

**U.S. District Court  
Southern District of Mississippi (Southern)  
CIVIL DOCKET FOR CASE #: 1:12-cv-00158-HSO-RHW**

The Catholic Diocese of Biloxi, Inc. et al v. Sebelius et al  
Assigned to: District Judge Halil S. Ozerden  
Referred to: Magistrate Judge Robert H. Walker  
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 05/21/2012  
Date Terminated: 12/20/2012  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**The Catholic Diocese of Biloxi, Inc.**  
*The Most Reverend Roger P. Morin,  
Bishop and President of The Catholic  
Diocese of Biloxi, Inc., and his successors  
in office, as Trustee for and on behalf of  
the Resurrection Catholic School and the  
Sacred Heart Catholic School*

represented by **David M. Monde – PHV**  
JONES DAY – Atlanta  
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*PRO HAC VICE  
ATTORNEY TO BE NOTICED*

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**Kevin J. Necaïse**  
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**Stephen J. Carmody**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Catholic Social and Community  
Services, Inc.**

represented by **David M. Monde – PHV**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**E. Kendrick Smith – PHV**  
(See above for address)  
*PRO HAC VICE*  
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**Janine Cone Metcalf – PHV**  
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**Jason T. Burnette – PHV**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kevin J. Necaise**  
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*ATTORNEY TO BE NOTICED*

**Rebecca M. Thornhill – PHV**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen J. Carmody**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**De L'Epee Deaf Center, Inc.**

represented by **David M. Monde – PHV**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**E. Kendrick Smith – PHV**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Janine Cone Metcalf – PHV**  
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*PRO HAC VICE*  
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**Jason T. Burnette – PHV**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen J. Carmody**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**The Catholic Diocese of Jackson**  
*The Most Reverend Joseph N. Latino,*  
*Bishop and Chief Executive Officer of The*  
*Catholic Diocese of Jackson, and his*  
*successors in office, in accordance with*  
*the discipline and government of the*  
*Roman Catholic Church*

represented by **David M. Monde – PHV**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**E. Kendrick Smith – PHV**  
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**Janine Cone Metcalf – PHV**  
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**Jason T. Burnette – PHV**  
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**Kevin J. Necaise**  
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*PRO HAC VICE*  
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**Stephen J. Carmody**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Vicksburg Catholic School, Inc.**

represented by **David M. Monde – PHV**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**E. Kendrick Smith – PHV**  
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**Janine Cone Metcalf – PHV**  
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**Kevin J. Necaise**  
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**Rebecca M. Thornhill – PHV**  
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**Stephen J. Carmody**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**St. Joseph Catholic School**

represented by **David M. Monde – PHV**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**E. Kendrick Smith – PHV**  
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**Janine Cone Metcalf – PHV**  
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**Jason T. Burnette – PHV**  
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**Rebecca M. Thornhill – PHV**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen J. Carmody**  
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**Plaintiff**

**Catholic Charities, Inc.**

represented by **David M. Monde – PHV**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**E. Kendrick Smith – PHV**  
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**Janine Cone Metcalf – PHV**  
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*PRO HAC VICE*  
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**Jason T. Burnette – PHV**  
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**Stephen J. Carmody**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**St. Dominic–Jackson Memorial  
Hospital**

represented by **David M. Monde – PHV**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**E. Kendrick Smith – PHV**  
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**Janine Cone Metcalf – PHV**  
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*PRO HAC VICE*  
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**Jason T. Burnette – PHV**  
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**Kevin J. Necaise**  
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*ATTORNEY TO BE NOTICED*

**Stephen J. Carmody**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Kathleen Sebelius**

*in her official capacity as Secretary of the  
U.S. Department of Health and Human  
Services*

represented by **Jacek Pruski**  
U. S. DEPARTMENT OF JUSTICE  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Stephen R. Graben**

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**ATTORNEY TO BE NOTICED**

**Defendant**

**Hilda Solis**

*in her official capacity as Secretary of the  
U.S. Department of Labor*

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

**Stephen R. Graben**

(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Timothy Geithner**

*in his official capacity as Secretary of the  
U.S. Department of Treasury*

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

**Stephen R. Graben**

(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. Department of Health and Human  
Services**

represented by **Jacek Pruski**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Stephen R. Graben**

(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. Department of Labor**

represented by **Jacek Pruski**  
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**LEAD ATTORNEY**  
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**Stephen R. Graben**

