

**U.S. District Court
Northern District of Mississippi (Aberdeen Division)
CIVIL DOCKET FOR CASE #: 1:13-cv-00032-SA-DAS**

American Family Association, Inc. v. Sebelius et al
Assigned to: District Judge Sharion Aycock
Referred to: David A. Sanders
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 02/20/2013
Date Terminated: 07/19/2013
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

American Family Association, Inc.

represented by **Jeffrey C. Mateer**
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EXPRESSION
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LEAD ATTORNEY
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V.

Defendant

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

represented by **Michael C. Pollack**
UNITED STATES DEPARTMENT OF
JUSTICE
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW
Room 6143
Washington, DC 20530
202-305-8550
Fax: 202-616-8460
Email: michael.c.pollack@usdoj.gov
LEAD ATTORNEY
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Defendant

Hilda Solis

*in her official capacity as Secretary of the
United States Department of Labor
TERMINATED: 03/25/2013*

Defendant**Timothy Geithner**

*in his official capacity as Secretary of the
United States Department of the Treasury
TERMINATED: 03/25/2013*

Defendant

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

represented by **Michael C. Pollack**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

United States Department of Labor

represented by **Michael C. Pollack**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

**United States Department Of the
Treasury**

represented by **Michael C. Pollack**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant**Seth Harris**

*In His Official Capacity as Acting
Secretary of the United States Department
of Labor*

represented by **Michael C. Pollack**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant**Jacob Lew**

*In His Official Capacity s Secretary of the
United States Department of the Treasury*

represented by **Michael C. Pollack**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
02/20/2013	<u>1</u>	COMPLAINT, Filing fee \$ 350, receipt number MSN100001454, filed by American Family Association, Inc.. (Attachments: # <u>1</u> Civil Cover Sheet) (jlm)
02/20/2013		NOTICE OF ASSIGNMENT. Case assigned to Judge Aycock and Magistrate Judge Sanders. (jlm)
02/20/2013	<u>2</u>	Summons Issued as to All Defendants, U.S. Attorney and U.S. Attorney General (jlm)
03/19/2013	<u>3</u>	First MOTION to Appear Pro Hac Vice ; Attorney Jeffrey C. Mateer,(Paid \$100 PHV fee; receipt number 0537-958572) by American Family Association, Inc.. (Kellum, Nathan)
03/19/2013	<u>4</u>	First MOTION for Preliminary Injunction by American Family Association, Inc.. (Kellum, Nathan)
03/19/2013	<u>5</u>	AFFIDAVIT re <u>4</u> First MOTION for Preliminary Injunction . (Kellum, Nathan)

03/19/2013	<u>6</u>	MEMORANDUM IN SUPPORT re <u>4</u> First MOTION for Preliminary Injunction . (Kellum, Nathan)
03/25/2013	<u>7</u>	ORDER granting <u>3</u> Motion to Appear Pro Hac Vice; Attorney Jeffrey C. Mateer. Signed by U.S. Magistrate Judge David A. Sanders on 3/25/13. (def)
03/25/2013	<u>8</u>	Summons Issued as to Seth Harris, Jacob Lew, Kathleen Sebelius, United States Department Of the Treasury, United States Department of Health and Human Services, United States Department of Labor, U.S. Attorney and U.S. Attorney General (dlh) (Main Document 8 replaced on 3/26/2013) (dlh).
04/15/2013	<u>9</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>4</u> First MOTION for Preliminary Injunction by Seth Harris, Jacob Lew, Kathleen Sebelius, United States Department Of the Treasury, United States Department of Health and Human Services, United States Department of Labor. (Pollack, Michael)
04/16/2013	<u>10</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. Kathleen Sebelius served on 3/29/2013; United States Department Of the Treasury served on 3/29/2013; United States Department of Health and Human Services served on 3/29/2013; United States Department of Labor served on 3/29/2013. (Kellum, Nathan)
04/16/2013	<u>11</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. Jacob Lew served on 4/8/2013. (Kellum, Nathan)
04/16/2013		Set/Reset Deadlines: Kathleen Sebelius answer due 5/30/2013; United States Department Of the Treasury answer due 5/30/2013; United States Department of Health and Human Services answer due 5/30/2013; United States Department of Labor answer due 5/30/2013. (dlh)
04/16/2013		Set/Reset Deadlines: Jacob Lew answer due 6/9/2013. (dlh)
04/18/2013		TEXT ORDER granting <u>9</u> Motion for Extension of Time to File Response/Reply re <u>4</u> First MOTION for Preliminary Injunction . Defendants' Responses due by 4/22/2013. No further order shall issue from the court. Signed by District Judge Sharion Aycock on 4/18/2013. (psk)(no document attached)
04/19/2013	<u>12</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. Seth Harris served on 4/8/2013; Jacob Lew served on 4/11/2013. (Kellum, Nathan)
04/19/2013	<u>13</u>	RESPONSE in Opposition re <u>4</u> First MOTION for Preliminary Injunction filed by Seth Harris, Jacob Lew, Kathleen Sebelius, United States Department Of the Treasury, United States Department of Health and Human Services, United States Department of Labor. (Attachments: # <u>1</u> Exhibit Criswell College v. Sebelius, # <u>2</u> Exhibit Wenski v. Sebelius, # <u>3</u> Exhibit Declaration of Teresa Miller) (Pollack, Michael)
04/19/2013	<u>14</u>	MEMORANDUM IN OPPOSITION re <u>13</u> Response in Opposition to Motion, . (Pollack, Michael)
04/19/2013	<u>15</u>	MOTION to Dismiss for Lack of Jurisdiction by Seth Harris, Jacob Lew, Kathleen Sebelius, United States Department Of the Treasury, United States Department of Health and Human Services, United States Department of Labor. (Attachments: # <u>1</u> Exhibit Criswell College v. Sebelius, # <u>2</u> Exhibit Wenski v. Sebelius, # <u>3</u> Exhibit Declaration of Teresa Miller) (Pollack, Michael)
04/19/2013	<u>16</u>	MEMORANDUM IN SUPPORT re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction . (Pollack, Michael)
04/23/2013	<u>17</u>	First MOTION for Extension of Time to file reply re <u>4</u> Motion for Preliminary Injunction by American Family Association, Inc.. (Kellum, Nathan) Modified on 4/23/2013 (dlh).
04/30/2013		TEXT ORDER granting <u>17</u> Motion for Extension of Time. Plaintiff's Reply due on or before May 3, 2013. No further order shall issue from the court. Signed by District Judge Sharion Aycock on 4/30/2013. (psk)(no document attached)

