

APPEAL

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:12-cv-00207-JFC**

GENEVA COLLEGE v. SEBELIUS et al
Assigned to: Chief Judge Joy Flowers Conti
Case in other court: 3rd circuit, 13-02814
3rd circuit, 13-03536
3rd circuit, 14-01374

Cause: 42:2000 Civil Rights: Other

Plaintiff

GENEVA COLLEGE

Date Filed: 02/21/2012
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

represented by **Bradley S. Tupi**
Tucker Arensberg
1500 One PPG Place
Pittsburgh, PA 15222
594-5545
Email: btupi@tuckerlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David A. Cortman
Alliance Defending Freedom
1000 Hurricane Shoals Road, NE
Suite D-1100
Lawrenceville, GA 30043
(770) 339-0774
Fax: 770-339-6744
Email: dcortman@alliancedefendingfreedom.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Erik W. Stanley
Alliance Defending Freedom
15100 N 90th St
Scottsdale, AZ 85260
4804440020
Email: estanley@alliancedefendingfreedom.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gregory S. Baylor
Alliance Defending Freedom
440 First Street NW
Suite 600
Washington, DC 20001
202-393-8690
Fax: 2023473622
Email: gbaylor@ADFlegal.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Aden
Alliance Defending Freedom
440 1st St., NW
Suite 600
Washington, DC 20001
202-393-8690
Fax: 202-347-3622
Email: saden@alliancedefendingfreedom.org
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

David J. Mongillo
Tucker Arensberg, P.C.
1500 One PPG Place
Pittsburgh, PA 15222
412-566-1212
Fax: 412-594-5619
Email: dmongillo@tuckerlaw.com
ATTORNEY TO BE NOTICED

Kevin H. Theriot
Alliance Defending Freedom
15100 N 90th St
Scottsdale, AZ 85260
480-444-0020
Fax: 480-444-0028
Email: ktheriot@alliancedefendingfreedom.org
ATTORNEY TO BE NOTICED

Matthew S Bowman
Alliance Defending Freedom
440 1st St., NW
Ste 600
Washington, DC 20001
202-393-8690
Email: mbowman@alliancedefendingfreedom.org
TERMINATED: 01/17/2017
ATTORNEY TO BE NOTICED

Plaintiff

WAYNE HEPLER
*in his personal capacity and as owner
and operator of the sole proprietorship
WLH Enterprises*

represented by **Matthew S Bowman**
(See above for address)
TERMINATED: 01/17/2017
ATTORNEY TO BE NOTICED

Gregory S. Baylor
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

**THE SENECA HARDWOOD
LUMBER COMPANY, INC.**
a Pennsylvania Corporation

represented by **Matthew S Bowman**
(See above for address)
TERMINATED: 01/17/2017
ATTORNEY TO BE NOTICED

Gregory S. Baylor
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

CARRIE E. KOLESAR

represented by **Matthew S Bowman**
(See above for address)
TERMINATED: 01/17/2017
ATTORNEY TO BE NOTICED

Gregory S. Baylor
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

KATHLEEN SEBELIUS

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

represented by **Adam Grogg**
U.S. Department of Justice, Civil Division,
Federal Programs
20 Massachusetts Ave. NW
Washington, DC 20037
202-514-2395
Email: adam.a.grogg@usdoj.gov
TERMINATED: 08/21/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradley P. Humphreys

U.S. Department of Justice, Civil Division,
Federal Programs
20 Massachusetts Ave, N.W.
Room 7219
Washington, DC 20530
(202) 514-3367
Fax: (202) 616-8470
Email: bradley.p.humphreys@usdoj.gov
TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle Bennett

U.S. Department of Justice
20 Massachusetts Avenue NW, Rm. 7310
Washington, DC 20001
202-305-8902
Fax: 202-616-8470
Email: michelle.bennett@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Albert W. Schollaert

United States Attorney's Office
700 Grant Street
Suite 400
Pittsburgh, PA 15219
(412) 644 3500
Email: albert.schollaert@usdoj.gov
TERMINATED: 01/07/2013
ATTORNEY TO BE NOTICED

Eric R. Womack

United States Department of Justice
20 Massachusetts Avenue NW
Room 7140
Washington, DC 20001
202-514-4020
Fax: 202-616-8470
Email: eric.womack@usdoj.gov
ATTORNEY TO BE NOTICED

Michael A. Comber

United States Attorney's Office (PGH)
700 Grant Street
Suite 4000
Pittsburgh, PA 15219
(412) 894-7485
Email: michael.comber@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

