

APPEAL,CLOSED,JURY,STAYED

**U.S. District Court  
Northern District of Texas (Wichita Falls)  
CIVIL DOCKET FOR CASE #: 7:16-cv-00108-O**

Franciscan Alliance, Inc. et al v. Price et al  
Assigned to: Judge Reed C. O'Connor  
Related Case: 7:16-cv-00054-O  
Case in other court: USCA5, 17-10135  
USCA5, 20-10093  
Cause: 05:702 Administrative Procedure Act  
**Plaintiff**

Date Filed: 08/23/2016  
Date Terminated: 10/15/2019  
Jury Demand: Plaintiff  
Nature of Suit: 890 Other Statutes: Other  
Statutory Actions  
Jurisdiction: U.S. Government Defendant

**Franciscan Alliance, Inc.**

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**Plaintiff**

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**Plaintiff**

**Specialty Physicians of Illinois, LLC**

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**Plaintiff**

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*TERMINATED: 12/06/2018*

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*TERMINATED: 09/17/2019*  
*Bar Status: Admitted/In Good Standing*

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**Plaintiff**

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**Michael Christopher Toth**  
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**Plaintiff**

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**Austin Nimocks**  
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*Bar Status: Admitted/In Good Standing*

**Michael Christopher Toth**  
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*TERMINATED: 09/17/2019*  
*Bar Status: Admitted/In Good Standing*

**William Thomas Thompson**  
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**Plaintiff**

**Commonwealth of Kentucky, by and  
through Governor Matthew G. Bevin**

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**Michael Christopher Toth**  
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*TERMINATED: 09/17/2019*  
*Bar Status: Admitted/In Good Standing*

**William Thomas Thompson**  
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*Bar Status: Admitted/In Good Standing*

**Austin Nimocks**  
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*TERMINATED: 12/06/2018*  
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*Bar Status: Admitted/In Good Standing*

**Plaintiff**

**State of Kansas**

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**Austin Nimocks**  
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*Bar Status: Admitted/In Good Standing*

**Michael Christopher Toth**  
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*TERMINATED: 09/17/2019*  
*Bar Status: Admitted/In Good Standing*

**William Thomas Thompson**  
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**Plaintiff**

**State of Louisiana**

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**Austin Nimocks**  
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**Michael Christopher Toth**  
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**Plaintiff**

**State of Arizona**

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**Austin Nimocks**  
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**William Thomas Thompson**  
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**Plaintiff**

**State of Mississippi**  
*by and through Governor Phil Bryant*

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V.

**Defendant**

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**Defendant**

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V.

**Intervenor Defendant**

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**Intervenor Defendant**

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**Rebecca L Robertson**

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**TERMINATED: 06/02/2017**

*Bar Status: Admitted/In Good Standing*

Date Filed	#	Docket Text
08/23/2016	<u>1</u>	COMPLAINT WITH JURY DEMAND against All Defendants filed by Nebraska, State of, Speciality Physicians of illinois, LLC, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Christian Medical and Dental Society, Kansas, Franciscan Alliance, Inc., Texas, State of, Wisconsin State of. (Filing fee \$400; Receipt number 0539-7816698) Clerk to issue summons(es). In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the <u>Judges Copy Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Cover Sheet, # <u>2</u> Cover Sheet Supplement, # <u>3</u> Additional Page(s) Notice of Related Case) (Nimocks, Austin) (Entered: 08/23/2016)
08/23/2016	<u>2</u>	New Case Notes: A filing fee has been paid. No court file needed. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Ray). Clerk to provide copy to plaintiff if not received electronically. (plp) (Entered: 08/23/2016)
08/23/2016	<u>3</u>	Summons issued as to Sylvia Burwell, U.S. Department of Health and Human Services, U.S. Attorney, and U.S. Attorney General. (plp) (Entered: 08/23/2016)
08/26/2016	<u>4</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC. (Nimocks, Austin) (Entered: 08/26/2016)
09/02/2016	<u>5</u>	SUMMONS Returned Executed as to Sylvia Burwell ; served on 8/30/2016. (Nimocks, Austin) (Entered: 09/02/2016)

09/02/2016	<u>6</u>	SUMMONS Returned Executed as to U.S. Department of Health and Human Services ; served on 8/30/2016. (Nimocks, Austin) (Entered: 09/02/2016)
09/16/2016	<u>7</u>	MOTION to Intervene filed by American Civil Liberties Union of Texas, River City Gender Alliance (Attachments: # <u>1</u> Proposed Order). Party American Civil Liberties Union of Texas added. Attorney Rebecca L Robertson added to party American Civil Liberties Union of Texas (pty:intvd), Attorney Rebecca L Robertson added to party River City Gender Alliance(pty:intvd) (Robertson, Rebecca) (Entered: 09/16/2016)
09/16/2016	<u>8</u>	Brief/Memorandum in Support filed by American Civil Liberties Union of Texas, River City Gender Alliance re <u>7</u> MOTION to Intervene (Robertson, Rebecca) (Entered: 09/16/2016)
09/16/2016	<u>9</u>	Appendix in Support filed by American Civil Liberties Union of Texas, River City Gender Alliance re <u>8</u> Brief/Memorandum in Support of Motion (Robertson, Rebecca) (Entered: 09/16/2016)
09/16/2016	<u>10</u>	ANSWER to <u>1</u> Complaint,,,,, filed by American Civil Liberties Union of Texas, River City Gender Alliance. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <a href="#">Attorney Information – Bar Membership</a> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Robertson, Rebecca) (Entered: 09/16/2016)
09/16/2016	<u>11</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by American Civil Liberties Union of Texas, River City Gender Alliance. (Robertson, Rebecca) (Entered: 09/16/2016)
10/03/2016	<u>12</u>	MOTION for Extension of Time to File Response/Reply to <u>7</u> MOTION to Intervene filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC (Goodrich, Luke) (Entered: 10/03/2016)
10/05/2016	<u>13</u>	SUMMONS Returned Executed. (Nimocks, Austin) (Entered: 10/05/2016)
10/05/2016	<u>14</u>	SUMMONS Returned Executed. (Nimocks, Austin) (Entered: 10/05/2016)
10/05/2016	<u>15</u>	ORDER: It is ORDERED that counsel for the putative intervenors, James Esseks and Rebecca Robertson, file briefing explaining why they are opposed to Plaintiffs' Motion for Extension of Time <u>12</u> on or before October 7, 2016. Should Plaintiffs find it necessary to reply, they must do so on or before October 10, 2016. (Ordered by Judge Reed C O'Connor on 10/5/2016) (skg) (Entered: 10/05/2016)
10/05/2016	<u>16</u>	Brief/Memorandum in Support filed by American Civil Liberties Union of Texas, River City Gender Alliance re <u>12</u> MOTION for Extension of Time to File Response/Reply to <u>7</u> MOTION to Intervene , <u>15</u> Order Setting Deadline/Hearing, (Robertson, Rebecca) (Entered: 10/05/2016)
10/06/2016	<u>17</u>	REPLY filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Kansas, State of Nebraska, State of Texas, State of Wisconsin re: <u>12</u> MOTION for Extension of Time to File Response/Reply to <u>7</u> MOTION to Intervene (Goodrich, Luke) (Entered: 10/06/2016)
10/07/2016	<u>18</u>	NOTICE of Attorney Appearance by Adam Anderson Grogg on behalf of Sylvia Burwell, U.S. Department of Health and Human Services. (Filer confirms contact info in ECF is current.) (Grogg, Adam) (Entered: 10/07/2016)
10/07/2016	<u>19</u>	RESPONSE filed by Sylvia Burwell, U.S. Department of Health and Human Services re: <u>7</u> MOTION to Intervene (Grogg, Adam) (Entered: 10/07/2016)
10/07/2016	<u>20</u>	ORDER granting <u>12</u> Motion for Extension of Time to Respond to Motion to Intervene. (Ordered by Judge Reed C O'Connor on 10/7/2016) (trt) (Entered: 10/07/2016)
10/17/2016	<u>21</u>	AMENDED COMPLAINT WITH JURY DEMAND against All Defendants filed by State of Nebraska, Specialty Physicians of Illinois, LLC, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Christian Medical and Dental Society, State of Kansas, Franciscan Alliance, Inc., State of Texas, State of Wisconsin, State of Louisiana, State of Arizona, State of Mississippi. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission

