

**U.S. District Court  
Western District of Oklahoma[LIVE] (Oklahoma City)  
CIVIL DOCKET FOR CASE #: 5:13-cv-01015-F**

Southern Nazarene University et al v. Sebelius et al  
Assigned to: Honorable Stephen P. Friot  
Case in other court: Tenth Circuit Court of Appeals, 14-06026  
Cause: 42:1981 Civil Rights

Date Filed: 09/20/2013  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Southern Nazarene University**

represented by **John P Jordan**  
The Jordan Law Firm  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**David A Cortman**  
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**PRO HAC VICE**  
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**Matthew S Bowman**  
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*TERMINATED: 01/17/2017*  
*PRO HAC VICE*

**Plaintiff**

**Oklahoma Wesleyan University**

represented by **John P Jordan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David A Cortman**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Gregory S Baylor**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kevin H Theriot**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Matthew S Bowman**  
(See above for address)  
*TERMINATED: 01/17/2017*  
*PRO HAC VICE*

**Plaintiff**

**Oklahoma Baptist University**

represented by **John P Jordan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David A Cortman**  
(See above for address)  
*PRO HAC VICE*  
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**Gregory S Baylor**  
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**Kevin H Theriot**  
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*ATTORNEY TO BE NOTICED*

**Matthew S Bowman**  
(See above for address)  
*TERMINATED: 01/17/2017*  
*PRO HAC VICE*

**Plaintiff**

**Mid-America Christian University**

represented by **John P Jordan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David A Cortman**

(See above for address)  
*PRO HAC VICE*  
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**Gregory S Baylor**  
(See above for address)  
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**Kevin H Theriot**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Matthew S Bowman**  
(See above for address)  
*TERMINATED: 01/17/2017*  
*PRO HAC VICE*

V.

**Defendant**

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

represented by **Adam A Grogg**  
US Attorney's Office – Federal Programs  
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*TERMINATED: 08/16/2017*

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*TERMINATED: 06/09/2014*

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**Defendant**

**Thomas E Perez**  
*in his official capacity as Secretary of the  
United States Department of Labor*

represented by **Adam A Grogg**  
(See above for address)  
*TERMINATED: 08/16/2017*

**Benjamin L Berwick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Michael C Pollack**  
(See above for address)  
*TERMINATED: 06/09/2014*

**Michelle R Bennett**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jacob J Lew**  
*in his official capacity as Secretary of the  
United States Department of the  
Treasury*

represented by **Adam A Grogg**  
(See above for address)  
*TERMINATED: 08/16/2017*

**Benjamin L Berwick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Michael C Pollack**  
(See above for address)  
*TERMINATED: 06/09/2014*

**Michelle R Bennett**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

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

represented by **Adam A Grogg**  
(See above for address)  
*TERMINATED: 08/16/2017*

**Benjamin L Berwick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Michael C Pollack**  
(See above for address)  
*TERMINATED: 06/09/2014*

**Michelle R Bennett**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Department of Labor**

represented by **Adam A Grogg**  
(See above for address)  
*TERMINATED: 08/16/2017*

**Benjamin L Berwick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Michael C Pollack**  
(See above for address)

*TERMINATED: 06/09/2014*

**Michelle R Bennett**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Department of the  
Treasury**

represented by **Adam A Grogg**  
(See above for address)  
*TERMINATED: 08/16/2017*

**Benjamin L Berwick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Michael C Pollack**  
(See above for address)  
*TERMINATED: 06/09/2014*

