

CLOSED,STAYED

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:12-cv-15488-LPZ-MJH**

Domino's Farms Corporation et al v. Sebelius et al
Assigned to: District Judge Lawrence P. Zatkoff
Referred to: Magistrate Judge Michael J. Hluchaniuk
Case in other court: U.S. Court of Appeals – Sixth
Circuit, 13-01654

Date Filed: 12/14/2012
Date Terminated: 12/03/2014
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Cause: 42:1983 Civil Rights Act

Plaintiff

Domino's Farms Corporation

represented by **Richard Thompson**
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Plaintiff

Thomas Monaghan

represented by **Richard Thompson**
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Erin E. Mersino
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V.

Defendant

Kathleen Sebelius

represented by **Bradley P. Humphreys – INACTIVE**
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Defendant

**United States Department of Health
and Human Services**

represented by **Bradley P. Humphreys – INACTIVE**
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Defendant

Secretary of Labor **Hilda L Solis**

represented by **Bradley P. Humphreys – INACTIVE**
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Defendant

United States Department of Labor

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Defendant

Timothy Geithner

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Defendant

United States Department of Treasury

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Amicus

Bill Schuette

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Life Legal Defense Foundation

represented by **Robert C. Davis**
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Amicus

Breast Cancer Prevention Institute

represented by **Robert C. Davis**
(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/14/2012	<u>1</u>	COMPLAINT filed by All Plaintiffs against All Plaintiffs. Plaintiff requests summons issued. Receipt No: 0645-3857375 – Fee: \$ 350. County of 1st Plaintiff: Washtenaw County, Michigan – County Where Action Arose: Washtenaw County, Michigan – County of 1st Defendant: District of Columbia. [Previously dismissed case: No] [Possible companion case(s): None] (Mersino, Erin) Modified on 12/17/2012 (DTyl). [COMPLAINT FILED BY ALL PLAINTIFFS AGAINST ALL DEFENDANTS] (Entered: 12/14/2012)
12/17/2012	<u>2</u>	SUMMONS Issued for * All Defendants * (DTyl) (Entered: 12/17/2012)
12/17/2012	<u>3</u>	SUMMONS Issued for the United States Attorney and the Office of the Attorney General. (DTyl) (Entered: 12/17/2012)
12/19/2012	<u>4</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Domino's Farms Corporation (Mersino, Erin) (Entered: 12/19/2012)
12/19/2012	<u>5</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Thomas Monaghan (Mersino, Erin) (Entered: 12/19/2012)
12/20/2012	<u>6</u>	CERTIFICATE OF SERVICE by All Plaintiffs <i>for Service of Summons and Complaint upon Kathleen Sebelius, United States Department of Health and Human Services, Hilda Solis, United States Department of Labor, Timothy Geithner, United States Department of Treasury, United States Attorney General and United States Attorney Eastern District of Michigan</i> (Mersino, Erin) (Entered: 12/20/2012)
12/21/2012	<u>7</u>	Emergency MOTION for Leave to File Excess Pages <i>for Temporary Restraining Order</i> by All Plaintiffs. (Mersino, Erin) (Entered: 12/21/2012)
12/21/2012	<u>8</u>	Emergency MOTION for Temporary Restraining Order by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5) (Mersino, Erin) (Entered: 12/21/2012)
12/23/2012	<u>9</u>	NOTICE of hearing on <u>8</u> Emergency MOTION for Temporary Restraining Order . Motion Hearing set for 12/27/2012 10:30 AM before District Judge Lawrence P. Zatkoff IN PORT HURON (MVer) (Entered: 12/23/2012)
12/24/2012	<u>10</u>	NOTICE of Appearance by Bradley P. Humphreys on behalf of Timothy Geithner, Kathleen Sebelius, Hilda L Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Humphreys, Bradley) (Entered: 12/24/2012)
12/25/2012		TEXT-ONLY NOTICE: Hearing on 12/27/2012 is Cancelled. (MVer) (Entered: 12/25/2012)
12/25/2012	<u>11</u>	ORDER REQUIRING RESPONSE re <u>8</u> Emergency MOTION for Temporary Restraining Order filed by Domino's Farms Corporation, Thomas Monaghan. Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 12/25/2012)
12/25/2012	<u>12</u>	RESPONSE to <u>8</u> Emergency MOTION for Temporary Restraining Order filed by Timothy Geithner, Kathleen Sebelius, Hilda L Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Hobby Lobby v. Sebelius (10th Cir.), # <u>3</u> Exhibit 2 – Autocam Corp. v. Sebelius, # <u>4</u> Exhibit 3 – Korte v. U.S. Dep't of Health & Human Servs., # <u>5</u> Exhibit 4 – O'Brien v. U.S. Dep't of Health & Human Servs.) (Humphreys, Bradley) (Entered: 12/25/2012)
12/27/2012	<u>13</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda L Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury re <u>8</u> Emergency MOTION for Temporary Restraining Order <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Hobby Lobby Stores, Inc. v. Sebelius – Sotomayor In Chambers Decision, # <u>3</u>

