

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

LAUREN RICHWINE and DEATH DONE
DIFFERENTLY LLC,
Plaintiffs,

Case No. 1:23-cv-370-HAB-ALT

v.

KATHLEEN DIANE MATUSZAK,
THOMAS SPROLES, FRANK DOWNING,
and CHRISTOPHER COOKE, in their
official capacities as members of the Indiana
State Board of Funeral & Cemetery Service;
THEODORE ROKITA, in his official
capacity as Attorney General of Indiana; and
LINDSAY HYER, in her official capacity as
Executive Director of the Indiana Professional
Licensing Agency,
Defendants.

JOINT STATUS REPORT AND MOTION TO EXTEND STAY

The parties have continued to make progress towards reaching a settlement and anticipate resolving the case through a consent decree imminently. While we represented in mid-March (ECF 64) that we hoped another motion to extend would not be needed; an additional extension is necessary. Settlement negotiations are complete, but the defense awaits final approval from the State of Indiana to complete the process. The parties therefore respectfully ask the Court to further extend the current stay on proceedings to and including July 10, 2026, as we believe this will allow us to complete this process. In support, the parties state as follows:

1. This case presents questions involving the First Amendment and occupational licensure.
2. On August 28, 2025, the Court of Appeals affirmed the preliminary injunction entered by this Court on December 19, 2023. ECF 38.
3. The Court of Appeals' mandate issued on September 22, 2025. ECF 55.

4. On remand in this Court, the parties filed a joint motion to stay proceedings while Defendants decided whether to seek review in the Supreme Court. ECF 57. This Court granted that stay motion. ECF 58.

5. Defendants elected not to seek Supreme Court review, and the parties began negotiations to resolve the case by mutual agreement. To allow time to negotiate an agreed resolution to the case, the parties requested—and this Court granted—two further extensions of the stay. *See* ECF 61, 63.

6. In its most recent order extending the stay, the Court directed the parties to file either “(1) stipulated dismissal papers, or (2) a joint status report as to how this case should proceed,” on or before May 4, 2026. ECF 65.

7. The parties file this joint report and motion in accordance with the Court’s order.

8. The parties have completed their negotiations and anticipate being able to resolve this case by consent decree imminently. Defense counsel has issued recommendations to the Defendants, and the approval process has passed the first of two stages of approvals necessary to move forward.

9. The parties anticipate that this requested extension through July 10 will allow the parties to finalize the resolution of this case.

10. Further litigation would impose unnecessary costs on the parties and would risk wasting the Court’s time if—as now seems imminent—those proceedings were made irrelevant by a subsequent agreed resolution.

11. The parties do not seek an extension of the stay for any improper purposes or delay, but rather in the good-faith belief that this final extension will allow the parties to resolve this case by mutual agreement and to finalize a proposed consent decree.

12. Accordingly, the parties respectfully request that the Court grant an additional extension through July 10, 2026. The parties further propose that the Court set that date as the deadline for the parties to either: (1) reach an agreement and file a motion that would close this case; or (2) file a joint status report with the parties' respective positions on how this case should proceed. The parties appreciate the Court's patience as they finalize an agreement.

RESPECTFULLY SUBMITTED this 4th day of May, 2026.

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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of May, 2026, a true and correct copy of the foregoing was filed via the ECF system and that all parties of record were thereby electronically served.

/s/ Carly A. Brandenburg

Carly Brandenburg

Counsel for Defendants