**Michelle R Bennett**  
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**Amicus**

**American Civil Liberties Union**

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ATTORNEY TO BE NOTICED

AmicusAmerican Civil Liberties Union of  
Oklahomarepresented by **Brady R Henderson**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/20/2013	<u>1</u>	COMPLAINT against Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury filed by Oklahoma Wesleyan University, Mid–America Christian University, Southern Nazarene University, Oklahoma Baptist University. (Attachments: # <u>1</u> Civil Cover Sheet)(kr) (Entered: 09/20/2013)
09/20/2013	<u>2</u>	Summons Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General (kr) (Entered: 09/20/2013)
09/23/2013	<u>3</u>	Receipt for Money Received from Mid–America Christian University, Oklahoma Baptist University, Oklahoma Wesleyan University, Southern Nazarene University in the amount of \$400.00, receipt number OKW500035172 regarding <u>1</u> Complaint, (kr) (Entered: 09/23/2013)
09/23/2013	<u>4</u>	ENTRY of Appearance by John P Jordan on behalf of All Plaintiffs (Jordan, John) (Entered: 09/23/2013)
09/23/2013	<u>5</u>	DISCLOSURE STATEMENT – CORPORATE by All Plaintiffs . (Jordan, John) (Entered: 09/23/2013)
09/23/2013	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice <i>Gregory S. Baylor</i> by All Plaintiffs. (Jordan, John) (Entered: 09/23/2013)
09/23/2013	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice <i>Request by Gregory S. Baylor</i> by All Plaintiffs. (Jordan, John) (Entered: 09/23/2013)
09/24/2013	<u>8</u>	Receipt for Money Received from Mid–America Christian University, Oklahoma Baptist University, Oklahoma Wesleyan University, Southern Nazarene University in the amount of \$50.00, receipt number OKW500035207 regarding <u>6</u> MOTION for Leave to Appear Pro Hac Vice <i>Gregory S. Baylor</i> (kr) (Entered: 09/24/2013)
09/24/2013	<u>9</u>	ORDER granting <u>6</u> Motion for Admission Pro Hac Vice of Gregory S. Baylor; granting <u>7</u> Request for Admission Pro Hac Vice of Gregory S. Baylor. Gregory S. Baylor is admitted pro hac vice to this ct in this case on behalf of plfs, provided that he submits an ECF registration form & files an entry of appearance, consistent w/LCvR83.4. Signed by Honorable Stephen P. Friot on 9/24/13. (llg) (Entered: 09/24/2013)
10/03/2013	<u>10</u>	ENTRY of Appearance by Gregory S Baylor on behalf of All Plaintiffs (Baylor, Gregory) (Entered: 10/03/2013)
10/03/2013	<u>11</u>	SUMMONS Returned Executed by Oklahoma Wesleyan University, Mid–America Christian University, Southern Nazarene University, Oklahoma Baptist University. Kathleen Sebelius served on 9/30/2013. (Baylor, Gregory) (Entered: 10/03/2013)
10/03/2013	<u>12</u>	SUMMONS Returned Executed by Oklahoma Wesleyan University, Mid–America Christian University, Southern Nazarene University, Oklahoma Baptist University. Thomas E Perez served on 9/30/2013. (Baylor, Gregory) (Entered: 10/03/2013)
10/03/2013	<u>13</u>	SUMMONS Returned Executed by Oklahoma Wesleyan University, Mid–America Christian University, Southern Nazarene University, Oklahoma Baptist University. Jacob J Lew served on 10/2/2013. (Baylor, Gregory) (Entered: 10/03/2013)
10/03/2013	<u>14</u>	SUMMONS Returned Executed by Oklahoma Wesleyan University, Mid–America Christian University, Southern Nazarene University, Oklahoma Baptist University. United States Department of Health and Human Services served on 9/30/2013. (Baylor, Gregory) (Entered: 10/03/2013)