HILDA SOLIS

*in her official capacity as Secretary of
the United States Department of Labor
TERMINATED: 10/18/2013*

represented by **Bradley P. Humphreys**
(See above for address)
*TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Albert W. Schollaert
(See above for address)
*TERMINATED: 01/07/2013
ATTORNEY TO BE NOTICED*

Eric R. Womack
(See above for address)
ATTORNEY TO BE NOTICED

Michael A. Comber
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

TIMOTHY GEITHNER

*in his official capacity as Secretary of the
United States Department of the
Treasury
TERMINATED: 10/18/2013*

represented by **Bradley P. Humphreys**
(See above for address)
*TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Albert W. Schollaert
(See above for address)
*TERMINATED: 01/07/2013
ATTORNEY TO BE NOTICED*

Eric R. Womack
(See above for address)
ATTORNEY TO BE NOTICED

Michael A. Comber
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT
OF HEALTH AND HUMAN
SERVICES**

represented by **Adam Grogg**
(See above for address)
*TERMINATED: 08/21/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bradley P. Humphreys
(See above for address)
*TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

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

Albert W. Schollaert
(See above for address)
*TERMINATED: 01/07/2013
ATTORNEY TO BE NOTICED*

Eric R. Womack
(See above for address)
ATTORNEY TO BE NOTICED

Michael A. Comber
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT
OF LABOR**

represented by **Adam Grogg**
(See above for address)
TERMINATED: 08/21/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradley P. Humphreys
(See above for address)
TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Albert W. Schollaert
(See above for address)
TERMINATED: 01/07/2013
ATTORNEY TO BE NOTICED

Eric R. Womack
(See above for address)
ATTORNEY TO BE NOTICED

Michael A. Comber
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT
OF THE TREASURY**

represented by **Adam Grogg**
(See above for address)
TERMINATED: 08/21/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradley P. Humphreys
(See above for address)
TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Albert W. Schollaert
(See above for address)
TERMINATED: 01/07/2013
ATTORNEY TO BE NOTICED

Eric R. Womack
(See above for address)

ATTORNEY TO BE NOTICED

Michael A. Comber
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

THOMAS E. PEREZ
*in his official capacity as Secretary of the
United States Department of Labor*

represented by **Adam Grogg**
(See above for address)
TERMINATED: 08/21/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradley P. Humphreys
(See above for address)
TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle Bennett
(See above for address)
LEAD ATTORNEY
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 Grogg**
(See above for address)
TERMINATED: 08/21/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradley P. Humphreys
(See above for address)
TERMINATED: 03/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Amicus

**AMERICAN CIVIL LIBERTIES
UNION OF PENNSYLVANIA**
ACLU of PA
313 Atwood Street
Pittsburgh, PA 15213
412-681-7864
*American Civil Liberties Union of
Pennsylvania*

represented by **Witold J. Walczak**
ACLF of PA
313 Atwood Street
Pittsburgh, PA 15213
(412) 681-7864
Email: ywalczak@aclupa.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brigitte Amiri
American Civil Liberties Union Foundation
125 Broad Street
18th Floor
New York, NY 10004
212-549-2633
Fax: 212-549-2650
Email: bamiri@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/21/2012	<u>1</u>	COMPLAINT against TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY (Filing fee \$350, receipt number 0315-2264048), filed by GENEVA COLLEGE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for Kathleen Sebelius, # <u>3</u> Summons for Hilda Solis, # <u>4</u> Summons for Timothy Geithner, # <u>5</u> Summons for US Department of Health and Human Services, # <u>6</u> Summons for US Department of Labor, # <u>7</u> Summons for US Department of the Treasury) (ksa) (Entered: 02/22/2012)
02/21/2012		Summons Issued as to *TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY* (ksa) (Entered: 02/22/2012)
02/29/2012	<u>2</u>	NOTICE of Appearance by David J. Mongillo on behalf of GENEVA COLLEGE. (Mongillo, David) (Entered: 02/29/2012)
03/02/2012	<u>3</u>	NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Parties are directed to fully complete the required 26(f) report, which includes the stipulation of selecting an ADR process. Counsel for plaintiff (or in the case of a removal action, counsel for removing defendant) shall make service of the notice on all parties. (smc) (Entered: 03/02/2012)
03/13/2012	<u>4</u>	MOTION for attorney Steven H. Aden to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2290940) by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Tupi, Bradley) (Entered: 03/13/2012)
03/16/2012		ORDER granting <u>4</u> Motion for Steven H. Aden to Appear Pro Hac Vice for plaintiff. Signed by Judge Joy Flowers Conti on 3/16/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 03/16/2012)
03/16/2012	<u>5</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. KATHLEEN SEBELIUS served on 2/29/2012, answer due 3/21/2012. (Attachments: # <u>1</u> Exhibit) (Mongillo, David) Modified on 3/20/2012 ERROR: Wrong event selected. Document removed from public view and redocketed. (ksa) (Entered: 03/16/2012)
03/16/2012	<u>6</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 2/29/2012, answer due 3/21/2012. (Attachments: # <u>1</u> Exhibit) (Mongillo, David) Modified on 3/20/2012 ERROR: Wrong event selected. Document removed from public view and redocketed. (ksa) (Entered: 03/16/2012)
03/16/2012	<u>7</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. HILDA SOLIS served on 3/1/2012, answer due 3/22/2012. (Attachments: # <u>1</u> Exhibit) (Mongillo, David) Modified on 3/20/2012 ERROR: Wrong event selected. Document removed from public view and redocketed. (ksa) (Entered: 03/16/2012)
03/16/2012	<u>8</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. UNITED STATES DEPARTMENT OF LABOR served on 3/1/2012, answer due 3/22/2012. (Attachments: # <u>1</u> Exhibit) (Mongillo, David) Modified on 3/20/2012 ERROR: Wrong event selected. Document removed from public view and redocketed. (ksa) (Entered: 03/16/2012)
03/16/2012	<u>9</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. TIMOTHY GEITHNER served on 2/29/2012, answer due 3/21/2012. (Attachments: # <u>1</u> Exhibit) (Mongillo, David) Modified on 3/20/2012 ERROR: Wrong event selected. Document removed from public view and redocketed. (ksa) (Entered: 03/16/2012)
03/16/2012	<u>10</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. UNITED STATES DEPARTMENT OF THE TREASURY served on 2/29/2012, answer due 3/21/2012. (Attachments: # <u>1</u> Exhibit) (Mongillo, David) Modified on 3/20/2012 ERROR: Wrong event selected. Document removed from public view and redocketed.