		promptly. Forms, instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <a href="#">Attorney Information – Bar Membership</a> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Nimocks, Austin) (Entered: 10/17/2016)
10/21/2016	<u>22</u>	MOTION for Summary Judgment ( <i>Partial</i> ) filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin (Attachments: # <u>1</u> Proposed Order) Attorney Austin R Nimocks added to party State of Arizona(pty:pla), Attorney Austin R Nimocks added to party State of Louisiana(pty:pla), Attorney Austin R Nimocks added to party State of Mississippi(pty:pla) (Nimocks, Austin) (Entered: 10/21/2016)
10/21/2016	<u>23</u>	Brief/Memorandum in Support filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re <u>22</u> MOTION for Summary Judgment ( <i>Partial</i> ) (Nimocks, Austin) (Entered: 10/21/2016)
10/21/2016	<u>24</u>	MOTION for Summary Judgment ( <i>Partial</i> ) filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC (Goodrich, Luke) (Entered: 10/21/2016)
10/21/2016	<u>25</u>	Brief/Memorandum in Support filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC re <u>24</u> MOTION for Summary Judgment ( <i>Partial</i> ) (Goodrich, Luke) (Entered: 10/21/2016)
10/21/2016	<u>26</u>	Appendix in Support filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC re <u>24</u> MOTION for Summary Judgment ( <i>Partial</i> ) (Goodrich, Luke) (Entered: 10/21/2016)
10/24/2016	<u>27</u>	MOTION to Stay <i>BRIEFING ON PLAINTIFFS DISPOSITIVE MOTIONS AND RESET DEADLINES FOR RESPONDING TO MOTION TO INTERVENE</i> filed by American Civil Liberties Union of Texas, River City Gender Alliance (Attachments: # <u>1</u> Proposed Order) (Robertson, Rebecca) (Entered: 10/24/2016)
10/26/2016	<u>28</u>	MOTION to Set Schedule for Preliminary Injunction Proceedings filed by Sylvia Burwell, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Grogg, Adam) (Entered: 10/26/2016)
10/28/2016	<u>29</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>27</u> MOTION to Stay <i>BRIEFING ON PLAINTIFFS DISPOSITIVE MOTIONS AND RESET DEADLINES FOR RESPONDING TO MOTION TO INTERVENE</i> (Goodrich, Luke) (Entered: 10/28/2016)
10/31/2016	<u>30</u>	REPLY filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>27</u> MOTION to Stay <i>BRIEFING ON PLAINTIFFS DISPOSITIVE MOTIONS AND RESET DEADLINES FOR RESPONDING TO MOTION TO INTERVENE</i> (Robertson, Rebecca) (Entered: 10/31/2016)
11/01/2016	<u>31</u>	MOTION to Expedite <i>Telephonic Status Conference</i> filed by Sylvia Burwell, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Grogg, Adam) (Entered: 11/01/2016)
11/01/2016	<u>32</u>	ORDER granting in part and denying in part <u>28</u> Motion. See order for details. (Ordered by Judge Reed C O'Connor on 11/1/2016) (Judge Reed C O'Connor) (Entered: 11/01/2016)
11/01/2016		Hearing/Deadline Modification: Deadlines/hearings set per <u>32</u> Order on Motion for Miscellaneous Relief. Supplemental briefing due by 11/9/2016. Responses due by 11/23/2016. Replies due by 11/30/2016. (skg) (Entered: 11/02/2016)
11/02/2016	<u>33</u>	ORDER: Defendants' Motion to Expedite Telephonic Status Conference <u>31</u> is GRANTED in part and DENIED in part. This motion is GRANTED in that their request for a hearing will take place at 9:00 AM on November 7, 2016. Note: the hearing will take place in the District Judge's Courtroom, 2nd floor, 501 W. 10th

		Street, Fort Worth, Texas. This motion is DENIED in that the Court does not typically hold hearings by telephone. (Ordered by Judge Reed C O'Connor on 11/2/2016) (skg) (Entered: 11/02/2016)
11/02/2016	<u>34</u>	NOTICE of <i>Defendants</i> re: <u>33</u> Order Setting Deadline/Hearing, Terminate Motions,, filed by Sylvia Burwell, U.S. Department of Health and Human Services (Grogg, Adam) (Entered: 11/02/2016)
11/03/2016	<u>35</u>	CERTIFICATE OF SERVICE by State of Texas on <i>U.S. Attorney, Northern District of Texas</i> (Nimocks, Austin) (Entered: 11/03/2016)
11/03/2016	<u>36</u>	ORDER: Defendants have withdrawn their request for a status conference and indicate the concerns that motivated them to request a status conference have been fully resolved. Accordingly, the hearing set for November 7, 2016 is cancelled. (Ordered by Judge Reed C O'Connor on 11/3/2016) (skg) (Entered: 11/03/2016)
11/09/2016	<u>37</u>	Brief/Memorandum in Support filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re <u>22</u> MOTION for Summary Judgment ( <i>Partial</i> ), <u>24</u> MOTION for Summary Judgment ( <i>Partial</i> ) <i>Supplemental Brief in support of Motions for Preliminary Injunction</i> (Nimocks, Austin) (Entered: 11/09/2016)
11/10/2016	<u>38</u>	MOTION for Reconsideration filed by American Civil Liberties Union of Texas, River City Gender Alliance with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Order) (Robertson, Rebecca) (Entered: 11/10/2016)
11/15/2016	<u>39</u>	Consent MOTION for Leave to File Excess Pages (), Motion for Extension of Time to File Answer filed by Sylvia Burwell, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Grogg, Adam) (Entered: 11/15/2016)
11/15/2016	<u>40</u>	ORDER granting <u>39</u> Defendants' Consent Motion for Expanded Page Limit for Opposition to Plaintiffs' Preliminary Injunction Motions and for Extension of Time to Respond to the Complaint. Defendants' answer to Plaintiffs' operative complaint shall be due 25 days after the Court issues its ruling on Plaintiffs' preliminary injunction motions. (Ordered by Judge Reed C O'Connor on 11/15/2016) (ewd) (Entered: 11/15/2016)
11/17/2016	<u>41</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>38</u> MOTION for Reconsideration (Nimocks, Austin) (Entered: 11/17/2016)
11/17/2016	<u>42</u>	NOTICE of Attorney Appearance by Emily Brooke Nestler–DOJ on behalf of Sylvia Burwell, U.S. Department of Health and Human Services. (Filer confirms contact info in ECF is current.) (Nestler–DOJ, Emily) (Entered: 11/17/2016)
11/21/2016	<u>43</u>	REPLY filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>38</u> MOTION for Reconsideration (Robertson, Rebecca) (Entered: 11/21/2016)
11/21/2016	<u>44</u>	Unopposed MOTION for Leave to File Overlength Brief filed by American Civil Liberties Union of Texas, River City Gender Alliance (Attachments: # <u>1</u> Proposed Order) (Robertson, Rebecca) (Entered: 11/21/2016)
11/22/2016	<u>45</u>	ORDER: Putative Intervenors' Unopposed Motion for Expanding Page Limit for Amici Curiae Brief in Opposition to Plaintiffs' Motions for Preliminary Injunction <u>44</u> should be and is hereby GRANTED. (Ordered by Judge Reed C O'Connor on 11/22/2016) (skg) (Entered: 11/22/2016)
11/22/2016	<u>46</u>	NOTICE of Attorney Appearance by Bailey Wilson Heaps–DOJ on behalf of Sylvia Burwell, U.S. Department of Health and Human Services. (Filer confirms contact info in ECF is current.) (Heaps–DOJ, Bailey) (Entered: 11/22/2016)
11/22/2016	<u>47</u>	NOTICE of Attorney Appearance by Brian Matthew Hauss on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Hauss, Brian) (Entered: 11/22/2016)