10/03/2013	<u>15</u>	SUMMONS Returned Executed by Oklahoma Wesleyan University, Mid–America Christian University, Southern Nazarene University, Oklahoma Baptist University. United States Department of Labor served on 9/30/2013. (Baylor, Gregory) (Entered: 10/03/2013)
10/03/2013	<u>16</u>	SUMMONS Returned Executed by Oklahoma Wesleyan University, Mid–America Christian University, Southern Nazarene University, Oklahoma Baptist University. United States Department of the Treasury served on 10/2/2013. (Baylor, Gregory) (Entered: 10/03/2013)
10/03/2013	<u>17</u>	SUMMONS RETURNED EXECUTED by All Plaintiffs. All Defendants. (Baylor, Gregory) (Entered: 10/03/2013)
10/03/2013	<u>18</u>	SUMMONS RETURNED EXECUTED by All Plaintiffs. All Defendants. (Baylor, Gregory) (Entered: 10/03/2013)
11/27/2013	<u>19</u>	MOTION for Preliminary Injunction by All Plaintiffs. (Baylor, Gregory) (Entered: 11/27/2013)
11/27/2013	<u>20</u>	MEMORANDUM in Support re <u>19</u> MOTION for Preliminary Injunction filed by All Plaintiffs. (Baylor, Gregory) (Entered: 11/27/2013)
12/12/2013	<u>21</u>	UNOPPOSED MOTION for Leave to File Excess Pages by Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury. (Attachments: # <u>1</u> Proposed Order)(Pollack, Michael) (Entered: 12/12/2013)
12/13/2013		NOTICE from the Court re <u>21</u> Defendants' UNOPPOSED MOTION for Leave to File Overlength Brief. Counsel for defendants is DIRECTED to forthwith file an entry of appearance on behalf of the defendants in this case. (llg) (Entered: 12/13/2013)
12/13/2013	<u>22</u>	ORDER granting <u>21</u> Defendants' Unopposed Motion for Leave to File Overlength Brief. Dfts may file a 50–pg brief, excluding the cover pg, table of contents, table of authorities, signature block & certificate of service. Signed by Honorable Stephen P. Friot on 12/13/13. (llg) (Entered: 12/13/2013)
12/13/2013	<u>23</u>	ENTRY of Appearance by Michael C Pollack on behalf of Jacob J Lew, Thomas E Perez, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of the Treasury (Pollack, Michael) (Entered: 12/13/2013)
12/17/2013	<u>24</u>	NOTICE (other) by All Defendants of <i>Filing of Certified Administrative Record</i> (Attachments: # <u>1</u> Index, # <u>2</u> Certification)(Pollack, Michael) (Entered: 12/17/2013)
12/17/2013	<u>25</u>	RESPONSE in Opposition re <u>19</u> MOTION for Preliminary Injunction filed by All Defendants. (Pollack, Michael) (Entered: 12/17/2013)
12/17/2013	<u>26</u>	MOTION to Dismiss for Lack of Jurisdiction <i>or, in the Alternative</i> , MOTION for Summary Judgment , <i>and Memorandum in Support</i> by All Defendants. (Pollack, Michael) Modified on 8/15/2014 (llg). (Entered: 12/17/2013)
12/18/2013	<u>27</u>	ORDER Setting Hearing on <u>19</u> Plaintiffs' MOTION for Preliminary Injunction: Motion Hearing set for 12/23/2013 09:00 AM in Courtroom 305 before Honorable Stephen P. Friot. Signed by Honorable Stephen P. Friot on 12/18/13. (llg) (Entered: 12/18/2013)
12/18/2013		NOTICE from the Court <u>24</u> Notice (other). 3 CD's containing the Administrative were received in the court clerk's office and conventionally filed. (kr) (Entered: 12/20/2013)
12/18/2013	35	ADMINISTRATIVE RECORD filed conventionally by Defendants re <u>24</u> Notice. (kr) Modified on 12/20/2013 (kr, ). (Entered: 12/20/2013)
12/19/2013	<u>28</u>	ENTRY of Appearance by Brady R Henderson on behalf of American Civil Liberties Union (Henderson, Brady) (Entered: 12/19/2013)
12/19/2013	<u>29</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Brigitte Amiri</i> by American Civil Liberties Union. (Attachments: # <u>1</u> Attachment Pro Hac Vice Request Form)(Henderson, Brady) (Entered: 12/19/2013)

