

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:14-cv-00265-PAM-HB**

Hastings Chrysler Center, Inc. et al v. Sebelius et al
Assigned to: Senior Judge Paul A. Magnuson
Referred to: Magistrate Judge Hildy Bowbeer
Cause: 28:2201 Injunction

Date Filed: 01/29/2014
Date Terminated: 12/12/2014
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Hastings Chrysler Center, Inc.
a Minnesota corporation

represented by **Jeffrey C Mateer**
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Plaintiff

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a Minnesota resident

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Plaintiff

Hastings Automotive, Inc.
a Minnesota corporation

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V.

Defendant

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

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Defendant

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Defendant

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Defendant

United States Department of Labor

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Defendant

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Defendant

United States Department of Treasury

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Bradley Philip Humphreys
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*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
01/29/2014	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against All Defendants. (Filing fee \$ 400 receipt number 0864-3847536.) Filed by Hastings Automotive, Inc., Douglas W. Erickson, Hastings Chrysler Center, Inc.. Filer requests summons issued. (Attachments: # <u>1</u> Civil Cover Sheet) (Nash, Kathryn) (Entered: 01/29/2014)
01/29/2014	<u>2</u>	RULE 7.1 DISCLOSURE STATEMENT. Plaintiffs Hastings Automotive, Inc. and Hastings Chrysler Center, Inc. for their disclosure statement under Rule 7.1 of the Federal Rules of Civil Procedure state that each of them are 100% owned by private persons and no publicly held corporation owns 10% or more of their stock. (Nash, Kathryn) Modified text on 1/29/2014 (lmb). (Entered: 01/29/2014)
01/29/2014	<u>3</u>	RULE 7.1 DISCLOSURE STATEMENT. Plaintiffs Hastings Automotive, Inc. and Hastings Chrysler Center, Inc. for their disclosure statement under Rule 7.1 of the Federal Rules of Civil Procedure state that each of them are 100% owned by private persons and no publicly held corporation owns 10% or more of their stock. (Nash, Kathryn) Modified text on 1/29/2014 (lmb). (Entered: 01/29/2014)
01/29/2014	<u>4</u>	MOTION for Admission Pro Hac Vice for Attorney Jeremiah G. Dys. Filing fee \$ 100, receipt number 0864-3847778 by Douglas W. Erickson, Hastings Automotive, Inc., Hastings Chrysler Center, Inc.. (Nash, Kathryn) (Entered: 01/29/2014)
01/29/2014	<u>5</u>	MOTION for Admission Pro Hac Vice for Attorney Jeffrey C. Mateer. Filing fee \$ 100, receipt number 0864-3847788 by Douglas W. Erickson, Hastings Automotive, Inc., Hastings Chrysler Center, Inc.. (Nash, Kathryn) (Entered: 01/29/2014)
01/29/2014	<u>6</u>	TEXT ONLY ENTRY: CLERK'S NOTICE OF INITIAL CASE ASSIGNMENT. Case assigned to Judge Paul A. Magnuson per Civil Rights All Other List and referred to Magistrate Judge Jeanne J. Graham. Please use case number 14-cv-265 (PAM/JJG). (TSS) (Entered: 01/29/2014)
01/29/2014	<u>7</u>	Summons Issued as to Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (TSS) (Entered: 01/29/2014)
01/30/2014	<u>8</u>	TEXT ONLY ENTRY: ORDER granting <u>4</u> Motion for Admission Pro Hac Vice of Attorney Jeremiah G Dys for Douglas W. Erickson,Hastings Automotive, Inc.,Hastings Chrysler Center, Inc.. Approved by Magistrate Judge Jeanne J. Graham on 1/30/2014. (MAP) (Entered: 01/30/2014)
01/30/2014	<u>9</u>	TEXT ONLY ENTRY: ORDER granting <u>5</u> Motion for Admission Pro Hac Vice of Attorney Jeffrey C Mateer for Douglas W. Erickson,Hastings Automotive, Inc.,Hastings Chrysler Center, Inc.. Approved by Magistrate Judge Jeanne J. Graham on 1/30/2014. (MAP) (Entered: 01/30/2014)
02/13/2014	<u>10</u>	ORDER – In re dispositive–motion practice in cases assigned to Judge Magnuson. Signed by Senior Judge Paul A. Magnuson on August 13, 2012. (SMR) (Entered: 02/13/2014)
02/20/2014	<u>11</u>	NOTICE of Appearance by Ann M Bildtsen on behalf of Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bildtsen, Ann) (Entered: 02/20/2014)
02/20/2014	<u>12</u>	MOTION for Admission Pro Hac Vice for U.S. Government Attorney Bradley Philip Humphreys by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bildtsen, Ann) (Entered: 02/20/2014)
02/20/2014	<u>13</u>	TEXT ONLY ENTRY: ORDER granting <u>12</u> Motion for Admission Pro Hac Vice of U.S. Government Attorney Bradley Philip Humphreys for Jacob Lew,Thomas Perez,Kathleen Sebelius,United States Department of Health and Human Services,United States Department of Labor,United States Department of Treasury.