		Exhibit Yeps v. Sebelius – Statement Denying Pls.' Mot. for TRO, # <u>4</u> Exhibit Grote Industries, Inc. v. Sebelius – Order Denying Pls.' PI Mot.) (Humphreys, Bradley) (Entered: 12/27/2012)
12/28/2012	<u>14</u>	NOTICE by Domino's Farms Corporation, Thomas Monaghan re <u>13</u> Notice (Other),, <i>Response to Notice filed by Defendants</i> (Mersino, Erin) (Entered: 12/28/2012)
12/28/2012	<u>15</u>	NOTICE by Timothy Geithner, Kathleen Sebelius, Hilda L Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury re <u>8</u> Emergency MOTION for Temporary Restraining Order of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Autocam Corp. v. Sebelius – 6th Cir. Order) (Humphreys, Bradley) (Entered: 12/28/2012)
12/30/2012	<u>16</u>	NOTICE by All Plaintiffs re <u>15</u> Notice (Other), <i>Response to Notice filed by Defendants and Notice of Supplemental Authority by Plaintiffs</i> (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2) (Mersino, Erin) (Entered: 12/30/2012)
12/30/2012	<u>17</u>	ORDER granting <u>8</u> Motion for TRO. Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 12/30/2012)
12/31/2012	<u>18</u>	TEMPORARY RESTRAINING ORDER Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 12/31/2012)
01/08/2013	<u>19</u>	MOTION for Leave to File Excess Pages for <i>Brief in Support of Preliminary Injunction</i> by All Plaintiffs. (Mersino, Erin) (Entered: 01/08/2013)
01/08/2013	<u>20</u>	MOTION for Preliminary Injunction by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3) (Mersino, Erin) (Entered: 01/08/2013)
01/23/2013	<u>21</u>	NOTICE of hearing on <u>20</u> MOTION for Preliminary Injunction . Motion Hearing set for 1/31/2013 11:00 AM before District Judge Lawrence P. Zatkoff IN PORT HURON (MVer) (Entered: 01/23/2013)
01/28/2013	<u>22</u>	RESPONSE to <u>20</u> MOTION for Preliminary Injunction filed by Timothy Geithner, Kathleen Sebelius, Hilda L Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Autocam Corp. v. Seblius (6th Cir. Order Denying Mot. for Prelim. Inj. Pending Appeal), # <u>3</u> Exhibit Autocam Corp. v. Sebelius (6th Cir. Order Denying Mot. for Recons.), # <u>4</u> Exhibit Autocam Corp. v. Sebelius (W.D. Mich. Order Denying Mot. for Prelim. Inj.), # <u>5</u> Exhibit Hobby Lobby v. Sebelius (Sotomayor, J., in chambers), # <u>6</u> Exhibit Hobby Lobby v. Sebelius (10th Cir. Order Denying Prelim. Inj. Pending Appeal), # <u>7</u> Exhibit Conestoga Wood Specialties Corp. v. Sebelius (E.D. Pa. Order Denying Mot. for Prelim. Inj.), # <u>8</u> Exhibit Annex Medical, Inc. v. Sebelius (D. Minn. Order Denying Mot. for Prelim. Inj.), # <u>9</u> Exhibit Annex Medical, Inc. v. Sebelius (D. Minn. Order Denying Mot. for Prelim. Inj. Pending Appeal), # <u>10</u> Exhibit Grote Indus., Inc. v. Sebelius. (S.D. Ind. Order Denying Mot. for Prelim. Inj.), # <u>11</u> Exhibit Grote Indus., Inc. v. Sebelius (S.D. Ind. Order Denying Mot. for Recons.), # <u>12</u> Exhibit Korte v. U.S. Dep't of Health & Human Servs. (7th Cir. Order Granting Mot. for Prelim. Inj. Pending Appeal), # <u>13</u> Exhibit Korte v. U.S. Dep't of Health & Human Servs. (S.D. Ill. Order Denying Mot. for Prelim. Inj.), # <u>14</u> Exhibit O'Brien v. U.S. Dep't of Health & Human Servs (8th Cir. Order Granting Stay Pending Appeal), # <u>15</u> Exhibit O'Brien v. U.S. Dep't of Health & Human Servs. (E.D. Mo. Order Granting Mot. to Dismiss)) (Humphreys, Bradley) (Entered: 01/28/2013)
01/29/2013	<u>23</u>	MOTION for Leave to File <i>an Amicus Brief</i> by Bill Schuette. (Attachments: # <u>1</u> Amicus Brief) (Restuccia, B.) (Entered: 01/29/2013)
01/30/2013	<u>24</u>	ORDER granting <u>23</u> Motion for Leave to File. Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 01/30/2013)
01/30/2013	<u>25</u>	MOTION for Leave to File <i>Reply Brief</i> by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Exhibit A) (Mersino, Erin) (Entered: 01/30/2013)