		(ksa) (Entered: 03/16/2012)
03/16/2012	<u>13</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. KATHLEEN SEBELIUS served on 2/29/2012, answer due 4/30/2012. (Attachments: # <u>1</u> Exhibit) "Document previously filed electronically" (ksa) (Entered: 03/20/2012)
03/16/2012	<u>14</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 2/29/2012, answer due 4/30/2012. (Attachments: # <u>1</u> Exhibit) "Document previously filed electronically" (ksa) (Entered: 03/20/2012)
03/16/2012	<u>15</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. HILDA SOLIS served on 3/1/2012, answer due 4/30/2012. (Attachments: # <u>1</u> Exhibit) "Document previously filed electronically" (ksa) (Entered: 03/20/2012)
03/16/2012	<u>16</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. UNITED STATES DEPARTMENT OF LABOR served on 3/1/2012, answer due 4/30/2012. (Attachments: # <u>1</u> Exhibit) "Document previously filed electronically" (ksa) (Entered: 03/20/2012)
03/16/2012	<u>17</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. TIMOTHY GEITHNER served on 2/29/2012, answer due 4/30/2012. (Attachments: # <u>1</u> Exhibit) "Document previously filed electronically" (ksa) (Entered: 03/20/2012)
03/16/2012	<u>18</u>	SUMMONS/Return of Service Returned Executed by GENEVA COLLEGE. UNITED STATES DEPARTMENT OF THE TREASURY served on 2/29/2012, answer due 4/30/2012. (Attachments: # <u>1</u> Exhibit) "Document previously filed electronically" (ksa) (Entered: 03/20/2012)
03/19/2012	<u>11</u>	MOTION for attorney Gregory S. Baylor to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2296718) by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Tupi, Bradley) (Entered: 03/19/2012)
03/19/2012	<u>12</u>	Errata re <u>11</u> Motion to Appear Pro Hac Vice by GENEVA COLLEGE. Reason for Correction: correcting name on Pro Hac Vice motion. (Attachments: # <u>1</u> Proposed Order) (Tupi, Bradley) Modified on 5/2/2012. Errata was entered in error. ECF No. <u>11</u> was correct. Attorney will file this errata as a motion. (smc) (Entered: 03/19/2012)
03/20/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>5</u> Summons/Returned Returned Executed, <u>8</u> Summons/Returned Returned Executed, <u>9</u> Summons/Returned Returned Executed, <u>7</u> Summons/Returned Returned Executed, <u>10</u> Summons/Returned Returned Executed, <u>6</u> Summons/Returned Returned Executed. ERROR: Wrong event selected. CORRECTION: Re-docketed as Summons/Return of Service Returned Executed USA. This message is for informational purposes only. (ksa) (Entered: 03/20/2012)
03/21/2012	<u>19</u>	MOTION for attorney Erik W. Stanley to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2300493) by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Tupi, Bradley) (Entered: 03/21/2012)
03/21/2012		ORDER granting <u>11</u> Motion for Gregory S. Baylor to Appear Pro Hac Vice for plaintiff. Signed by Judge Joy Flowers Conti on 3/21/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 03/21/2012)
03/21/2012	<u>20</u>	MOTION for attorney David A. Cortman to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2301153) by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Tupi, Bradley) (Entered: 03/21/2012)
03/22/2012		ORDER granting <u>19</u> Motion for Erik W. Stanley to Appear Pro Hac Vice for plaintiff. Signed by Judge Joy Flowers Conti on 3/22/2012. (smc) (Entered: 03/22/2012)
03/22/2012		ORDER granting <u>20</u> Motion for David A. Cortman to Appear Pro Hac Vice for plaintiff. Signed by Judge Joy Flowers Conti on 3/22/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 03/22/2012)