		Approved by Magistrate Judge Jeanne J. Graham on 2/20/2014. (MAP) (Entered: 02/20/2014)
02/24/2014	<u>14</u>	AMENDED CIVIL COVER SHEET re <u>1</u> Complaint, by Hastings Automotive, Inc. (Nash, Kathryn) Modified text on 2/24/2014 (lmb). (Entered: 02/24/2014)
03/05/2014	<u>15</u>	SUMMONS Returned Executed by Hastings Automotive, Inc.. Jacob Lew served on 2/24/2014, answer due 4/25/2014. (Nash, Kathryn) (Entered: 03/05/2014)
03/05/2014	<u>16</u>	SUMMONS Returned Executed by Hastings Automotive, Inc.. Kathleen Sebelius served on 2/24/2014, answer due 4/25/2014. (Nash, Kathryn) (Entered: 03/05/2014)
03/05/2014	<u>17</u>	SUMMONS Returned Executed by Hastings Automotive, Inc.. United States Department of Health and Human Services served on 2/24/2014, answer due 4/25/2014. (Nash, Kathryn) (Entered: 03/05/2014)
03/05/2014	<u>18</u>	SUMMONS Returned Executed by Hastings Automotive, Inc.. United States Department of Treasury served on 2/24/2014, answer due 4/25/2014. (Nash, Kathryn) (Entered: 03/05/2014)
03/05/2014	<u>19</u>	SUMMONS Returned Executed by Hastings Automotive, Inc.. United States Department of Labor served on 2/24/2014, answer due 4/25/2014. (Nash, Kathryn) (Entered: 03/05/2014)
03/05/2014	<u>20</u>	SUMMONS Returned Executed by Hastings Automotive, Inc.. Thomas Perez served on 2/24/2014, answer due 4/25/2014. (Nash, Kathryn) (Entered: 03/05/2014)
03/07/2014	<u>21</u>	MOTION for Preliminary Injunction <i>and</i> , MOTION to Stay by Hastings Automotive, Inc.. (Nash, Kathryn) (Entered: 03/07/2014)
03/07/2014	<u>22</u>	NOTICE OF HEARING ON MOTION <u>21</u> MOTION for Preliminary Injunction <i>and</i> MOTION to Stay : at date and time to be determined. (Nash, Kathryn) (Entered: 03/07/2014)
03/07/2014	<u>23</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Hastings Automotive, Inc. re <u>21</u> MOTION for Preliminary Injunction <i>and</i> MOTION to Stay (Nash, Kathryn) (Entered: 03/07/2014)
03/07/2014	24	TEXT ONLY ENTRY: Notice re: Non-Admitted Attorney We have received documents listing Pamela Kovacs as counsel of record. If he or she wishes to be listed as an attorney of record in this case, he or she must be admitted to the bar of the U.S. District Court of Minnesota in accordance with <u>Local Rule 83.5 (a), (b) and (c)</u> or temporarily admitted pro hac vice in accordance with <u>Local Rule 83.5 (d) or (e)</u> . For more admissions information and forms, please see the Attorney Forms Section of the courts website at http://www.mnd.uscourts.gov/FORMS/court_forms.shtml#attorneyforms . (akl) (Entered: 03/07/2014)
03/07/2014	<u>25</u>	MEET and CONFER STATEMENT re <u>21</u> Motion for Preliminary Injunction, Motion to Stay filed by Hastings Automotive, Inc.. (Nash, Kathryn) (Entered: 03/07/2014)
03/14/2014	<u>26</u>	NOTICE OF NON-OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND STAY OF PROCEEDINGS by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury re <u>21</u> MOTION for Preliminary Injunction <i>and</i> MOTION to Stay. (Humphreys, Bradley) Modified text on 3/14/2014 (lmb). (Entered: 03/14/2014)
03/19/2014	<u>27</u>	ORDER Denying <u>21</u> Motion for Preliminary Injunction; Granting <u>21</u> Motion to Stay. Signed by The Hon. Paul A. Magnuson on 03/19/2014. (LLM) (Entered: 03/19/2014)
05/27/2014	<u>28</u>	Renewed MOTION for Preliminary Injunction by Hastings Automotive, Inc. (Nash, Kathryn) Modified text on 5/28/2014 (lmb). (Entered: 05/27/2014)
05/27/2014	<u>29</u>	NOTICE OF HEARING ON MOTION <u>28</u> Second MOTION for Preliminary Injunction : at date and time to be determined. (Nash, Kathryn) (Entered: 05/27/2014)