12/19/2013	<u>30</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Daniel Mach</i> by American Civil Liberties Union. (Attachments: # <u>1</u> Attachment Pro Hac Vice Request Form)(Henderson, Brady) (Entered: 12/19/2013)
12/19/2013	<u>31</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Jennifer Lee</i> by American Civil Liberties Union. (Attachments: # <u>1</u> Attachment Pro Hac Vice Request Form)(Henderson, Brady) (Entered: 12/19/2013)
12/19/2013	<u>32</u>	MOTION to File Amicus Brief by American Civil Liberties Union. (Henderson, Brady) (Entered: 12/19/2013)
12/19/2013	<u>33</u>	BRIEF IN SUPPORT of <i>Defendants' Motion to Dismiss, or in the alternative, for summary judgement, and in opposition to Plaintiff's Motion for Preliminary Injunction, submitted pending leave to enter as Amicus Curiae</i> , by American Civil Liberties Union. (Henderson, Brady) (Entered: 12/19/2013)
12/19/2013		NOTICE from the Court re <u>29</u> MOTION for Leave to Appear Pro Hac Vice of <i>Brigitte Amiri</i> , <u>31</u> MOTION for Leave to Appear Pro Hac Vice of <i>Jennifer Lee</i> , <u>30</u> MOTION for Leave to Appear Pro Hac Vice of <i>Daniel Mach</i> . The motions for admission pro hac vice will be granted upon payment of the required pro hac vice fees and upon submission of proposed orders, in compliance with ECF Policies & Procedures Manual, Section II.G. (llg) (Entered: 12/19/2013)
12/19/2013	<u>34</u>	Receipt for Money Received from American Civil Liberties Union in the amount of \$150.00, receipt number OKW500037020, OKW500037018 and OKW500037019 regarding <u>29</u> MOTION for Leave to Appear Pro Hac Vice of <i>Brigitte Amiri</i> , <u>31</u> MOTION for Leave to Appear Pro Hac Vice of <i>Jennifer Lee</i> , <u>30</u> MOTION for Leave to Appear Pro Hac Vice of <i>Daniel Mach</i> (kr, ) (Entered: 12/20/2013)
12/20/2013	<u>36</u>	ENTRY of Appearance by Benjamin L Berwick on behalf of All Defendants (Berwick, Benjamin) (Entered: 12/20/2013)
12/20/2013	<u>37</u>	NOTICE (other) by All Defendants <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Priests for Life v. HHS)(Pollack, Michael) (Entered: 12/20/2013)
12/20/2013	<u>38</u>	REPLY to Response to Motion re <u>19</u> MOTION for Preliminary Injunction filed by All Plaintiffs. (Baylor, Gregory) (Entered: 12/20/2013)
12/20/2013	<u>39</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Kevin H. Theriot</i> by All Plaintiffs. (Attachments: # <u>1</u> Request for Admission Pro Hac Vice Form)(Baylor, Gregory) (Entered: 12/20/2013)
12/20/2013	<u>40</u>	Receipt for Money Received from All Plaintiffs in the amount of \$50.00, receipt number OKW500037024 regarding <u>39</u> MOTION for Leave to Appear Pro Hac Vice of <i>Kevin H. Theriot</i> . (njr) (Entered: 12/20/2013)
12/20/2013	<u>41</u>	ORDER granting <u>39</u> Motion for Admission Pro Hac Vice of Kevin H. Theriot, provided that Mr. Theriot files an entry of appearance, consistent w/LCvR83.4. Signed by Honorable Stephen P. Friot on 12/20/13. (llg) (Entered: 12/20/2013)
12/20/2013	<u>42</u>	ORDER granting <u>29</u> Motion to Appear Pro Hac Vice of Brigitte Amari; granting <u>30</u> Motion to Appear Pro Hac Vice of Daniel Mach; granting <u>31</u> Motion to Appear Pro Hac Vice Jennifer Lee, provided that attys Amari, Mach & Lee submit ECF registration forms & file entries of appearance, consistent w/LCvR83.4. Signed by Honorable Stephen P. Friot on 12/20/13. (llg) (Entered: 12/20/2013)
12/21/2013	<u>43</u>	STIPULATION re <u>19</u> MOTION for Preliminary Injunction <i>Joint Stipulation of Facts</i> by All Plaintiffs. (Baylor, Gregory) (Entered: 12/21/2013)
12/21/2013	<u>44</u>	ORDER striking 12/23/13 9:00 AM hearing on <u>19</u> MOTION for Preliminary Injunction filed by Southern Nazarene University, Oklahoma Wesleyan University, Mid-America Christian University, Oklahoma Baptist University. The court will rule on the Motion for Preliminary Injunction on the basis of the stipulated facts as set out in <u>43</u> Joint Stipulation of Facts. Signed by Honorable Stephen P. Friot on 12/21/13. (llg) (Entered: 12/21/2013)
12/23/2013	<u>45</u>	ORDER granting <u>19</u> Motion for Preliminary Injunction; denying <u>26</u> Motion to Dismiss to the extent that it seeks dismissal under Rule 12(b)(6). The defendants, their agents, officers, and employees, and all others in active concert or participation with them,