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**ATTORNEY TO BE NOTICED**

**Defendant****U.S. Department of Treasury**represented by **Jacek Pruski**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***Stephen R. Graben**  
(See above for address)  
*ATTORNEY TO BE NOTICED***Amicus****American Center for Law and Justice,  
et al.**represented by **Edward L. White – PHV**  
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Date Filed	#	Docket Text
05/21/2012	<u>1</u>	COMPLAINT against Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury ( Filing fee \$350.00, receipt number 14643003390) filed by St. Joseph Catholic School, De L'Epee Deaf Center, Inc., Catholic Charities, Inc., Catholic Social and Community Services, Inc., St. Dominic-Jackson Memorial Hospital, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc.. (Attachments: # <u>1</u> Civil Cover Sheet)(PKS) (Entered: 05/21/2012)
05/21/2012	<u>2</u>	Summons Issued as to Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury. (PKS) (Entered: 05/21/2012)
05/21/2012	<u>3</u>	MOTION for E. Kendrick Smith to Appear Pro Hac Vice by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Attachments: # <u>1</u> Exhibit 1 – Certificate of Good Standing)(Carmody, Stephen) (Entered: 05/21/2012)
05/21/2012	<u>4</u>	MOTION for David M. Monde to Appear Pro Hac Vice by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Attachments: # <u>1</u> Exhibit 1 – Certificate of Good Standing)(Carmody, Stephen) (Entered: 05/21/2012)
05/21/2012	<u>5</u>	MOTION for Janine Cone Metcalf to Appear Pro Hac Vice by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic

		Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Attachments: # <u>1</u> Exhibit 1 – Court Admissions, # <u>2</u> Exhibit 2 – Georgia Certificate of Good Standing, # <u>3</u> Exhibit 3 – New York Certificate of Good Standing)(Carmody, Stephen) (Entered: 05/21/2012)
05/21/2012	<u>6</u>	MOTION for Jason T. Burnette to Appear Pro Hac Vice by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic–Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Attachments: # <u>1</u> Exhibit 1 – Certificate of Good Standing)(Carmody, Stephen) (Entered: 05/21/2012)
05/21/2012	<u>7</u>	MOTION for Rebecca M. Thornhill to Appear Pro Hac Vice by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic–Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Attachments: # <u>1</u> Exhibit 1 – Certificate of Good Standing)(Carmody, Stephen) (Entered: 05/21/2012)
05/21/2012	<u>8</u>	Corporate Disclosure Statement by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic–Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. identifying Corporate Parent St. Dominic Health Services, Inc. for St. Dominic–Jackson Memorial Hospital. (Carmody, Stephen) (Entered: 05/21/2012)
05/22/2012		DOCKET ANNOTATION as to #3–#8: Attorney is advised to use the correct judge assignment of HSO–RHW on future filed pleadings. (PKS) (Entered: 05/22/2012)
05/22/2012	<u>9</u>	ORDER granting <u>3</u> Motion to Appear Pro Hac Vice; granting <u>4</u> Motion to Appear Pro Hac Vice; granting <u>5</u> Motion to Appear Pro Hac Vice; granting <u>6</u> Motion to Appear Pro Hac Vice; granting <u>7</u> Motion to Appear Pro Hac Vice. E. Kendrick Smith, David M. Monde, Janine Cone Metcalf, Jason T. Burnette and Rebecca M. Thornhill shall be admitted pro hac vice to serve as co–counsel for the Plaintiffs. Signed by Magistrate Judge Robert H. Walker on May 22, 2012. (Joffe, Scherry) (Entered: 05/22/2012)
05/22/2012		Pro Hac Vice fee paid by (E. Kendrick Smith, David M. Monde, Janine Cone Metcalf, Jason T. Burnette, and Rebecca M. Thornhill) \$500.00, receipt number 14643003396. (PKS) (Entered: 05/22/2012)
07/11/2012	<u>10</u>	NOTICE of Appearance by Jacek Pruski on behalf of All Defendants (Pruski, Jacek) (Entered: 07/11/2012)
07/11/2012	<u>11</u>	Joint MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, by Catholic Charities, Inc., St. Dominic–Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc., Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury. (Carmody, Stephen) (Entered: 07/11/2012)
07/11/2012	<u>12</u>	NOTICE of Endorsement by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury re <u>11</u> Joint MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, (Pruski, Jacek) (Entered: 07/11/2012)
07/11/2012	<u>13</u>	NOTICE of Appearance by Stephen R. Graben on behalf of All Defendants (Graben, Stephen) (Entered: 07/11/2012)
07/12/2012	<u>14</u>	ORDER granting <u>11</u> agreed Motion for Extension of Time to Answer. Defendants are granted until 8/6/2012 to file a motion to dismiss the complaint; Plaintiffs are granted until 8/27/2012 to file a response to Defendants' motion to dismiss; Defendants are granted 28 days from the filing of Plaintiffs' response to the motion to file their reply. Signed by Magistrate Judge Robert H. Walker on July 12, 2012. (Joffe, Scherry) (Entered: 07/12/2012)