11/22/2016	<u>48</u>	NOTICE of Attorney Appearance by Brigitte Adrienne Amiri on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Amiri, Brigitte) (Entered: 11/22/2016)
11/22/2016	<u>49</u>	NOTICE of Attorney Appearance by Louise Melling on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Melling, Louise) (Entered: 11/22/2016)
11/23/2016	<u>50</u>	RESPONSE filed by Sylvia Burwell, U.S. Department of Health and Human Services re: <u>22</u> MOTION for Summary Judgment ( <i>Partial</i> ), <u>24</u> MOTION for Summary Judgment ( <i>Partial</i> ) (Grogg, Adam) (Entered: 11/23/2016)
11/23/2016	<u>51</u>	NOTICE of Attorney Appearance by James Esseks on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Esseks, James) (Entered: 11/23/2016)
11/23/2016	<u>52</u>	NOTICE of Attorney Appearance by Joshua Block on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Block, Joshua) (Entered: 11/23/2016)
11/23/2016	<u>53</u>	RESPONSE filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>22</u> MOTION for Summary Judgment ( <i>Partial</i> ), <u>24</u> MOTION for Summary Judgment ( <i>Partial</i> ) (Haus, Brian) (Entered: 11/23/2016)
11/28/2016	<u>54</u>	Consent MOTION for Leave to File Excess Pages, MOTION for Extension of Time to File Response/Reply to <u>50</u> Response/Objection () filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin (Goodrich, Luke) (Entered: 11/28/2016)
11/29/2016	<u>55</u>	ORDER: GRANTING Plaintiffs' Consent Motion for Expanded Page Limit and Extension of Time to File Replies in Support of Preliminary Injunction <u>54</u> , filed November 28, 2016. Plaintiffs request (1) extension of the deadline to file replies in support of preliminary injunction; (2) leave to file reply briefs that exceed the Courts 10–page limit. Accordingly, Plaintiffs reply briefs may exceed the 10–page limit and shall be due December 2, 2016. (Ordered by Judge Reed C O'Connor on 11/29/2016) (skg) (Entered: 11/29/2016)
12/02/2016	<u>56</u>	REPLY filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>22</u> MOTION for Summary Judgment ( <i>Partial</i> ) (Attachments: # <u>1</u> Declaration(s) in support of State Plaintiffs' Reply Brief) (Nimocks, Austin) (Entered: 12/02/2016)
12/02/2016	<u>57</u>	REPLY filed by Christian Medical and Dental Society, Franciscan Alliance, Inc. re: <u>24</u> MOTION for Summary Judgment ( <i>Partial</i> ) (Attachments: # <u>1</u> Declaration(s)) (Goodrich, Luke) (Entered: 12/02/2016)
12/06/2016	<u>58</u>	ORDER: The Court sets Plaintiffs' Motions for Preliminary Injunction <u>22</u> AND <u>24</u> for hearing at 9:00 a.m. on December 20, 2016. The hearing will convene in the District Judges Courtroom, 2nd floor, 1000 Lamar Street, Wichita Falls, Texas. (Ordered by Judge Reed C O'Connor on 12/6/2016) (skg) (Entered: 12/06/2016)
12/15/2016	<u>59</u>	NOTICE of Attorney Appearance by Mark Rienzi on behalf of Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC. (Filer confirms contact info in ECF is current.) (Rienzi, Mark) (Entered: 12/15/2016)
12/19/2016	<u>60</u>	NOTICE of <i>Filing Evidence in Support</i> re: <u>56</u> Reply, <u>22</u> MOTION for Summary Judgment ( <i>Partial</i> ) filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin (Nimocks, Austin) (Entered: 12/19/2016)
12/22/2016	61	ELECTRONIC Minute Entry for proceedings held before Judge Reed C O'Connor: Evidentiary Hearing held on 12/20/2016. Attorney Appearances: Plaintiff – Mark Rienzi, Austin R Nimocks; Defense – Adam Anderson Grogg. (Court Reporter: Denver Roden) (No exhibits) Time in Court – 3:10. (chmb) (Entered: 12/22/2016)

12/31/2016	<u>62</u>	ORDER granting injunction and not reaching Motions for Summary Judgment. (Ordered by Judge Reed C O'Connor on 12/31/2016) (Judge Reed C O'Connor) (Entered: 12/31/2016)
01/09/2017	<u>63</u>	MOTION to Stay <i>Preliminary Injunction</i> filed by American Civil Liberties Union of Texas, River City Gender Alliance (Hauss, Brian) (Entered: 01/09/2017)
01/09/2017	<u>64</u>	ORDER Expediting Briefing on <u>63</u> Motion to Stay (Ordered by Judge Reed C. O'Connor on 1/9/2017) (chmb) (Entered: 01/09/2017)
01/09/2017		Hearing/Deadline Modification: Deadlines/hearings set per <u>64</u> Order on Motion to Stay. Responses due by 1/17/2017. Replies due by 1/20/2017. (skg) (Entered: 01/10/2017)
01/17/2017	<u>65</u>	RESPONSE filed by Sylvia Burwell, U.S. Department of Health and Human Services re: <u>63</u> MOTION to Stay <i>Preliminary Injunction</i> (Grogg, Adam) (Entered: 01/17/2017)
01/17/2017	<u>66</u>	Motion for Extension of Time to File Answer filed by Sylvia Burwell, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Grogg, Adam) (Entered: 01/17/2017)
01/17/2017	<u>67</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>63</u> MOTION to Stay <i>Preliminary Injunction</i> (Nimocks, Austin) (Entered: 01/17/2017)
01/19/2017	<u>68</u>	REPLY filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>63</u> MOTION to Stay <i>Preliminary Injunction</i> (Hauss, Brian) (Entered: 01/19/2017)
01/24/2017	<u>69</u>	ORDER granting in part and denying in part <u>63</u> Motion for Ruling and Stay; and granting <u>66</u> Motion for Extension. Defendants' answer to Plaintiffs' operative complaint shall be due on or before March 1, 2017. Plaintiffs and Defendants must file a response to Putative Intervenors' request for permissive intervention on or before February 8, 2017. See order for details. (Ordered by Judge Reed C. O'Connor on 1/24/2017) (chmb) (aba) (Entered: 01/24/2017)
01/30/2017	<u>70</u>	NOTICE of Attorney Appearance by Daniel Irwin Mach on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Mach, Daniel) (Entered: 01/30/2017)
01/30/2017	<u>71</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>62</u> Order on Motion for Summary Judgment to the Fifth Circuit by American Civil Liberties Union of Texas, River City Gender Alliance. Filing fee \$505, receipt number 0539-8170756. T.O. form to appellant electronically at <a href="#">Transcript Order Form</a> or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions <a href="#">here</a> . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Hauss, Brian) (Entered: 01/30/2017)
02/02/2017	<u>72</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>69</u> Order on Motion to Stay, to the Fifth Circuit by American Civil Liberties Union of Texas, River City Gender Alliance. Filing fee \$505, receipt number 0539-8180447. T.O. form to appellant electronically at <a href="#">Transcript Order Form</a> or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions <a href="#">here</a> . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Hauss, Brian) (Entered: 02/02/2017)

