certified Final Judgment) (jld). (Entered: 08/05/2015)
09/16/2015	<u>77</u>	MOTION to Withdraw as Attorney by Plaintiff Notre Dame University of. (Kilmartin, Alison) (Entered: 09/16/2015)
09/17/2015	78	ORDER granting <u>77</u> Motion to Withdraw as Attorney. Attorney Alison M Kilmartin terminated.Approved by Magistrate Judge Christopher A Nuechterlein on 9/17/15. (slm) (Entered: 09/17/2015)
06/17/2016	<u>79</u>	CIRCUIT RULE 54 NOTICE of USCA: The Supreme Court remanded this case to the Circuit Court for further proceedings. Circuit Rule 54 requires that counsel for the parties file statements of their positions as to the action which ought to be taken by this Court on remand. (jld) (Entered: 06/20/2016)
07/13/2016	<u>80</u>	ORDER of USCA as to <u>43</u> Notice of Interlocutory Appeal filed by Notre Dame University of. Upon consideration of the Intervenor–Appellees Motion To Add Ann Doe as Pseudonymous Intervenor, filed on July 8, 2016, by AttorneyRichard B. Katskee, IT IS ORDERED that the motion is GRANTED. Ann Doe shall be added as an intervenor–appellee and is permitted to proceed under the pseudonym Ann Doe.(jld) (Entered: 07/15/2016)
08/17/2016		Magistrate Judge Michael G Gotsch, Sr added. Magistrate Judge Christopher A Nuechterlein no longer assigned to case. (slm) (Entered: 08/17/2016)
09/29/2016	<u>81</u>	MOTION to Withdraw as Attorney (<i>Melissa D. Palmisciano</i>) by Plaintiff Notre Dame University of. (Palmisciano, Melissa) (Entered: 09/29/2016)
09/29/2016	82	ORDER granting <u>81</u> Motion to Withdraw as Attorney. Attorney Melissa D Palmisciano terminated. Approved by Magistrate Judge Michael G Gotsch, Sr on 9/29/16. (slm) (Entered: 09/29/2016)
03/02/2017	<u>83</u>	ORDER: The clerk of court is DIRECTED to STATISTICALLY CLOSE this case. Within 90 days of the conclusion of the appeal, the parties are ORDERED to file a status report detailing the disposition of the appeal and proposing an appropriate schedule for resumption of these pleadings. ***Civil Case Terminated. Signed by Judge Philip P Simon on 3/2/2017. (jld) (Entered: 03/03/2017)
10/17/2017	<u>84</u>	MANDATE of USCA as to <u>43</u> Notice of Interlocutory Appeal filed by Notre Dame: Upon consideration of the JOINT STIPULATION OF DISMISSAL OF APPEAL, filed on October 16, 2017, by counsel for the parties, IT IS ORDERED that this appeal is DISMISSED pursuant to Federal Rule of Appellate Procedure 42(b). (No records to be returned) (Attachments: # <u>1</u> Certified Final Order)(nae) (Entered: 10/17/2017)
10/19/2017	<u>85</u>	NOTICE of Voluntary Dismissal by All Plaintiffs (Kairis, Matthew) (Entered: 10/19/2017)
10/24/2017	<u>86</u>	ORDER: The complaint is DISMISSED WITHOUT PREJUDICE re <u>85</u> Notice of Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Signed by Judge Philip P Simon on 10/24/2017. (tc) (Entered: 10/24/2017)