04/30/2012	<u>21</u>	NOTICE of Appearance by Eric R. Womack on behalf of TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Womack, Eric) (Entered: 04/30/2012)
04/30/2012	<u>22</u>	MOTION to Dismiss <u>1</u> <i>Complaint</i> by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order) (Womack, Eric) Modified on 5/1/2012 to add document linkage. (ksa) (Entered: 04/30/2012)
04/30/2012	<u>24</u>	BRIEF in Support re <u>22</u> Motion to Dismiss, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (ksa) (Entered: 05/01/2012)
05/01/2012	<u>23</u>	NOTICE of Appearance by Albert W. Schollaert on behalf of TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Schollaert, Albert) (Entered: 05/01/2012)
05/01/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>22</u> Motion to Dismiss. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. CLERK'S OFFICE QUALITY CONTROL MESSAGE. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney Womack advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Brief in Support of Motion to Dismiss. This message is for informational purposes only. (ksa) (Entered: 05/01/2012)
05/02/2012	<u>25</u>	MOTION for attorney Matthew S. Bowman to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2352746) by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Tupi, Bradley) (Entered: 05/02/2012)
05/02/2012	<u>26</u>	MOTION for attorney Kevin H. Theriot to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2352771) by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Tupi, Bradley) (Entered: 05/02/2012)
05/02/2012	<u>27</u>	NOTICE of Appearance by Bradley P. Humphreys on behalf of TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) (Entered: 05/02/2012)
05/03/2012		ORDER granting <u>26</u> Motion for Kevin H. Theriot to Appear Pro Hac Vice for Plaintiff Geneva College. Signed by Judge Joy Flowers Conti on 5/3/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 05/03/2012)
05/03/2012		ORDER granting <u>25</u> Motion for Matthew S. Bowman to Appear Pro Hac Vice for Plaintiff. Signed by Judge Joy Flowers Conti on 5/3/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 05/03/2012)
05/03/2012	<u>28</u>	ORDER ON MOTION PRACTICE. Signed by Judge Joy Flowers Conti on 5/3/2012. (smc) (Entered: 05/03/2012)
05/08/2012	<u>29</u>	CASE MANAGEMENT ORDER: Rule 26 Meeting Report and Stipulation Selecting ADR Process due by 6/12/2012. Status Conference set for 7/12/2012 10:30 AM in Courtroom 5A before Judge Joy Flowers Conti. All counsel and unrepresented parties shall bring their calendars to the conference for scheduling purposes. The parties should be prepared to discuss settlement, the designation of an Alternative Dispute Resolution process and any other matter that will contribute to the prompt disposition of the case. The parties shall be prepared to address and argue all pending motions at