08/06/2012	<u>15</u>	MOTION to Dismiss for Lack of Jurisdiction by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) (Entered: 08/06/2012)
08/06/2012	<u>16</u>	MEMORANDUM in Support re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) (Entered: 08/06/2012)
08/22/2012	<u>17</u>	Amicus Curiae APPEARANCE entered by John Thomas Lamar, III on behalf of American Center for Law and Justice, et al. (Attachments: # <u>1</u> Exhibit)(Lamar, John) (Entered: 08/22/2012)
08/22/2012	<u>18</u>	Corporate Disclosure Statement by American Center for Law and Justice, et al. (Lamar, John) (Entered: 08/22/2012)
08/22/2012	<u>19</u>	MOTION for Leave to File <i>Amici Curiae Brief</i> by American Center for Law and Justice, et al. (Attachments: # <u>1</u> Exhibit)(Lamar, John) (Entered: 08/22/2012)
08/22/2012		DOCKET ANNOTATION as to #17: Attorney is to refile document as a motion to appear pro hac vice and exhibits are to be labeled on the document with a meaningful description in the docket entry text. (PKS) (Entered: 08/22/2012)
08/22/2012	<u>20</u>	MOTION for Edward L. White III to Appear Pro Hac Vice by American Center for Law and Justice, et al. (Attachments: # <u>1</u> Exhibit A – Certificate of Good Standing)(Lamar, John) (Entered: 08/22/2012)
08/22/2012	<u>21</u>	ORDER granting <u>20</u> Motion to Appear Pro Hac Vice. Edward L. White, III shall be admitted pro hac vice to serve as co-counsel for the amicus American Center for Law and Justice, et al. Signed by Magistrate Judge Robert H. Walker on August 22, 2012. (Joffe, Scherry) (Entered: 08/22/2012)
08/22/2012		Pro Hac Vice fee paid for Edward L. White, III receipt number 0538-2221503 \$ 100 (Lamar, John) (Entered: 08/22/2012)
08/23/2012		DOCKET ANNOTATION as to #19: L.U.Civ.R. 7(b)(2) requires that all supporting exhibits to a document be denominated by an exhibit letter or number on the document itself and in the docket text. A meaningful description of the exhibit is also required in the docket text. Attorney is advised to follow this rule in future filings. (PKS) (Entered: 08/23/2012)
08/27/2012	<u>22</u>	Response in Opposition re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) filed by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Carmody, Stephen) (Entered: 08/27/2012)
08/27/2012	<u>23</u>	MEMORANDUM IN SUPPORT re <u>22</u> Response in Opposition,, filed by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Attachments: # <u>1</u> Exhibit 1 – Declaration of Deidra Bell, # <u>2</u> Exhibit 2 – Declaration of T. Dominick Fullam, # <u>3</u> Exhibit 3 – Declaration of Elvin Sunds)(Carmody, Stephen) (Entered: 08/27/2012)
08/31/2012	<u>24</u>	NOTICE <i>Of Endorsement</i> by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 08/31/2012)
08/31/2012	<u>25</u>	NOTICE <i>of Endorsement</i> by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 08/31/2012)
09/19/2012	<u>26</u>	Unopposed MOTION for Leave to File Excess Pages by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) (Entered: 09/19/2012)