01/31/2013	<u>26</u>	NOTICE of Appearance by Richard Thompson on behalf of All Plaintiffs. (Thompson, Richard) (Entered: 01/31/2013)
01/31/2013	<u>27</u>	MOTION for Leave to File <i>Amicus Brief</i> by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Exhibit A – Proposed Amicus Brief) (Amiri, Brigitte) (Entered: 01/31/2013)
02/01/2013		Minute Entry – Motion Hearing held on 1/31/2013 re <u>20</u> MOTION for Preliminary Injunction filed by Domino's Farms Corporation, Thomas Monaghan before District Judge Lawrence P. Zatkoff. Disposition: The Court requested additional briefing. The Court gave both sides two weeks to respond to the Amicus Brief filed by the Attorney General.(Court Reporter Lawrence Przybysz) (MVer) Modified on 2/1/2013 (MVer). (Entered: 02/01/2013)
02/14/2013	<u>28</u>	SUPPLEMENTAL BRIEF re Motion Hearing, filed by All Plaintiffs. (Mersino, Erin) (Entered: 02/14/2013)
02/14/2013	<u>29</u>	SUPPLEMENTAL BRIEF re <u>20</u> MOTION for Preliminary Injunction filed by Timothy Geithner, Kathleen Sebelius, Hilda L Solis, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Attachments: # <u>1</u> Exhibit Conestoga Wood Specialities v. Sebelius (3d Cir.)) (Humphreys, Bradley) (Entered: 02/14/2013)
02/19/2013	<u>30</u>	ATTORNEY APPEARANCE: Robert C. Davis appearing on behalf of Bioethics Defense Fund, Life Legal Defense Foundation, Breast Cancer Prevention Institute (Davis, Robert) (Entered: 02/19/2013)
02/19/2013	<u>31</u>	MOTION for Leave to File <i>Amici Curiae Brief</i> by Bioethics Defense Fund, Breast Cancer Prevention Institute, Life Legal Defense Foundation. (Davis, Robert) (Entered: 02/19/2013)
02/19/2013	<u>32</u>	Amicus Curiae BRIEF by Bioethics Defense Fund, Breast Cancer Prevention Institute, Life Legal Defense Foundation (Davis, Robert) (Entered: 02/19/2013)
02/19/2013	<u>33</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Bioethics Defense Fund (Davis, Robert) (Entered: 02/19/2013)
02/19/2013	<u>34</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Breast Cancer Prevention Institute (Davis, Robert) (Entered: 02/19/2013)
02/19/2013	<u>35</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Life Legal Defense Foundation (Davis, Robert) (Entered: 02/19/2013)
02/28/2013	<u>36</u>	NOTICE by All Defendants re <u>20</u> MOTION for Preliminary Injunction of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Briscoe v. Sebelius) (Humphreys, Bradley) (Entered: 02/28/2013)
03/01/2013	<u>37</u>	NOTICE by All Plaintiffs <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Exhibit 1) (Mersino, Erin) (Entered: 03/01/2013)
03/05/2013	<u>38</u>	NOTICE of Non-Party Fault by All Defendants, NOTICE by All Defendants re <u>37</u> Notice (Other) <i>Response to Plaintiffs Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Sioux Chief – Notice of Non-Opposition, # <u>3</u> Exhibit Legatus – Mot. to Hold Appeal in Abeyance) (Humphreys, Bradley) (Entered: 03/05/2013)
03/14/2013	<u>39</u>	ORDER granting <u>20</u> Motion for Preliminary Injunction. Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 03/14/2013)
03/14/2013	<u>40</u>	ORDER granting <u>31</u> Motion for Leave to File; granting <u>27</u> Motion for Leave to File. Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 03/14/2013)
05/13/2013	<u>41</u>	NOTICE OF INTERLOCUTORY APPEAL by All Defendants re <u>39</u> Order on Motion for Preliminary Injunction. Fee Status: No Fee Paid. (Humphreys, Bradley) (Entered: 05/13/2013)