02/08/2017	<u>73</u>	RESPONSE filed by Sylvia Burwell, U.S. Department of Health and Human Services re: <u>69</u> Order on Motion to Stay, (Grogg, Adam) (Entered: 02/08/2017)
02/08/2017	<u>74</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>69</u> Order on Motion to Stay, (Goodrich, Luke) (Entered: 02/08/2017)
02/09/2017		USCA Case Number 17-10135 in USCA5 for <u>71</u> Notice of Appeal filed by River City Gender Alliance, American Civil Liberties Union of Texas. (skg) (Entered: 02/09/2017)
02/13/2017	<u>75</u>	NOTICE of Attorney Appearance by Stephanie Hall Barclay on behalf of Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC. (Filer confirms contact info in ECF is current.) (Barclay, Stephanie) (Entered: 02/13/2017)
02/14/2017		Record on Appeal for USCA5 17-10135 (related to <u>71</u> appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified. <b>PLEASE NOTE THE FOLLOWING:</b> Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so, since the USCA5 briefing deadline has now been set. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by <u>contacting the appeals deputy</u> in advance to arrange delivery. EROA Access granted to Attorney Brigitte Adrienne Amiri for Appellant River City Gender Alliance. (skg) (Entered: 02/14/2017)
02/15/2017	<u>76</u>	REPLY filed by American Civil Liberties Union of Texas re: <u>7</u> MOTION to Intervene (Haus, Brian) (Entered: 02/15/2017)
02/16/2017		Re: USCA5 17-10135 APPEARANCE FORM FILED by Attorney(s): Scott A. Keller for party(s) Appellee State of Arizona Appellee State of Kansas Appellee Commonwealth of Kentucky Appellee State of Wisconsin Appellee State of Texas Appellee State of Louisiana Appellee State of Nebraska Appellee State of Mississippi, in case 17-10135 EROA access granted; APPEARANCE FORM FILED by Attorney: Luke William Goodrich for Appellee Specialty Physicians of Illinois, L.L.C. in 17-10135, Attorney Luke William Goodrich for Appellee Christian Medical and Dental Society in 17-10135, Attorney Luke William Goodrich for Appellee Franciscan Alliance, Incorporated in 17-10135 EROA access granted; APPEARANCE FORM FILED by Attorney: Stephanie Hall Barclay for party(s) Appellee Christian Medical and Dental Society Appellee Specialty Physicians of Illinois, L.L.C. Appellee Franciscan Alliance, Incorporated, in case 17-10135 EROA access granted. (skg) (Entered: 02/16/2017)
02/22/2017	<u>77</u>	NOTICE of Attorney Appearance by Amy Anne Miller on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Miller, Amy) (Entered: 02/22/2017)
02/24/2017	<u>78</u>	Unopposed Motion for Extension of Time to File Answer <i>or Otherwise Respond to the Complaint</i> filed by Sylvia Burwell, U.S. Department of Health and Human Services (Attachments: # <u>1</u> Proposed Order) (Nestler-DOJ, Emily) (Entered: 02/24/2017)
02/27/2017	<u>79</u>	ORDER granting <u>78</u> Motion for Extension of Time to File Answer Sylvia Burwell answer due 5/2/2017; U.S. Department of Health and Human Services answer due 5/2/2017. (Ordered by Judge Reed C. O'Connor on 2/27/2017) (chmb) (aba) (Entered: 02/27/2017)
02/28/2017		***Clerk's Notice of delivery: (see NEF for details) Docket No:79. Tue Feb 28 12:36:34 CST 2017 (crt) (Entered: 02/28/2017)
03/07/2017	80	APPEARANCE FORM FILED by Attorney(s) Heather Gebelin Hacker for party(s) Appellee State of Arizona Appellee State of Kansas Appellee Commonwealth of



		Kentucky Appellee State of Wisconsin Appellee State of Texas Appellee State of Louisiana Appellee State of Nebraska Appellee State of Mississippi, in USCA5 case 17-10135. EROA access granted. (skg) (Entered: 03/07/2017)
03/14/2017	<u>81</u>	NOTICE of Dismissal <i>Without Prejudice of Counts III-X and XIII-XX</i> filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin (Nimocks, Austin) (Entered: 03/14/2017)
03/14/2017	<u>82</u>	MOTION for Summary Judgment filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin (Attachments: # <u>1</u> Proposed Order [Proposed] Order Granting Plaintiffs' Motion for Summary Judgment, # <u>2</u> Proposed Order [Proposed] Final Judgment and Permanent Injunction) (Nimocks, Austin) (Entered: 03/14/2017)
03/14/2017	<u>83</u>	Brief/Memorandum in Support filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re <u>82</u> MOTION for Summary Judgment (Nimocks, Austin) (Entered: 03/14/2017)
03/14/2017	<u>84</u>	Appendix in Support filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re <u>82</u> MOTION for Summary Judgment (Nimocks, Austin) (Entered: 03/14/2017)
03/27/2017	<u>85</u>	MOTION to Stay <i>Pending Appeal</i> filed by American Civil Liberties Union of Texas, River City Gender Alliance (Block, Joshua) (Entered: 03/27/2017)
04/04/2017	<u>86</u>	MOTION for Extension of Time to File Response/Reply to <u>82</u> MOTION for Summary Judgment filed by Sylvia Burwell, U.S. Department of Health and Human Services (Grogg, Adam) (Entered: 04/04/2017)
04/04/2017	<u>87</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>86</u> MOTION for Extension of Time to File Response/Reply to <u>82</u> MOTION for Summary Judgment (Goodrich, Luke) (Entered: 04/04/2017)
04/05/2017	<u>88</u>	ORDER: Defendants' Motion for Extension of Time <u>86</u> to Respond to Plaintiffs' Motion for Summary Judgment is GRANTED. Accordingly, Defendants must file a Response to <u>82</u> Plaintiffs' Motion for Summary Judgment on or before May 2, 2017. (Ordered by Judge Reed C. O'Connor on 4/5/2017) (skg) (Entered: 04/05/2017)
04/05/2017		***Clerk's Notice of delivery: (see NEF for details) Docket No:88. Wed Apr 5 12:10:12 CDT 2017 (crt) (Entered: 04/05/2017)
04/05/2017	<u>89</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>85</u> MOTION to Stay <i>Pending Appeal</i> (Goodrich, Luke) (Entered: 04/05/2017)
04/10/2017	<u>90</u>	REPLY filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>85</u> MOTION to Stay <i>Pending Appeal</i> (Block, Joshua) (Entered: 04/10/2017)
04/26/2017	91	NOTICE OF APPEARANCE FORM FILED by Attorney Joshua A. Block for Appellant River City Gender Alliance in 17-10135, Attorney Joshua A. Block for Appellant American Civil Liberties Union of Texas in USCA5 (17-10135) EROA access granted. (skg) (Entered: 04/26/2017)

05/02/2017	<u>92</u>	MOTION to Remand to United States Department of Health and Human Services , MOTION to Stay ( ) filed by Sylvia Burwell, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Grogg, Adam) (Entered: 05/02/2017)
05/02/2017	<u>93</u>	Motion for Extension of Time to File Answer ( ), MOTION for Extension of Time to File Response/Reply to <u>82</u> MOTION for Summary Judgment , <u>21</u> Amended Complaint,,, filed by Sylvia Burwell, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Grogg, Adam) (Entered: 05/02/2017)
05/04/2017	<u>94</u>	RESPONSE AND OBJECTION filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <u>93</u> Motion for Extension of Time to File Answer MOTION for Extension of Time to File Response/Reply to <u>82</u> MOTION for Summary Judgment , <u>21</u> Amended Complaint,,,, <u>92</u> MOTION to Remand to United States Department of Health and Human Services MOTION to Stay (Nimocks, Austin) (Entered: 05/04/2017)
05/18/2017	<u>95</u>	REPLY filed by Sylvia Burwell, U.S. Department of Health and Human Services re: <u>92</u> MOTION to Remand to United States Department of Health and Human Services MOTION to Stay (Grogg, Adam) (Entered: 05/18/2017)
06/01/2017	<u>96</u>	MOTION to Withdraw as Attorney filed by American Civil Liberties Union of Texas, River City Gender Alliance (Robertson, Rebecca) (Entered: 06/01/2017)
06/01/2017	<u>97</u>	Amended MOTION to Withdraw as Attorney filed by American Civil Liberties Union of Texas, River City Gender Alliance (Robertson, Rebecca) (Entered: 06/01/2017)
06/02/2017	<u>98</u>	ORDER granting <u>97</u> Amended Motion to Withdraw as Counsel for Intervenors. Attorney Rebecca L Robertson terminated. (Ordered by Judge Reed C. O'Connor on 6/2/2017) (baa) (Entered: 06/02/2017)
06/02/2017		***Clerk's Notice of delivery: (see NEF for details) Docket No:98. Fri Jun 2 16:09:55 CDT 2017 (crt) (Entered: 06/02/2017)
06/08/2017	<u>99</u>	NOTICE of Attorney Appearance by Kali Alanna Cohn on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Cohn, Kali) (Entered: 06/08/2017)
06/08/2017	<u>100</u>	Received letter from USCA5 (17-10135): LETTER OF ADVISEMENT. Reason: sent to Distrct Court inquiring about the estimated timeframe for their ruling on the putative-intervenors' motion for permissive intervention. (skg) (Entered: 06/08/2017)
06/13/2017	<u>101</u>	ORDER: The Court sets Putative Intervenors' Motion for Stay of Proceedings Pending Appeal (ECF No. <u>85</u> ) and Defendants' Motion for Voluntary Remand and Stay (ECF No. <u>92</u> ) for hearing on June 26, 2017 at 2:00 pm. Note, the hearing will convene in the United States District Judge's Second Floor Courtroom, 501 West 10th Street, Fort Worth, Texas. Counsel for Putative Intervenors, Defendants, Private Plaintiffs, and State Plaintiffs should appear and be prepared to discuss all issues related to any pending motions, including Putative Intervenors' Motion to Intervene (ECF No. <u>7</u> ). (Ordered by Judge Reed C. O'Connor on 6/13/2017) (skg) (Entered: 06/13/2017)
06/13/2017		***Clerk's Notice of delivery: (see NEF for details) Docket No:101. Tue Jun 13 15:03:43 CDT 2017 (crt) (Entered: 06/13/2017)
06/26/2017	<u>102</u>	NOTICE of Attorney Appearance by Alexander Haas on behalf of Thomas E. Price, M.D., U.S. Department of Health and Human Services. (Filer confirms contact info in ECF is current.) (Haas, Alexander) (Entered: 06/26/2017)
06/26/2017	103	ELECTRONIC Minute Entry for proceedings held before Judge Reed C. O'Connor: Motion Hearing held on 6/26/2017 re <u>85</u> Motion to Stay filed by River City Gender Alliance, American Civil Liberties Union of Texas. Attorney Appearances: Plaintiff – Mark Rienzi, Luke Goodrich, Austin Nimocks; Defense – Alexander Haas, Adam Grogg, Briam Hauss, Joshua Block, Kali Cohn. (Court Reporter: Denver Roden) (No exhibits) Time in Court – 1:25. (chmb) (Entered: 06/26/2017)