05/01/2013		Set/Reset Deadlines as to <u>4</u> First MOTION for Preliminary Injunction . Replies due by 5/3/2013. (dlh)
05/03/2013	<u>18</u>	REPLY to Response to Motion re <u>4</u> First MOTION for Preliminary Injunction filed by American Family Association, Inc.. (Kellum, Nathan)
05/03/2013	<u>19</u>	MEMORANDUM IN SUPPORT re <u>18</u> Reply to Response to <u>4</u> Motion for Preliminary Injunction. (Kellum, Nathan) Modified on 5/3/2013 (dlh).
05/03/2013	<u>20</u>	RESPONSE in Opposition re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction filed by American Family Association, Inc.. (Kellum, Nathan)
05/03/2013	<u>21</u>	MEMORANDUM IN OPPOSITION re <u>20</u> Response in Opposition to <u>15</u> Motion To Dismiss. (Kellum, Nathan) Modified on 5/3/2013 (dlh).
05/08/2013	<u>22</u>	REPLY to Response to Motion re <u>15</u> MOTION to Dismiss for Lack of Jurisdiction filed by Seth Harris, Jacob Lew, Kathleen Sebelius, United States Department Of the Treasury, United States Department of Health and Human Services, United States Department of Labor. (Attachments: # <u>1</u> Exhibit Criswell College v. Sebelius) (Pollack, Michael)
05/08/2013	<u>23</u>	MEMORANDUM IN SUPPORT re <u>22</u> Reply to Response to <u>15</u> Motion, to Dismiss for Lack of Jurisdiction. (Pollack, Michael) Modified on 5/8/2013 (dlh).
05/16/2013	<u>24</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. Jacob Lew served on 4/12/2013. (Kellum, Nathan)
05/16/2013	<u>25</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. United States Department Of the Treasury served on 4/4/2013. (Kellum, Nathan)
05/16/2013	<u>26</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. United States Department of Health and Human Services served on 4/2/2013. (Kellum, Nathan)
05/16/2013	<u>27</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. Kathleen Sebelius served on 4/1/2013. (Kellum, Nathan)
05/16/2013	<u>28</u>	SUMMONS Returned Executed by Nathan W. Kellum on behalf of American Family Association, Inc. United States Department of Labor served on 4/16/2013. (Kellum, Nathan)
05/17/2013	<u>29</u>	INITIAL ORDER – RULE 16.1: Telephonic Case Management Conference set for 7/23/2013 at 09:30 AM in Judge Sanders Chambers before Mag. Judge David A. Sanders. Signed by Mag. Judge David A. Sanders on 5/17/2013. (egs)
05/31/2013	<u>30</u>	BRIEF <i>Letter Brief Re Update in Geneva College v. Sebelius</i> re <u>4</u> MOTION for Preliminary Injunction. (Attachments: # <u>1</u> Exhibit 1) (Mateer, Jeffrey) Modified on 6/3/2013 (jlm).
06/06/2013	<u>31</u>	First MOTION to Appear Pro Hac Vice ; Attorney Justin Butterfield,(Paid \$100 PHV fee; receipt number 0537–990532) by American Family Association, Inc.. (Mateer, Jeffrey)
06/14/2013	<u>32</u>	ORDER granting <u>31</u> Motion to Appear Pro Hac Vice; Attorney Justin Butterfield for the plaintiff. Signed by U.S. Magistrate Judge David A. Sanders on 6/14/13. (def)
07/19/2013	<u>33</u>	NOTICE of Voluntary Dismissal by Nathan W. Kellum on behalf of American Family Association, Inc. (Kellum, Nathan)