		Rule 65, Fed.R.Civ.P., are ENJOINED and RESTRAINED from any effort to apply or enforce, as to plaintiffs, the substantive requirements imposed by 42 U.S.C. § 300gg-13(a)(4) and at issue in this case, or the self-certification regulations related thereto, or any penalties, fines or assessments related thereto, until the further order of the court.. Signed by Honorable Stephen P. Friot on 12/23/13. (kw, ) Modified on 12/23/2013 to correct docket text (kw, ). (Entered: 12/23/2013)
12/26/2013	<u>46</u>	ENTER ORDER granting <u>32</u> Motion of the American Civil Liberties Union and the American Civil Liberties Union of Oklahoma for Leave to File Amicus Curiae Brief. Entered at the direction of Honorable Stephen P. Friot on 12/26/13. (llg) (Entered: 12/26/2013)
12/31/2013	<u>47</u>	ENTRY of Appearance by Kevin H Theriot on behalf of All Plaintiffs (Theriot, Kevin) (Entered: 12/31/2013)
01/03/2014	<u>48</u>	UNOPPOSED MOTION for Extension of Time to File Response/Reply <i>in Opposition to Defendants' Motion to Dismiss, or in the alternative, for Summary Judgment</i> by All Plaintiffs. (Baylor, Gregory) (Entered: 01/03/2014)
01/06/2014	<u>49</u>	ORDER granting <u>48</u> Plaintiffs' Uncontested Motion for Extension of Time to File Response in Opposition to <u>26</u> Defendants' MOTION to Dismiss <i>or, in the Alternative, MOTION for Summary Judgment</i> . Response due by 1/22/2014. Signed by Honorable Stephen P. Friot on 1/6/14. (llg) (Entered: 01/06/2014)
01/07/2014	<u>50</u>	ENTRY of Appearance by Daniel Mach on behalf of American Civil Liberties Union (Mach, Daniel) (Entered: 01/07/2014)
01/07/2014	<u>51</u>	ENTRY of Appearance by Jennifer K Lee on behalf of American Civil Liberties Union (Lee, Jennifer) (Entered: 01/07/2014)
01/07/2014	<u>52</u>	ENTRY of Appearance by Brigitte A Amiri on behalf of American Civil Liberties Union (Amiri, Brigitte) (Entered: 01/07/2014)
01/16/2014	<u>53</u>	UNOPPOSED MOTION to Stay Case by All Defendants. (Attachments: # <u>1</u> Attachment Proposed Order)(Pollack, Michael) (Entered: 01/16/2014)
01/17/2014	<u>54</u>	ORDER granting <u>53</u> Defendants' Unopposed Motion for Stay of Proceedings. All proceedings in this case are stayed until 3/1/14. Signed by Honorable Stephen P. Friot on 1/17/14. (llg) (Entered: 01/17/2014)
02/11/2014	<u>55</u>	NOTICE OF APPEAL by All Defendants. (Pollack, Michael) (Entered: 02/11/2014)
02/11/2014	<u>56</u>	PRELIMINARY RECORD LETTER – Electronic Transmission of Notice of Appeal with Preliminary Record sent to Tenth Circuit Court of Appeals re <u>55</u> Notice of Appeal (kr) (Entered: 02/11/2014)
02/11/2014	<u>57</u>	Tenth Circuit Court of Appeals USCA Case Number 14–6026 for <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. (kr) (Entered: 02/12/2014)
02/13/2014	<u>58</u>	MOTION to Stay Case <i>Pending Appeal</i> by All Defendants. (Attachments: # <u>1</u> Exhibit Ozinga v. HHS, # <u>2</u> Exhibit Domino's Farms Corp. v. Sebelius)(Pollack, Michael) (Entered: 02/13/2014)
02/18/2014	<u>59</u>	MOTION for Leave to Appear Pro Hac Vice <i>of Attorney David A. Cortman</i> by All Plaintiffs. (Attachments: # <u>1</u> Request for Admission Pro Hac Vice)(Baylor, Gregory) (Entered: 02/18/2014)
02/18/2014	<u>60</u>	Receipt for Money Received from All Plaintiffs in the amount of \$50.00, receipt number OKW500038133 regarding <u>59</u> MOTION for Leave to Appear Pro Hac Vice <i>of Attorney David A. Cortman</i> (kr) (Entered: 02/18/2014)
02/19/2014	<u>61</u>	ORDER granting <u>59</u> Motion for Admission Pro Hac Vice of David A. Cortman. David A. Cortman is admitted pro hac vice to this court in this matter, provided that he submits an ECF registration form & files an entry of appearance, consistent w/LCvR83.4. Signed by Honorable Stephen P. Friot on 2/19/14. (llg) (Entered: 02/19/2014)