06/30/2017	<u>104</u>	JUDGMENT/MANDATE of USCA (17-10135) as to <u>72</u> Notice of Appeal filed by River City Gender Alliance, American Civil Liberties Union of Texas. IT IS ORDERED that appellees' motion to dismiss appellants' appeal from the denial of intervention as of right is GRANTED. IT IS FURTHER ORDERED that because appellants have not been granted intervention and are not parties to this case, we lack jurisdiction to adjudicate the merits of the protective appeal from the preliminary injunction order. Accordingly, appellants' motion for a stay of the preliminary injunction order pending appeal is DENIED without prejudice to appellants reasserting the motion if they become parties to the case. Issued as Mandate: 6/30/2017. See Order for further specifics. (Attachments: # <u>1</u> USCA5 cover letter) (skg) (Entered: 06/30/2017)
07/10/2017	<u>105</u>	ORDER: For the foregoing reasons, the Court finds that Defendants' Motion for Voluntary Remand and Stay (ECF No. <u>92</u> ) should be and is hereby GRANTED in part. Accordingly, the case is hereby STAYED until further order of the Court and all pending motions are held in abeyance. Defendants are hereby ORDERED to file a status report on or before August 4, 2017, identifying any rulemaking proceedings initiated with respect to the challenged Rule. The Court expressly RETAINS jurisdiction over Plaintiffs' asserted claims and will maintain a supervisory role until the stay is lifted by requiring periodic status reports from the existing parties. Further, the Court CLARIFIES that the December 31, 2016 Preliminary Injunction Order (ECF No. <u>62</u> ) is unaffected by this Order and remains in full force and effect throughout the duration of the stay until further order of the Court. (Ordered by Judge Reed C. O'Connor on 7/10/2017) (skg) (Entered: 07/10/2017)
07/10/2017		***Clerk's Notice of delivery: (see NEF for details) Docket No:105. Mon Jul 10 13:25:43 CDT 2017 (crt) (Entered: 07/10/2017)
08/04/2017	<u>106</u>	STATUS REPORT filed by Thomas E. Price, M.D., U.S. Department of Health and Human Services. (Haas, Alexander) (Entered: 08/04/2017)
08/16/2017	<u>107</u>	Notice of Substitution of Counsel by AUSA. (Grogg, Adam) (Entered: 08/16/2017)
08/16/2017	<u>108</u>	ORDER: Pursuant to the Court's July 10, 2017 Order, Defendants filed a Status Report (ECF No. <u>106</u> ) on August 4, 2017, indicating "a draft of a proposed rule is going through the clearance process within the Executive Branch." Status Report 1, ECF No. <u>106</u> . In order for the Court to continue monitoring any and all "rulemaking proceedings initiated with respect to the challenged Rule" the Court hereby ORDERS Defendants to file a Status Report with updates on the rulemaking proceedings on or before October 16, 2017, and every 60 days thereafter. (Ordered by Judge Reed C. O'Connor on 8/16/2017) (skg) (Entered: 08/16/2017)
08/16/2017		***Clerk's Notice of delivery: (see NEF for details) Docket No:108. Wed Aug 16 11:44:05 CDT 2017 (crt) (Entered: 08/16/2017)
10/16/2017	<u>109</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Nestler, Emily) (Entered: 10/16/2017)
12/15/2017	<u>110</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Nestler, Emily) (Entered: 12/15/2017)
02/13/2018	<u>111</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Nestler, Emily) (Entered: 02/13/2018)
04/10/2018	<u>112</u>	Notice of Substitution of Counsel by Rhett Martin, U.S. Department of Justice Civil Division (Martin, Rhett) Modified text on 4/10/2018 (skg). (Entered: 04/10/2018)
04/16/2018	<u>113</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Martin, Rhett) (Entered: 04/16/2018)
06/25/2018	<u>114</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Martin, Rhett) (Entered: 06/25/2018)
08/14/2018	<u>115</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Martin, Rhett) (Entered: 08/14/2018)
09/19/2018	<u>116</u>	NOTICE of Attorney Appearance by David Jonathan Hacker on behalf of Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska,

		State of Texas, State of Wisconsin. (Filer confirms contact info in ECF is current.) (Hacker, David) (Entered: 09/19/2018)
09/19/2018	<u>117</u>	Unopposed MOTION to Withdraw as Attorney for State Plaintiffs (Austin R. Nimocks) filed by State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin (Attachments: # <u>1</u> Proposed Order) (Nimocks, Austin) (Entered: 09/19/2018)
09/20/2018	<u>118</u>	ORDER of USCA (17-10135) as to <u>72</u> Notice of Appeal filed by River City Gender Alliance, American Civil Liberties Union of Texas. The court has granted the motion to withdraw David Nimocks as counsel in this case. Heather Hacker will now proceed as lead counsel for Texas and the other State Appellees in this case. (skg) (Entered: 09/20/2018)
10/15/2018	<u>119</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Martin, Rhett) (Entered: 10/15/2018)
12/06/2018	<u>120</u>	ORDER granting <u>117</u> Plaintiffs' Unopposed Motion to Withdraw Austin R. Nimocks as Counsel. Attorney Austin Nimocks terminated. Austin R. Nimocks is no longer counsel for Plaintiffs in this case. David J. Hacker remains as counsel of record for State Plaintiffs. (Ordered by Judge Reed C. O'Connor on 12/6/2018) (skg) (Entered: 12/06/2018)
12/06/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:120. Thu Dec 6 13:45:02 CST 2018 (crt) (Entered: 12/06/2018)
12/11/2018	<u>121</u>	MOTION for Status Conference filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin with Brief/Memorandum in Support. (Goodrich, Luke) (Entered: 12/11/2018)
12/13/2018	<u>122</u>	RESPONSE filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>121</u> MOTION for Status Conference (Block, Joshua) (Entered: 12/13/2018)
12/13/2018	<u>123</u>	***VACATED per Order <u>126</u> *** ORDER: The Court sets this matter for a status conference hearing on Wednesday, December 19, 2018, at 8:30 a.m. in the Second Floor Courtroom of the Eldon B. Mahon United States Courthouse, located at 501 W. 10th Street, Fort Worth, Texas. (Ordered by Judge Reed C. O'Connor on 12/13/2018) (skg) Modified on 12/19/2018 (plp). (Entered: 12/13/2018)
12/13/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:123. Thu Dec 13 13:38:48 CST 2018 (crt) (Entered: 12/13/2018)
12/14/2018	<u>124</u>	STATUS REPORT filed by Thomas E. Price, U.S. Department of Health and Human Services. (Martin, Rhett) (Entered: 12/14/2018)
12/17/2018	<u>125</u>	MOTION to lift stay, vacate status conference, and set briefing schedule filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin with Brief/Memorandum in Support. (Goodrich, Luke) (Entered: 12/17/2018)
12/17/2018	<u>126</u>	ORDER granting <u>125</u> Motion to Lift Stay, Vacate Status Conference, and Set Briefing Schedule.(Ordered by Judge Reed C. O'Connor on 12/17/2018)(chmb)(bca) (Entered: 12/17/2018)
12/19/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:126. Wed Dec 19 09:17:26 CST 2018 (crt) (Entered: 12/19/2018)
01/31/2019	<u>127</u>	NOTICE of Attorney Appearance by Michael Christopher Toth on behalf of Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin. (Filer confirms contact info in ECF is current.) (Toth, Michael) (Entered: 01/31/2019)