09/20/2012		TEXT ONLY ORDER granting as unopposed Defendants' <u>26</u> Motion to File Excess Pages in support of their pending <u>15</u> Motion to Dismiss. Defendants may file a Rebuttal memorandum, which together with their original <u>16</u> memorandum, will not exceed a total of forty pages, which is five pages in excess of the page limit imposed by L.U. Civ. R. 7(b)(5). NO FURTHER WRITTEN ORDER WILL ISSUE FROM THE COURT REGARDING THIS MOTION. Signed by District Judge Halil S. Ozerden on 9/20/2012. (ENW) (Entered: 09/20/2012)
09/24/2012	<u>27</u>	REPLY to Response to Motion re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction, <u>22</u> Response in Opposition,, filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) (Entered: 09/24/2012)
10/11/2012	<u>28</u>	MOTION for Oral Argument re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Carmody, Stephen) (Entered: 10/11/2012)
10/11/2012	<u>29</u>	MEMORANDUM in Support re <u>28</u> MOTION for Oral Argument re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction MOTION for Oral Argument re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction filed by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Carmody, Stephen) (Entered: 10/11/2012)
10/12/2012	<u>30</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 10/12/2012)
10/12/2012	<u>31</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 10/12/2012)
10/15/2012		DOCKET ANNOTATION as to #24, #25, #30 and #31: This document is not signed in compliance with the court's Administrative Procedures for Electronic Case Filing (Sec. 3.D.) and Fed.R.Civ.P. Rule 11(a). Attorney is directed to include an electronic signature on the Notice of Endorsement document. (PKS) (Entered: 10/15/2012)
10/15/2012	<u>32</u>	AFFIDAVIT of Service for Summons and Complaint served on Department of Health and Human Services on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette - PHV, Jason) (Entered: 10/15/2012)
10/15/2012	<u>33</u>	AFFIDAVIT of Service for Summons and Complaint served on Kathleen Sebelius on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette - PHV, Jason) (Entered: 10/15/2012)
10/15/2012	<u>34</u>	AFFIDAVIT of Service for Summons and Complaint served on U.S.Department of Treasury on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette - PHV, Jason) (Entered: 10/15/2012)
10/15/2012	<u>35</u>	AFFIDAVIT of Service for Summons and Complaint served on Timothy Geithner on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette - PHV, Jason) (Entered: 10/15/2012)
10/15/2012	<u>36</u>	AFFIDAVIT of Service for Summons and Complaint served on U.S. Department of Labor on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette - PHV, Jason) (Entered: 10/15/2012)
10/15/2012	<u>37</u>	AFFIDAVIT of Service for Summons and Complaint served on Hilda Solis on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette - PHV, Jason) (Entered: 10/15/2012)
10/15/2012	<u>38</u>	AFFIDAVIT of Service for Summons and Complaint served on United States Attorney General on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette - PHV, Jason) (Entered: 10/15/2012)

10/15/2012	<u>39</u>	AFFIDAVIT of Service for Summons and Complaint served on United States Attorney on 5/21/2012, filed by The Catholic Diocese of Biloxi, Inc.. (Burnette – PHV, Jason) (Entered: 10/15/2012)
10/16/2012		DOCKET ANNOTATION as to #32–#39: A return on summons should not be filed without the first page, as issued, preceding the return. Attorney is directed to refile these documents with the first page of the summons included. The correct event the attorney should choose is found under "Service of Process – Summons Returned Executed". (PKS) (Entered: 10/16/2012)
10/16/2012	<u>40</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. All Defendants. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>41</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>42</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>43</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. All Defendants. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>44</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>45</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>46</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>47</u>	SUMMONS Returned Executed by The Catholic Diocese of Biloxi, Inc.. (Burnette – PHV, Jason) (Entered: 10/16/2012)
10/16/2012	<u>48</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 10/16/2012)
10/16/2012	<u>49</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 10/16/2012)
10/16/2012	<u>50</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 10/16/2012)
10/16/2012	<u>51</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 10/16/2012)
11/13/2012	<u>52</u>	NOTICE of Supplemental Authority by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction (Pruski, Jacek) (Entered: 11/13/2012)
11/19/2012	<u>53</u>	Response in Opposition re <u>52</u> NOTICE of Supplemental Authority by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Carmody, Stephen) Modified on 11/20/2012 to correct text (PKS). (Entered: 11/19/2012)
11/20/2012	<u>54</u>	NOTICE of Endorsement by The Catholic Diocese of Biloxi, Inc. re <u>53</u> Response in Opposition, (Necaise, Kevin) (Entered: 11/20/2012)
11/26/2012	<u>55</u>	ORDER granting American Center for Law and Justice and Seventy–Nine Members of the United States Congress's <u>19</u> Motion for Leave to File Amici Curiae Brief. Signed by District Judge Halil S. Ozerden on 11/26/2012. (ENW) (Entered: 11/26/2012)
11/26/2012	<u>56</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction and in support of Plaintiffs, filed by Amici Curiae the American Center for Law & Justice and Seventy–Nine (79) Members of the United States Congress filed by American Center for Law and Justice, et al. (White – PHV, Edward) (Entered: 11/26/2012)