02/21/2014	<u>62</u>	ENTRY of Appearance by David A Cortman on behalf of All Plaintiffs (Cortman, David) (Entered: 02/21/2014)
02/21/2014	<u>63</u>	MOTION for Leave to Appear Pro Hac Vice <i>for Attorney Matthew S. Bowman</i> Filing fee \$ 50, receipt number 1087-1818390 by All Plaintiffs. (Attachments: # <u>1</u> Request for Admission Pro Hac Vice for Matthew S. Bowman)(Baylor, Gregory) (Entered: 02/21/2014)
02/21/2014	<u>64</u>	ORDER granting <u>63</u> Motion for Admission Pro Hac Vice of Matthew S. Bowman. Matthew S. Bowman is admitted pro hac vice to this court in this matter, provided that he submits an ECF registration form & files an entry of appearance, consistent w/LCvR83.4. Signed by Honorable Stephen P. Friot on 2/21/14. (llg) (Entered: 02/21/2014)
02/25/2014	<u>65</u>	TRANSCRIPT LETTER advising Tenth Circuit Court of Appeals re <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. The record is ready for appeal purposes. (kr) (Entered: 02/25/2014)
02/25/2014	<u>66</u>	TRANSCRIPT Order Form by All Defendants re <u>55</u> Notice of Appeal that transcripts Are Not necessary. See order form for dates and proceedings. (Pollack, Michael) (Entered: 02/25/2014)
02/28/2014	<u>67</u>	ENTRY of Appearance by Matthew S Bowman on behalf of All Plaintiffs (Bowman, Matthew) (Entered: 02/28/2014)
02/28/2014	<u>68</u>	UNOPPOSED MOTION for Leave to File Excess Pages <i>for Plaintiffs' Response in Opposition to Defendants' Motion to Dismiss, or in the Alternative for Summary Judgment</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Baylor, Gregory) (Entered: 02/28/2014)
03/03/2014	<u>69</u>	ORDER granting <u>68</u> Plaintiffs' Uncontested Motion for Leave to File Overlength Brief. Signed by Honorable Stephen P. Friot on 3/3/14. (llg) (Entered: 03/03/2014)
03/06/2014	<u>70</u>	RESPONSE in Opposition re <u>58</u> MOTION to Stay Case <i>Pending Appeal</i> filed by All Plaintiffs. (Baylor, Gregory) (Entered: 03/06/2014)
03/06/2014	<u>71</u>	REPLY to Response to Motion re <u>58</u> MOTION to Stay Case <i>Pending Appeal</i> filed by All Defendants. (Pollack, Michael) (Entered: 03/06/2014)
03/06/2014	<u>72</u>	MEMORANDUM in Opposition re <u>26</u> MOTION to Dismiss MOTION to Dismiss for Lack of Jurisdiction <i>or, in the Alternative</i> MOTION for Summary Judgment , <i>and Memorandum in Support</i> filed by All Plaintiffs. (Baylor, Gregory) (Entered: 03/06/2014)
03/06/2014	<u>73</u>	ORDER granting <u>58</u> Defendants' Motion for Stay of Proceedings. Proceedings in this case are stayed pndg resolution of dfts' appeal of this court's order granting plfs' mtn for preliminary injunction. Signed by Honorable Stephen P. Friot on 3/6/14. (llg) (Entered: 03/06/2014)
03/31/2014	<u>74</u>	ORDER of USCA as to <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew (kr) (Entered: 04/08/2014)
06/09/2014	<u>75</u>	ENTRY of Appearance by Adam A Grogg on behalf of All Defendants (Grogg, Adam) (Entered: 06/09/2014)
06/09/2014	<u>76</u>	MOTION to Withdraw as Attorney <i>Michael C. Pollack</i> by All Defendants. (Pollack, Michael) (Entered: 06/09/2014)
06/09/2014	<u>77</u>	ORDER granting <u>76</u> Motion to Withdraw as Attorney. Attorney Michael C Pollack withdrawn. Signed by Honorable Stephen P. Friot on 6/9/14. (llg) (Entered: 06/09/2014)
04/13/2015	<u>78</u>	NOTICE of Change of Address by Gregory S Baylor (Baylor, Gregory) (Entered: 04/13/2015)