02/01/2019	<a href="#"><u>128</u></a>	MOTION to Withdraw as Attorney filed by American Civil Liberties Union of Texas, River City Gender Alliance (Hauss, Brian) (Entered: 02/01/2019)
02/01/2019	<a href="#"><u>129</u></a>	MOTION to Intervene filed by American Civil Liberties Union of Texas, River City Gender Alliance (Attachments: # <a href="#"><u>1</u></a> Proposed Order) (Cohn, Kali) (Entered: 02/01/2019)
02/01/2019	<a href="#"><u>130</u></a>	Brief/Memorandum in Support filed by American Civil Liberties Union of Texas, River City Gender Alliance re <a href="#"><u>129</u></a> MOTION to Intervene (Cohn, Kali) (Entered: 02/01/2019)
02/01/2019	<a href="#"><u>131</u></a>	Appendix in Support filed by American Civil Liberties Union of Texas, River City Gender Alliance re <a href="#"><u>129</u></a> MOTION to Intervene , <a href="#"><u>130</u></a> Brief/Memorandum in Support of Motion (Cohn, Kali) (Entered: 02/01/2019)
02/04/2019	<a href="#"><u>132</u></a>	MOTION for Summary Judgment filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin (Attachments: # <a href="#"><u>1</u></a> Proposed Order, # <a href="#"><u>2</u></a> Proposed Final Judgment and Permanent Injunction) (Hacker, David) (Entered: 02/04/2019)
02/04/2019	<a href="#"><u>133</u></a>	Brief/Memorandum in Support filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re <a href="#"><u>132</u></a> MOTION for Summary Judgment (Hacker, David) (Entered: 02/04/2019)
02/04/2019	<a href="#"><u>134</u></a>	Appendix in Support filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re <a href="#"><u>132</u></a> MOTION for Summary Judgment (Hacker, David) (Entered: 02/04/2019)
02/04/2019	<a href="#"><u>135</u></a>	MOTION for Summary Judgment filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC (Attachments: # <a href="#"><u>1</u></a> Proposed Order) (Goodrich, Luke) (Entered: 02/04/2019)
02/04/2019	<a href="#"><u>136</u></a>	Brief/Memorandum in Support filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC re <a href="#"><u>135</u></a> MOTION for Summary Judgment (Goodrich, Luke) (Entered: 02/04/2019)
02/04/2019	<a href="#"><u>137</u></a>	Appendix in Support filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC re <a href="#"><u>136</u></a> Brief/Memorandum in Support of Motion, <a href="#"><u>135</u></a> MOTION for Summary Judgment (Goodrich, Luke) (Entered: 02/04/2019)
02/08/2019	<a href="#"><u>138</u></a>	ORDER granting <a href="#"><u>128</u></a> Proposed Intervenor American Civil Liberties Union of Texas's ("ACLU") Motion to Withdraw Brian Hauss as Counsel. (Ordered by Judge Reed C. O'Connor on 2/8/2019) (skg) (Entered: 02/08/2019)
02/08/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:138. Fri Feb 8 16:32:56 CST 2019 (crt) (Entered: 02/08/2019)
02/25/2019	<a href="#"><u>139</u></a>	OBJECTION filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <a href="#"><u>131</u></a> Appendix in Support (Hacker, David) (Entered: 02/25/2019)
02/25/2019	<a href="#"><u>140</u></a>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas, State of Wisconsin re: <a href="#"><u>129</u></a> MOTION to Intervene (Hacker, David) (Entered: 02/25/2019)
02/25/2019	<a href="#"><u>141</u></a>	RESPONSE filed by Thomas E. Price, U.S. Department of Health and Human Services re: <a href="#"><u>129</u></a> MOTION to Intervene (Martin, Rhett) (Entered: 02/25/2019)
03/08/2019	<a href="#"><u>142</u></a>	NOTICE of Attorney Appearance by Lindsey Breton Kaley on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Kaley, Lindsey) (Entered: 03/08/2019)

03/11/2019	<u>143</u>	RESPONSE filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>139</u> Response/Objection, (Cohn, Kali) (Entered: 03/11/2019)
03/11/2019	<u>144</u>	REPLY filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>141</u> Response/Objection, <u>140</u> Response/Objection, (Cohn, Kali) (Entered: 03/11/2019)
03/15/2019	<u>145</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$25; Receipt number 0539-9850529) filed by State of Wisconsin Attorney Steven Carl Kilpatrick added to party State of Wisconsin(pty:pla) (Kilpatrick, Steven) (Entered: 03/15/2019)
03/18/2019	<u>146</u>	ELECTRONIC ORDER granting <u>145</u> Application for Admission Pro Hac Vice of Steven C. Kilpatrick. If not already done, Applicant must register as an ECF User within 14 days (LR 5.1(f)).(Ordered by Judge Reed C. O'Connor on 3/18/2019) (chmb) (bca) (Entered: 03/18/2019)
03/21/2019	<u>147</u>	MOTION to Dismiss <i>Plaintiff State of Wisconsin</i> filed by State of Wisconsin (Kilpatrick, Steven) (Entered: 03/21/2019)
03/28/2019	<u>148</u>	Unopposed MOTION to Dismiss <i>Plaintiff State of Wisconsin</i> filed by State of Wisconsin (Attachments: # <u>1</u> Proposed Order) (Kilpatrick, Steven) (Entered: 03/28/2019)
03/29/2019	<u>149</u>	ORDER of USCA (17-10135) as to <u>72</u> Notice of Appeal filed by River City Gender Alliance, American Civil Liberties Union of Texas. IT IS ORDERED that the unopposed motion to dismiss the appeal as to Appellee State of Wisconsin is GRANTED. (Attachments: # <u>1</u> USCA5 cover letter) (skg) (Entered: 03/29/2019)
04/02/2019	<u>150</u>	ORDER: It is therefore ORDERED, ADJUDGED, and DECREED that all claims brought by Plaintiff State of Wisconsin against Defendants in this case are hereby DISMISSED with prejudice. (Ordered by Judge Reed C. O'Connor on 4/2/2019) (skg) (Entered: 04/02/2019)
04/02/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:150. Tue Apr 2 13:39:29 CDT 2019 (crt) (Entered: 04/02/2019)
04/04/2019	<u>151</u>	MOTION to Extend Time (), MOTION for Extension of Time to File Response/Reply to <u>135</u> MOTION for Summary Judgment , <u>132</u> MOTION for Summary Judgment filed by Thomas E. Price, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Martin, Rhett) (Entered: 04/04/2019)
04/04/2019	<u>152</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas re: <u>151</u> MOTION to Extend TimeMOTION for Extension of Time to File Response/Reply to <u>135</u> MOTION for Summary Judgment , <u>132</u> MOTION for Summary Judgment (Goodrich, Luke) (Entered: 04/04/2019)
04/04/2019	<u>153</u>	ORDER: Before the Court is Defendants' Motion for Extension of Time to Respond (ECF No. 151), filed April 4, 2019. Plaintiffs oppose the extension. Accordingly, the Court ORDERS Plaintiffs to respond to the motion, explaining their opposition, no later than Monday, April 8, 2019. The Court further ORDERS Defendants to reply no later than Wednesday, April 10, 2019. All other deadlines remain in place. (Ordered by Judge Reed C. O'Connor on 4/4/2019) (trt) (Entered: 04/04/2019)
04/04/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:153. Thu Apr 4 16:42:59 CDT 2019 (crt) (Entered: 04/04/2019)
04/05/2019	<u>154</u>	RESPONSE filed by Thomas E. Price, U.S. Department of Health and Human Services re: <u>135</u> MOTION for Summary Judgment , <u>132</u> MOTION for Summary Judgment (Martin, Rhett) (Entered: 04/05/2019)
04/05/2019	<u>155</u>	RESPONSE filed by American Civil Liberties Union of Texas, River City Gender Alliance re: <u>135</u> MOTION for Summary Judgment , <u>132</u> MOTION for Summary Judgment (Block, Joshua) (Entered: 04/05/2019)

