

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

SMA, LLC; MICHAEL BREY; and)	
STANLEY BREY)	Case No. 0:13-cv-01375-ADM-LIB
)	
Plaintiffs,)	
)	
v.)	
)	
SYLVIA M. BURWELL, <i>et al.</i> , ¹)	
)	
Defendants.)	

ORDER FOR INJUNCTION AND JUDGMENT

In light of the Supreme Court’s decision in *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014), it is hereby ORDERED that defendants, their employees, agents, and successors in office are enjoined

(a) from enforcing

- (1) 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 plaintiff SMA, LLC to provide its employees with health coverage for contraceptive methods, sterilization procedures, and related patient education and counseling to which plaintiffs object on religious grounds, *e.g.*, 26 C.F.R. § 54.9815-

¹ Burwell is the current United States Secretary of the Department of Health and Human Services (HHS). Although not listed on the docket as a Defendant, she is the appropriate person to be named in an official capacity on behalf of HHS, replacing former HHS Secretary Kathleen Sebelius.

2713(a)(1)(iv); 29 C.F.R. § 2590.715-2713(a)(1)(iv); 45 C.F.R. § 147.130(a)(1)(iv); and

(2) 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 1185d; and

(b) from taking any other actions based on noncompliance with the June 30, 2014 Contraceptive Coverage Requirement against plaintiff SMA, LLC, its employee health plan(s), the group health coverage provided in connection with such plan(s), and/or SMA, LLC's health insurance issuers and/or third-party administrators with respect to SMA, LLC's health plan(s); and it is further

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.*; and it is further

ORDERED that any petition or motion by plaintiffs SMA, LLC, Michael Brey, and Stanley Brey for attorneys' fees or costs shall be submitted on or before 45 days (or the next business day if that day falls on a weekend or court holiday) from the date this judgment is issued; and 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.

THERE BEING NO JUST REASON FOR DELAY, LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

Date: November 20, 2014

s/Ann D. Montgomery
The Honorable Ann D. Montgomery
United States District Judge