07/14/2015	<u>79</u>	USCA OPINION as to <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew (kr) (Entered: 07/16/2015)
07/14/2015	<u>80</u>	USCA JUDGMENT as to <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. These cases originated in the District of Colorado and the Western District of Oklahoma and were argued by counsel. The District Courts denial of a preliminary injunction in Little Sisters, 6 F. Supp. 3d 1225, is affirmed, and the District Courts grant of a preliminary injunction in Southern Nazarene, 2013 WL 6804265, and Reaching Souls, 2013 WL 6804259, is reversed. The cases are remanded to the United States District Courts for the District of Colorado and the Western District of Oklahoma for further proceedings in accordance with the opinion of this court. (kr) (Entered: 07/16/2015)
07/28/2015	<u>81</u>	PETITION FOR WRIT OF CERTIORARI re Supreme Court Number:15-119 (kr) (Entered: 07/28/2015)
11/10/2015	<u>82</u>	PETITION FOR WRIT OF CERTIORARI Granted (kw) (Entered: 11/12/2015)
05/16/2016	<u>83</u>	SUPREME COURT OPINION as to <u>55</u> Notice of Appeal. The opinion of this Court was announced today in the above stated case. A copy of the opinion is available on the Courts website at www.supremecourt.gov. The judgment or mandate of this Court will not issue for at least twenty-five days pursuant to Rule 45. Should a petition for rehearing be filed timely, the judgment or mandate will be further stayed pending this Court's action on the petition for rehearing. (kr) (Entered: 05/18/2016)
06/17/2016	<u>84</u>	SUPREME COURT JUDGMENT as to <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. It is ordered and adjudged by this Court that the judgment of the above court is vacated with partial costs, and the case is remanded to the United States Court of Appeals for the Tenth Circuit for such further proceedings consistent with the opinion of this Court. IT IS FURTHER ORDERED that the petitioners Southern Nazarene University, et al. recover from Sylvia Burwell, Secretary of Health and Human Services, et al. One Thousand One Hundred and Thirteen Dollars and Ninety-three cents (\$1,113.93) for costs herein expended. (kr) (Entered: 06/17/2016)
06/17/2016	<u>85</u>	ORDER of USCA as to <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. The Supreme Court of the United States entered a judgment on May 16, 2016 reversing the judgment of this court and remanding the cause for further proceedings. Upon further consideration, the judgment of this court filed on July 14, 2015 is vacated. Counsel will be notified if this court desires further briefing prior to disposition of this appeal upon remand. (kr) DISREGARDED BY NOTICE FILED 6/17/16. Modified on 6/17/2016 (kr). (Entered: 06/17/2016)
06/17/2016	<u>86</u>	AMENDED ORDER of USCA as to <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. The June 17, 2016 order stating that the Supreme Court of the United States reversed the judgment of this court was issued in error. The Supreme Court's May 16, 2016 decision expressed no view on the merits of the cases at issue; the judgments of the Courts of Appeals in those cases were vacated and the cases were remanded for further proceedings consistent with the Supreme Court's decision. Accordingly, the judgment of this court filed on July 14, 2015 is vacated. Counsel will be notified if this court desires further briefing prior to disposition of this appeal upon remand. (kr) (Entered: 06/17/2016)
06/17/2016		Docket Annotation: As per 10th Circuit re Doc. <u>85</u> This entry has been removed from the docket as the order was issued in error. Amended order issued on 06/17/2016. (kr) (Entered: 06/17/2016)
01/16/2017	<u>87</u>	MOTION to Withdraw as Attorney by All Plaintiffs. (Bowman, Matthew) (Entered: 01/16/2017)