04/05/2019	<u>156</u>	Appendix in Support filed by American Civil Liberties Union of Texas, River City Gender Alliance re <u>155</u> Response/Objection (Block, Joshua) (Entered: 04/05/2019)
05/03/2019	<u>157</u>	REPLY filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas re: <u>132</u> MOTION for Summary Judgment (Hacker, David) (Entered: 05/03/2019)
05/03/2019	<u>158</u>	REPLY filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC re: <u>135</u> MOTION for Summary Judgment (Goodrich, Luke) (Entered: 05/03/2019)
05/31/2019	<u>159</u>	NOTICE of <i>Proposed Rulemaking</i> filed by Thomas E. Price, U.S. Department of Health and Human Services (Attachments: # <u>1</u> Exhibit(s)) (Martin, Rhett) (Entered: 05/31/2019)
06/06/2019	<u>160</u>	RESPONSE filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas re: <u>159</u> Notice (Other) (Goodrich, Luke) (Entered: 06/06/2019)
06/07/2019	<u>161</u>	ORDER: The Court hereby ORDERS Defendants to submit a reply to the response <u>160</u> on or before June 12, 2019. (Ordered by Judge Reed C. O'Connor on 6/7/2019) (skg) (Entered: 06/07/2019)
06/07/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:161. Fri Jun 7 13:23:28 CDT 2019 (crt) (Entered: 06/07/2019)
06/10/2019	<u>162</u>	NOTICE of Attorney Appearance by Bradley Philip Humphreys on behalf of Thomas E. Price, U.S. Department of Health and Human Services. (Filer confirms contact info in ECF is current.) (Humphreys, Bradley) (Entered: 06/10/2019)
06/12/2019	<u>163</u>	REPLY filed by Thomas E. Price, U.S. Department of Health and Human Services re: <u>161</u> Order Setting Deadline/Hearing (Humphreys, Bradley) (Entered: 06/12/2019)
08/07/2019	<u>164</u>	ORDER: The Court hereby ORDERS Plaintiffs and Defendants to submit briefing on this issue on or before August 12, 2019. Putative Intervenors are ORDERED to respond on or before August 14, 2019. (Ordered by Judge Reed C. O'Connor on 8/7/2019) (skg) (Entered: 08/07/2019)
08/07/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:164. Wed Aug 7 13:44:14 CDT 2019 (crt) (Entered: 08/07/2019)
08/12/2019	<u>165</u>	Brief/Memorandum in Support filed by Christian Medical and Dental Society, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas re <u>164</u> Order Setting Deadline/Hearing, (Goodrich, Luke) (Entered: 08/12/2019)
08/12/2019	<u>166</u>	RESPONSE filed by Thomas E. Price, U.S. Department of Health and Human Services re: <u>164</u> Order Setting Deadline/Hearing, (Humphreys, Bradley) (Entered: 08/12/2019)
08/14/2019	<u>167</u>	Brief/Memorandum in Support filed by American Civil Liberties Union of Texas, River City Gender Alliance re <u>164</u> Order Setting Deadline/Hearing, (Kaley, Lindsey) (Entered: 08/14/2019)
09/10/2019	<u>168</u>	ORDER: The Court sets this matter for a hearing on Monday, September 16, 2019, at 10:00 a.m. in the Second Floor Courtroom of the Eldon B. Mahon United States Courthouse, located at 501 W. 10th Street, Fort Worth, Texas. (Ordered by Judge Reed C. O'Connor on 9/10/2019) (skg) (Entered: 09/10/2019)
09/10/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:168. Tue Sep 10 13:42:05 CDT 2019 (crt) (Entered: 09/10/2019)
09/11/2019	<u>169</u>	NOTICE of Attorney Appearance by Brian Klosterboer on behalf of American Civil Liberties Union of Texas. (Filer confirms contact info in ECF is current.) (Klosterboer, Brian) (Entered: 09/11/2019)

09/12/2019	<u>170</u>	NOTICE of Attorney Appearance by Andre Segura on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Segura, Andre) (Entered: 09/12/2019)
09/13/2019	<u>171</u>	NOTICE of Attorney Appearance by Joseph C Davis on behalf of Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC. (Filer confirms contact info in ECF is current.) (Davis, Joseph) (Entered: 09/13/2019)
09/13/2019	<u>172</u>	Unopposed MOTION to Substitute Attorney, added attorney Michael Christopher Toth, William Thomas Thompson for State of Nebraska, William Thomas Thompson for Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, William Thomas Thompson for State of Mississippi, William Thomas Thompson for State of Kansas, William Thomas Thompson for State of Texas, William Thomas Thompson for State of Arizona, William Thomas Thompson for State of Louisiana. Motion filed by State of Nebraska, Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Mississippi, State of Kansas, State of Texas, State of Arizona, State of Louisiana (Attachments: # <u>1</u> Proposed Order) (Toth, Michael) (Entered: 09/13/2019)
09/13/2019	173	ELECTRONIC Minute Entry for proceedings held before Judge Reed C. O'Connor: Motion Hearing held on 9/16/2019. (Court Reporter: Denver Roden) (No exhibits) Attorneys: Bradley Humphries; David Hacker; Joshua Brook; Joseph Davis. Time in Court - :40. (chmb) (Entered: 09/17/2019)
09/17/2019	<u>174</u>	ORDER granting <u>172</u> Motion to Substitute Attorney. Accordingly, the Court SUBSTITUTES William T. Thompson of the Office of the Attorney General of Texas as co-counsel for State Plaintiffs. It is FURTHER ORDERED that Michael Toth is permitted to withdraw and is hereby removed as counsel for State Plaintiffs. (Ordered by Judge Reed C. O'Connor on 9/17/2019) (skg) (Entered: 09/17/2019)
09/17/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:174. Tue Sep 17 16:35:08 CDT 2019 (crt) (Entered: 09/17/2019)
10/15/2019	<u>175</u>	MEMORANDUM OPINION AND ORDER: For the foregoing reasons, the Court finds that Putative Intervenor's Motion to Intervene (ECF No. <u>129</u> ) should be and is hereby GRANTED. The Court also finds that Plaintiffs' Motions for Summary Judgment and Permanent Injunction (ECF Nos. <u>132</u> , <u>135</u> ) should be and are hereby GRANTED in part. The Court SEVERES Plaintiffs' APA and RFRA claims from their Title VII, Spending Clause, First Amendment, Tenth Amendment, and Eleventh Amendment claims. The Court ADOPTS its prior reasoning from the preliminary injunction (ECF No. <u>62</u> ) and now HOLDS that the Rule violates the APA and RFRA. Accordingly, the Court VACATES and REMANDS the Rule for further consideration. (Ordered by Judge Reed C. O'Connor on 10/15/2019) (skg) (Entered: 10/15/2019)
10/15/2019	<u>176</u>	FINAL JUDGMENT: The Court SEVERES Plaintiffs' APA and RFRA claims from their Title VII, Spending Clause, First Amendment, Tenth Amendment, and Eleventh Amendment claims. The Court ADOPTS the reasoning from its December 31, 2016 Order granting Plaintiffs' request for a preliminary injunction (ECF No. <u>62</u> ) and now HOLDS that Nondiscrimination in Health Programs & Activities ("the Rule"), 81 Fed. Reg. 31376 (May 18, 2016), codified at 45 C.F.R. § 92, violates the APA and RFRA and enters this Final Judgment on those claims. Accordingly, the Court VACATES and REMANDS the Rule for further consideration. (Ordered by Judge Reed C. O'Connor on 10/15/2019) (skg) (Entered: 10/15/2019)
10/15/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:175, 176. Tue Oct 15 09:37:54 CDT 2019 (crt) (Entered: 10/15/2019)
10/15/2019	<u>177</u>	ORDER: The Court now STAYS the case involving Plaintiffs' Title VII, Spending Clause, First Amendment, Tenth Amendment, and Eleventh Amendment pending notice by the parties that these claims should go forward. The case shall be administratively closed until further order from the Court. (Ordered by Judge Reed C. O'Connor on 10/15/2019) (skg) (Entered: 10/15/2019)
10/15/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:177. Tue Oct 15 12:10:43 CDT 2019 (crt) (Entered: 10/15/2019)
11/12/2019	<u>178</u>	MOTION to Amend/Correct <u>176</u> Judgment,, filed by Thomas E. Price, U.S. Department of Health and Human Services with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Order) (Humphreys, Bradley) (Entered: 11/12/2019)



