

Here, a preliminary injunction is warranted because Plaintiffs meet all four factors for such interim relief and the balance of harms clearly weighs in their favor.

Plaintiffs incorporate by reference here their arguments advanced in their Memoranda in Support (Docs. 15 and 26-2) of Plaintiffs' Motion for Preliminary Injunction (Doc. 9) and at oral argument on December 19, 2013. For all those reasons, Plaintiffs respectfully request that the Court adjudicate their motion for preliminary injunction pending appeal enjoining Defendants from any application or enforcement of the Mandate against them, their health plans, participants in their health plans, or their third party administrators or insurers.

Respectfully submitted, this 27th day of December, 2013.

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CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2013, I electronically filed the foregoing document with the Clerk of the United States District Court for the Western District of Michigan using the CM/ECF system, which will send notification of such filing to the following counsel of record:

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