11/27/2012	<u>57</u>	NOTICE of Supplemental Authority by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction (Attachments: # <u>1</u> Exhibit Catholic Diocese of Nashville v. Sebelius)(Pruski, Jacek) (Entered: 11/27/2012)
11/29/2012	<u>58</u>	NOTICE of Supplemental Authority by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction (Attachments: # <u>1</u> Exhibit Zubik v. Sebelius)(Pruski, Jacek) (Entered: 11/29/2012)
11/30/2012		DOCKET ANNOTATION: Docket Annotation as to Doc. <u>58</u> : L.U.Civ.R. 7(b)(2) requires that all supporting exhibits to a document be denominated by an exhibit letter or number and a meaningful description. Attorney is advised to include a meaningful description of the exhibit, exhibit letter or number on the document and in the docket text for future filings. (PKS) (Entered: 11/30/2012)
12/10/2012	<u>59</u>	NOTICE of Supplemental Authority by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Carmody, Stephen) (Entered: 12/10/2012)
12/11/2012	<u>60</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 12/11/2012)
12/12/2012	<u>61</u>	Response in Opposition re <u>59</u> NOTICE of Supplemental Authority by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Carmody, Stephen) Plaintiffs' Notice of Supplemental Authority filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) (Entered: 12/12/2012)
12/13/2012		DOCKET ANNOTATION as to #61: : Scanned document contains blank page(9). PDF documents should be checked for errors before filing. It is not necessary to refile. (PKS) (Entered: 12/13/2012)
12/20/2012	<u>62</u>	Memorandum Opinion and Order re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction is granted and plaintiff's complaint is dismissed without prejudice; <u>28</u> MOTION for Oral Argument re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction is denied. Signed by District Judge Halil S. Ozerden on 12/20/12 (PKS) (Entered: 12/20/2012)
12/20/2012	<u>63</u>	FINAL JUDGMENT: action is hereby dismissed without prejudice. Signed by District Judge Halil S. Ozerden on 12/20/12 (PKS) (Entered: 12/20/2012)
01/08/2013	<u>64</u>	MOTION to Alter Judgment <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Attachments: # <u>1</u> Exhibit A - Wheaton College v Sebelius Order)(Carmody, Stephen) Modified on 1/9/2013 to correct text (PKS). (Entered: 01/08/2013)
01/08/2013	<u>65</u>	MEMORANDUM IN SUPPORT re <u>64</u> MOTION to Alter Judgment <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order filed by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Carmody, Stephen) Modified on 1/9/2013 to correct text(PKS). (Entered: 01/08/2013)
01/10/2013	<u>66</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 01/10/2013)

01/10/2013	<u>67</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 01/10/2013)
01/22/2013	<u>68</u>	RESPONSE in Opposition re <u>64</u> MOTION to Alter Judgment <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, MOTION to Amend/Correct <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) (Entered: 01/22/2013)
01/22/2013	<u>69</u>	MEMORANDUM in Opposition re <u>64</u> MOTION to Alter Judgment <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, MOTION to Amend/Correct <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, filed by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury (Pruski, Jacek) (Entered: 01/22/2013)
01/29/2013	<u>70</u>	NOTICE of Supplemental Authority Related to Plaintiffs' Motion to Alter or Amend the Judgment by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury re <u>64</u> MOTION to Alter Judgment <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, MOTION to Amend/Correct <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, (Pruski, Jacek) (Entered: 01/29/2013)
01/29/2013	<u>71</u>	Rebuttal re <u>64</u> MOTION to Alter Judgment <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, MOTION to Amend/Correct <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, filed by Catholic Charities, Inc., Catholic Social and Community Services, Inc., De L'Epee Deaf Center, Inc., St. Dominic-Jackson Memorial Hospital, St. Joseph Catholic School, The Catholic Diocese of Biloxi, Inc., The Catholic Diocese of Jackson, Vicksburg Catholic School, Inc. (Carmody, Stephen) (Entered: 01/29/2013)
01/31/2013	<u>72</u>	NOTICE of Supplemental Authority Related to Plaintiffs' Motion to Alter or Amend the Judgment by Timothy Geithner, Kathleen Sebelius, Hilda Solis, U.S. Department of Health and Human Services, U.S. Department of Labor, U.S. Department of Treasury re <u>64</u> MOTION to Alter Judgment <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, MOTION to Amend/Correct <u>63</u> Judgment, <u>62</u> Memorandum Opinion and Order, (Attachments: # <u>1</u> Exhibit 1 – Archdiocese of St. Louis v. Sebelius)(Pruski, Jacek) (Entered: 01/31/2013)
02/01/2013	<u>73</u>	NOTICE OF ENDORSEMENT by The Catholic Diocese of Biloxi, Inc. (Necaise, Kevin) (Entered: 02/01/2013)
02/15/2013	<u>74</u>	ORDER denying Plaintiffs' <u>64</u> Motion to Alter or Amend the Judgment. Signed by District Judge Halil S. Ozerden on 2/15/2013. (ENW) (Entered: 02/15/2013)