05/27/2014	<u>30</u>	AFFIDAVIT of Jeremiah G. Dys in SUPPORT OF <u>28</u> Second MOTION for Preliminary Injunction filed by All Plaintiffs. (Nash, Kathryn) (Entered: 05/27/2014)
05/27/2014	<u>31</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Hastings Automotive, Inc. re <u>28</u> Second MOTION for Preliminary Injunction (Nash, Kathryn) (Entered: 05/27/2014)
05/27/2014	<u>32</u>	DOCUMENT FILED IN ERROR–EXHIBIT #2 IS BLANK PAGE–REFILED AT <u>33</u> . EXHIBIT re <u>30</u> Affidavit in Support of Motion for Preliminary Injunction by All Plaintiffs filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2). (Nash, Kathryn) Modified text on 5/28/2014 (lmb). (Entered: 05/27/2014)
05/27/2014	<u>33</u>	EXHIBIT re <u>30</u> Affidavit in Support of Motion for Preliminary Injunction by All Plaintiffs filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2). (Nash, Kathryn) Modified text on 5/28/2014 (lmb). (Entered: 05/27/2014)
05/28/2014	<u>34</u>	ORDER Granting Plaintiffs' Renewed Motion for Preliminary Injunction <u>28</u> . Signed by The Hon. Paul A. Magnuson on 05/28/2014. (LLM) (Entered: 05/28/2014)
06/30/2014	<u>35</u>	LETTER TO DISTRICT JUDGE by Douglas W. Erickson, Hastings Automotive, Inc., Hastings Chrysler Center, Inc. (Attachments: # <u>1</u> Exhibit(s) Supreme court document). (Dys, Jeremiah) Modified text on 7/1/2014 (lmb). (Entered: 06/30/2014)
08/06/2014	<u>36</u>	TEXT ONLY ENTRY: CLERK'S NOTICE OF REASSIGNMENT. Due to the retirement of Magistrate Judge Graham, this case is reassigned to Magistrate Judge Hildy Bowbeer. Magistrate Judge Jeanne J. Graham no longer assigned to the case. NOTE: the new case number is 14–cv–265 PAM/HB . Please use this case number for all subsequent pleadings. (kt) (Entered: 08/06/2014)
12/09/2014	<u>37</u>	STIPULATION for Entry of Judgment by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. DOCUMENT/ATTACHMENT FILED IN ERROR–PROPOSED ORDERS DO NOT GET FILED ON CM/ECF. (Attachments: # <u>1</u> Proposed Order). (Humphreys, Bradley) Modified text on 12/10/2014 (lmb). (Entered: 12/09/2014)
12/11/2014	<u>38</u>	ORDER. LET JUDGMENT BE ENTERED ACCORDINGLY. Signed by The Hon. Paul A. Magnuson on 12/10/2014. (LLM) (Entered: 12/11/2014)
12/11/2014	<u>39</u>	JUDGMENT (Attachments: # <u>1</u> Civil Notice – appeal)(lmb) (Entered: 12/11/2014)
01/07/2015	<u>40</u>	STIPULATION for Extension of Time to File Plaintiffs' Motion for Attorneys' Fees and Costs by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. Jointly Signed by Hastings Automotive, Inc., Hastings Chrysler Center, Inc., and Douglas W. Erickson. (Humphreys, Bradley) (Entered: 01/07/2015)
01/07/2015	<u>41</u>	ORDER re <u>40</u> Stipulation, filed by United States Department of Treasury, Jacob Lew, Kathleen Sebelius, United States Department of Health and Human Services, Thomas Perez, United States Department of Labor. IT IS HEREBY ORDERED that the deadline for the filing of Plaintiffs motion for attorneys fees and costs is extended by forty–five days, until March 12, 2015. Signed by Judge Paul A. Magnuson on 1/7/2015. (JEP) (Entered: 01/07/2015)
03/11/2015	<u>42</u>	STIPULATION for Extension of Time for Plaintiffs to File Motion for Attorneys' Fees and Costs by Jacob Lew, Thomas Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. Jointly Signed by Hastings Automotive, Inc., Hastings Chrysler Center, Inc., and Douglas W. Erickson. (Humphreys, Bradley) (Entered: 03/11/2015)
03/12/2015	<u>43</u>	ORDER FOR EXTENSION OF TIME TO FILE PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS. Signed by Judge Paul A. Magnuson on 3/12/2015. (JEP) (Entered: 03/12/2015)