

what the court directs be done.”) *Cf. Quincy Bioscience, LLC v. Ellishbrooks*, 957 F.3d 725, 728 n.17 (7th Cir. 2020) (court issued a limited remand for parties to seek an injunction that complies with Rule 65 (d)(1)(C).); *MillerCoors LLC v. Anheuser-Busch Companies, LLC* 940 F.3d 922 (7th Cir. 2019) (per curiam) (same). Thus, on March 1, 2024, the Seventh Circuit remanded the case for the limited purpose of allowing this Court to enter an injunction that complies with Rule 65(d)(1)(C).

In accordance with the Court’s prior opinion and order (ECF No. 38), the Court hereby orders that Defendants Kathleen Diane Matuszak, Thomas Sproles, Frank Downing, Christopher Cooke, Theodore Rokita, and Lindsay Hyer, in their official capacities, and all persons acting in concert with them, are preliminarily enjoined during the pendency of this action from enforcing Ind. Code § 25-15, et seq., governing Embalmers and Funeral Directors against Plaintiffs as follows:

1. On the grounds that Plaintiff Death Done Differently LLC (“Death Done Differently”) is acting as an unlicensed funeral establishment by advertising and providing communicative services including, but not limited to, the following:
 - a. “Full End of Life Planning” which includes “discussion of funeral options, body disposition (cremation, traditional burial, or green burial), service choices, etc. and assistance with paperwork such as living will, DNR form, and healthcare power of attorney”;
 - b. “Facilitation of Community Death Care” which includes “verbal guidance with loved ones under the direct supervision of a licensed funeral director for moving, bathing, dressing, and arrangement of the deceased,” as well as “consultation with

family in regard to personal information about the family, music and reading selections, religious acknowledgements (if any) and programming”;

- c. “Visits” which includes “readings, music, conversation, healing touch, or general companionship with the dying individual. Responsibilities do not include medical treatments, housekeeping, household chores, or childcare.”
 - d. “Support with Funeral Home” which includes “accompaniment to funeral home, review of general price list, support with selection of goods and services, presence at funeral service”;
 - e. Providing advice to consumers about ranges of funeral services, including embalming, burial containers, and body transportation; and
 - f. Discussions of funeral options, verbal guidance, and consultation with families about death case.
2. On the grounds that Plaintiff Lauren Richwine (“Richwine”) is acting as an unlicensed funeral director by providing communicative services including, but not limited to, the following:
- a. “Full End of Life Planning” which includes “discussion of funeral options, body disposition (cremation, traditional burial, or green burial), service choices, etc. and assistance with paperwork such as living will, DNR form, and healthcare power of attorney”;
 - b. “Facilitation of Community Death Care” which includes “verbal guidance with loved ones under the direct supervision of a licensed funeral director for moving, bathing, dressing, and arrangement of the deceased,” as well as “consultation with

family in regard to personal information about the family, music and reading selections, religious acknowledgements (if any) and programming”;

- c. “Visits” which includes “readings, music, conversation, healing touch, or general companionship with the dying individual. Responsibilities do not include medical treatments, housekeeping, household chores, or childcare.”
 - d. “Support with Funeral Home” which includes “accompaniment to funeral home, review of general price list, support with selection of goods and services, presence at funeral service”;
 - e. Providing advice to consumers about ranges of funeral services, including embalming, burial containers, and body transportation; and
 - f. Discussions of funeral options, verbal guidance, and consultation with families about death care.
- 3. On the grounds that Plaintiffs are providing free guidance or advice without a funeral establishment license or a funeral director license.
 - 4. On the grounds that Plaintiffs are engaging in discussions of funeral options, providing verbal guidance and consultation with families about death care, and providing advice about choosing funeral services without a funeral establishment license of a funeral director license.
 - 5. On the grounds that Plaintiffs are selling, advertising, or providing educational events about end-of-life planning and other death-related topics without funeral establishment or funeral director licenses.

6. On the grounds that Plaintiffs are using language on Death Done Differently's website that provides advice to consumers and the public about ranges of funeral services and end-of-life planning without funeral establishment or funeral director licenses.
7. On the grounds that Plaintiffs are using disclaimers on Death Done Differently's website indicating that Death Done Differently is not a licensed funeral establishment and Richwine is not a licensed funeral director without a funeral establishment or funeral director licenses.

This Court shall retain jurisdiction to enforce this Preliminary Injunction.

SO ORDERED on March 5, 2024.

s/ Holly A. Brady

CHIEF JUDGE HOLLY A. BRADY
UNITED STATES DISTRICT COURT