05/13/2013	<u>42</u>	Certificate of Service re <u>41</u> Notice of Interlocutory Appeal. (DWor) (Entered: 05/13/2013)
05/16/2013	<u>43</u>	MOTION to Stay <i>Proceedings</i> by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Order Staying Case, Weingartz Supply Co., # <u>3</u> Exhibit Order Staying Case, Triune Health Group, Inc., # <u>4</u> Exhibit Order Staying Case, Conestoga Wood Specialities Corp., # <u>5</u> Exhibit Order Staying Case, Hobby Lobby Stores, Inc.) (Humphreys, Bradley) (Entered: 05/16/2013)
05/20/2013	<u>44</u>	RESPONSE to <u>43</u> MOTION to Stay <i>Proceedings</i> filed by All Plaintiffs. (Mersino, Erin) (Entered: 05/20/2013)
06/26/2013	<u>45</u>	ORDER granting <u>43</u> Motion to Stay. Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 06/26/2013)
10/07/2013	<u>46</u>	MOTION to Reopen Case <i>Motion to Remove Stay for a Limited Purpose</i> by All Plaintiffs. (Mersino, Erin) (Entered: 10/07/2013)
11/12/2013	<u>47</u>	ORDER for Defendant to Show Cause why this Court should not grant Plaintiff's Motion. Show Cause Response due by 11/19/2013 Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 11/12/2013)
11/19/2013	<u>48</u>	RESPONSE to <u>46</u> MOTION to Reopen Case <i>Motion to Remove Stay for a Limited Purpose</i> filed by All Defendants. (Humphreys, Bradley) (Entered: 11/19/2013)
11/20/2013	<u>49</u>	RESPONSE TO ORDER TO SHOW CAUSE by All Defendants. (Humphreys, Bradley) (Entered: 11/20/2013)
11/22/2013	<u>50</u>	REPLY to Response re <u>46</u> MOTION to Reopen Case <i>Motion to Remove Stay for a Limited Purpose</i> filed by All Plaintiffs. (Mersino, Erin) (Entered: 11/22/2013)
12/20/2013	<u>51</u>	ORDER denying <u>46</u> Motion to Reopen Case. Signed by District Judge Lawrence P. Zatkoff. (MVer) (Entered: 12/20/2013)
10/23/2014	<u>52</u>	ORDER from U.S. Court of Appeals – Sixth Circuit re <u>41</u> Notice of Interlocutory Appeal filed by United States Department of Treasury, Timothy Geithner, Kathleen Sebelius, Hilda L Solis, United States Department of Health and Human Services, United States Department of Labor [Appeal Case Number 13–1654] (KKra) (Entered: 10/30/2014)
11/25/2014	<u>53</u>	Joint MOTION to Reopen Case <i>and Enter Judgment</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit) (Mersino, Erin) (Entered: 11/25/2014)
12/03/2014	<u>54</u>	INJUNCTION AND JUDGMENT. Signed by District Judge Lawrence P. Zatkoff. (DPer) (Entered: 12/03/2014)
02/09/2015	<u>55</u>	NOTICE by All Plaintiffs <i>Joint Status Report</i> (Mersino, Erin) (Entered: 02/09/2015)
03/09/2015	<u>56</u>	NOTICE by All Plaintiffs <i>Joint Status Report</i> (Mersino, Erin) (Entered: 03/09/2015)