11/13/2019	<u>179</u>	ORDER: Accordingly, before the Court rules on the motion, any party opposed to the <u>178</u> Motion to Modify Final Judgment shall respond on or before November 20, 2019, explaining its opposition. (Ordered by Judge Reed C. O'Connor on 11/13/2019) (skg) (Entered: 11/13/2019)
11/13/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:179. Wed Nov 13 11:25:31 CST 2019 (crt) (Entered: 11/13/2019)
11/20/2019	<u>180</u>	RESPONSE filed by Commonwealth of Kentucky, by and through Governor Matthew G. Bevin, State of Arizona, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of Texas re: <u>178</u> MOTION to Amend/Correct <u>176</u> Judgment,, (Thompson, William) (Entered: 11/20/2019)
11/20/2019	<u>181</u>	RESPONSE filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC re: <u>178</u> MOTION to Amend/Correct <u>176</u> Judgment,, (Goodrich, Luke) (Entered: 11/20/2019)
11/21/2019	<u>182</u>	ORDER: Having considered the Defendants' motion and Plaintiffs' responses, the GRANTS in part the motion and MODIFIES the Final Judgment (ECF No. <u>176</u> ), filed October 15, 2019, to confirm that, consistent with the Court's discussion in the accompanying Memorandum Opinion and Order (ECF No. <u>175</u> ), the Court vacates only the portions of the Rule that Plaintiffs challenged in this litigation. Specifically, the Court VACATES the Rule insofar as the Rule defines "On the basis of sex" to include gender identity and termination of pregnancy, and the Court REMANDS for further consideration. The remainder of 45 C.F.R. § 92 remains in effect. (Ordered by Judge Reed C. O'Connor on 11/21/2019) (skg) (Entered: 11/21/2019)
11/21/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:182. Thu Nov 21 14:25:28 CST 2019 (crt) (Entered: 11/21/2019)
12/06/2019	<u>183</u>	JUDGMENT/MANDATE of USCA as to <u>72</u> Notice of Appeal filed by River City Gender Alliance, American Civil Liberties Union of Texas. Under FED. R. APP. P. 42(b), the appeal is dismissed as of December 06, 2019, pursuant to the joint motion of the parties. Issued as Mandate: 12/6/2019. (Attachments: # <u>1</u> USCA5 cover letter) (skg) (Entered: 12/06/2019)
01/17/2020	<u>184</u>	MOTION Set Deadline for Filing Petition for Fees and Expenses filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Order) (Goodrich, Luke) (Entered: 01/17/2020)
01/21/2020	<u>185</u>	NOTICE OF APPEAL as to <u>176</u> Judgment,, <u>175</u> Memorandum Opinion and Order,,, Terminate Motions,,, <u>182</u> Order on Motion to Amend/Correct,, to the Fifth Circuit by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC. Filing fee \$505, receipt number 0539-10560516. T.O. form to appellant electronically at <u>Transcript Order Form</u> or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions <u>here</u> . (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Goodrich, Luke) (Entered: 01/21/2020)
01/30/2020		USCA Case Number 20-10093 in USCA5 for <u>185</u> Notice of Appeal filed by Specialty Physicians of Illinois, LLC, Franciscan Alliance, Inc., Christian Medical and Dental Society. (skg) (Entered: 01/30/2020)
02/06/2020	<u>186</u>	Notice of Filing of Official Electronic Transcript of Preliminary Injunction Proceedings held on 12-20-2016 before Judge Reed C. O'Connor. Court Reporter/Transcriber Denver B. Roden, RMR, RPR, Telephone number 214-753-2298. Parties are notified of their <u>duty to review</u> the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a <u>Redaction Request - Transcript</u> within 21 days. If no action is taken, the entire transcript will be

		made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (109 pages) Redaction Request due 2/27/2020. Redacted Transcript Deadline set for 3/9/2020. Release of Transcript Restriction set for 5/6/2020. (dbr) (Entered: 02/06/2020)
02/07/2020	<u>187</u>	RESPONSE filed by Thomas E. Price, River City Gender Alliance, U.S. Department of Health and Human Services re: <u>184</u> MOTION Set Deadline for Filing Petition for Fees and Expenses (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s), # <u>3</u> Exhibit(s)) (Humphreys, Bradley) (Entered: 02/07/2020)
02/10/2020	<u>188</u>	Transcript Order Form: transcript not requested Reminder to appellant: this document must also be filed with the appeals court. (Davis, Joseph) (Entered: 02/10/2020)
02/18/2020	<u>189</u>	MOTION to Withdraw as Attorney filed by Amy Anne Miller. (Attachments: # <u>1</u> Proposed Order) (skg) (Entered: 02/18/2020)
02/20/2020	<u>190</u>	ORDER granting <u>189</u> Motion to Withdraw as Attorney. Attorney Amy Anne Miller terminated. (Ordered by Judge Reed C. O'Connor on 2/20/2020) (skg) (Entered: 02/20/2020)
02/21/2020	<u>191</u>	REPLY filed by Christian Medical and Dental Society, Franciscan Alliance, Inc., Specialty Physicians of Illinois, LLC re: <u>184</u> MOTION Set Deadline for Filing Petition for Fees and Expenses (Goodrich, Luke) (Entered: 02/21/2020)
02/26/2020		Record on Appeal (related to <u>185</u> appeal): Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 186 Volume(s) electronic transcript. <b>PLEASE NOTE THE FOLLOWING:</b> Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by <u>contacting the appeals deputy</u> in advance to arrange delivery. EROA Access granted to: Attorney: Davis, Joseph Charles – Franciscan Alliance, Incorporated, Christian Medical and Dental Society, Specialty Physicians of Illinois, L.L.C. (Granted Access to 15, of 15 Volumes); Attorney: Goodrich, Luke William – Franciscan Alliance, Incorporated, Christian Medical and Dental Society, Specialty Physicians of Illinois, L.L.C. (Granted Access to 15, of 15 Volumes); Attorney: Rienzi, Mark – Franciscan Alliance, Incorporated, Christian Medical and Dental Society, Specialty Physicians of Illinois, L.L.C. (Granted Access to 15, of 15 Volumes); Attorney: Windham, Lori Halstead – Franciscan Alliance, Incorporated, Christian Medical and Dental Society, Specialty Physicians of Illinois, L.L.C. (Granted Access to 15, of 15 Volumes). (skg) (Entered: 02/26/2020)
04/21/2020	<u>192</u>	NOTICE of Attorney Appearance by Rebecca Scout Richters on behalf of American Civil Liberties Union of Texas, River City Gender Alliance. (Filer confirms contact info in ECF is current.) (Richters, Rebecca) (Main Document 192 replaced on 4/21/2020) (cea). (Entered: 04/21/2020)
04/21/2020	<u>193</u>	ORDER granting <u>184</u> Plaintiffs Franciscan Alliance, Inc.'s, Christian Medical and Dental Society's, Specialty Physicians of Illinois, LLC's Motion to Set Deadline for Filing Petition for Fees and Expenses. The Court further ORDERS the Private Plaintiffs to file a petition for attorneys' fees and expenses by 30 days after the final resolution of all claims. (Ordered by Judge Reed C. O'Connor on 4/21/2020) (skg) (Entered: 04/21/2020)