01/17/2017	<u>88</u>	ORDER granting <u>87</u> Motion for Leave to Withdraw as Attorney. Attorney Matthew S Bowman withdrawn as counsel. Signed by Honorable Stephen P. Friot on 1/17/2017. (llg) (Entered: 01/17/2017)
08/15/2017	<u>89</u>	ENTRY of Appearance by Michelle R Bennett on behalf of All Defendants (Bennett, Michelle) (Entered: 08/15/2017)
08/15/2017	<u>90</u>	MOTION to Withdraw as Attorney by All Defendants. (Grogg, Adam) (Entered: 08/15/2017)
08/16/2017	<u>91</u>	ORDER granting <u>90</u> Motion to Withdraw as Attorney. Attorney Adam A Grogg withdrawn as counsel for defendants. Signed by Honorable Stephen P. Friot on 8/16/2017. (llg) (Entered: 08/16/2017)
10/23/2017	<u>92</u>	ORDER of USCA as to <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. This matter is before us on Appellants Motion for Voluntary Dismissal filed October 6, 2017. The motion states that Appellants had not determined Appellees position on the relief requested in the motion prior to its filing. The time for Appellees to file a response to the motion has now expired, and no response has been filed. See Fed. R.App. P. 27(a)(3) and 10th Cir. R. 27.3(A)(1). Accordingly, Appellants motion is deemed unopposed. In light of the foregoing, Appellants Motion for Voluntary Dismissal is GRANTED, and this matter is dismissed pursuant to Fed. R. App. P. 42(b). A copy of his order shall stand as and for the mandate of this court. (kr) (Entered: 10/23/2017)
10/23/2017	<u>93</u>	USCA MANDATE Issued re <u>55</u> Notice of Appeal filed by United States Department of the Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Thomas E Perez, United States Department of Labor, Jacob J Lew. Please be advised that the court issued an order today dismissing this case. In addition, please be advised that the mandate for this case has issued today. The clerk of the originating court shall file accordingly. (kr) (Entered: 10/23/2017)
10/24/2017	<u>94</u>	ORDER. Proceedings in this case have been stayed pending resolution of defendants appeal of this courts order granting plaintiffs motion for preliminary injunction. On October 23, 2017, the Tenth Circuit Court of Appeals granted appellants motion for voluntary dismissal of that appeal. See, doc. nos. 92 (order), 93 (mandate issued). Defendants are DIRECTED to file, within thirty days of the date of this order, a notice advising the court as to whether defendants adhere to the arguments advanced in the motion to dismiss or for summary judgment. Plaintiffs are DIRECTED to file, within thirty days of the date of this order, a notice advising the court as to whether plaintiffs adhere to the arguments advanced in their response brief. In the meantime, the briefing remains STAYED. Signed by Honorable Stephen P. Friot on 10/24/17. (kr) (Entered: 10/24/2017)