		the scheduling conference. Any party filing a motion prior to the scheduling conference to which a response is required but not filed shall file a motion for a continuance of the scheduling conference until the response is due. Signed by Judge Joy Flowers Conti on 5/8/2012. (smc) (Entered: 05/08/2012)
05/18/2012	<u>30</u>	First MOTION to Extend Time to amend complaint, respond to motion to dismiss, confer under Rule 26, file a report under Rule 26 by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Bowman, Matt) (Entered: 05/18/2012)
05/22/2012	<u>31</u>	ORDER granting <u>30</u> Motion to Extend Time. Amended Pleadings due by 5/31/2012. Response to Motion due by 5/31/2012. Rule 26 Meeting Report and Stipulation Selecting ADR Process due by 7/2/2012. Status Conference set for 8/16/2012 04:45 PM in Courtroom 5A before Judge Joy Flowers Conti. Signed by Judge Joy Flowers Conti on 5/22/2012. (smc) (Entered: 05/22/2012)
05/31/2012	<u>32</u>	First AMENDED COMPLAINT against All Defendants, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Baylor, Gregory) Modified on 6/1/2012 to edit docket text. (ksa2) (Entered: 05/31/2012)
05/31/2012	<u>33</u>	RESPONSE IN OPPOSITION to <u>22</u> Motion to Dismiss, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Baylor, Gregory) (Entered: 05/31/2012)
06/01/2012		Update Answer Deadline: Answer due from TIMOTHY GEITHNER on 6/14/2012; KATHLEEN SEBELIUS on 6/14/2012; HILDA SOLIS on 6/14/2012; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES on 6/14/2012; UNITED STATES DEPARTMENT OF LABOR on 6/14/2012; UNITED STATES DEPARTMENT OF THE TREASURY on 6/14/2012. (ksa2) (Entered: 06/01/2012)
06/07/2012	<u>34</u>	First MOTION for Extension of Time to File Answer by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 06/07/2012)
06/08/2012	<u>35</u>	ORDER granting <u>34</u> Motion for Extension of Time to file response to Amended Complaint. Responsive pleading due 7/13/2012. The Rule 26(f) Report and Stipulation Selecting ADR Process shall be filed no later than August 1, 2012. The Initial Rule 16 Scheduling Conference will remain at 4:45 PM on August 16, 2012. Signed by Judge Joy Flowers Conti on 6/8/2012. (smc) Modified on 6/11/2012. (smc) (Entered: 06/08/2012)
07/12/2012	<u>36</u>	Second MOTION for Extension of Time to File Response/Reply re <u>32</u> Amended Complaint by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) Modified on 7/13/2012 document linkage corrected. Document linked to document <u>32</u> . (ksa2) (Entered: 07/12/2012)
07/13/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>36</u> Motion for Extension of Time to File Response/Reply. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (ksa2) (Entered: 07/13/2012)
07/17/2012	<u>37</u>	ORDER granting <u>36</u> Motion for Extension of Time. Answer due 8/2/2012. Disclosure pursuant to Rule 26(a)(1) due 8/7/2012. The Rule 26(f) Report and Stipulation Selecting ADR Process shall be filed no later that 8/21/2012. The Initial Rule 16 Scheduling Conference set for 8/16/2012 is reset for 8/22/2012 at 4:30 PM. Signed by Judge Joy Flowers Conti on 7/16/2012. (smc) Modified on 7/18/2012 to add additional docket text. (ksa2) (Entered: 07/17/2012)
08/01/2012		ORDER denying as moot <u>22</u> Motion to Dismiss. The motion to dismiss (ECF No. <u>22</u>) is hereby denied as moot, plaintiffs having filed an amended complaint subsequent to the filing of the motion to dismiss. Signed by Judge Joy Flowers Conti on 8/1/2012.

		Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (tcg) (Entered: 08/01/2012)
08/02/2012	<u>38</u>	MOTION for Leave to File Excess Pages by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 08/02/2012)
08/02/2012	<u>39</u>	MOTION to Dismiss for Lack of Jurisdiction <i>or, in the alternative, to dismiss claims seven through twelve for failure to state a claim</i> by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 08/02/2012)
08/02/2012	<u>40</u>	BRIEF in Support re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, <i>or, in the alternative, to dismiss claims seven through twelve for failure to state a claim</i> filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) (Entered: 08/02/2012)
08/09/2012	<u>41</u>	NOTICE of Change of Firm Name by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES (Baylor, Gregory) (Entered: 08/09/2012)
08/09/2012	<u>42</u>	MOTION for Extension of Time to File Response/Reply to <u>39</u> Motion to Dismiss <i>and for Expansion of Page Limit</i> by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Attachments: # <u>1</u> Proposed Order) (Baylor, Gregory) Modified on 8/10/2012 ERROR: MULTIPLE RELIEF MOTION FILED AS ONE RELIEF; RE-FILED BY COURT. Document linkage corrected. Document linked to document <u>39</u> (ksa2) (Entered: 08/09/2012)
08/09/2012		MOTION for Leave to File Excess Pages by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Filed with document <u>42</u>) (ksa2) (Entered: 08/10/2012)
08/10/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>42</u> Motion for Extension of Time to File Response/Reply. ERROR: MULTIPLE Relief Motion Filed as One Relief. CORRECTION: Attorney Baylor advised in future that Motions of this nature are to be filed using the Motion Event and clicking on all the reliefs sought in said motion. Clerk of Court added/docketed Motion to File Excess Pages. This message is for informational purposes only. CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>42</u> Motion for Extension of Time to File Response/Reply. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (ksa2) (Entered: 08/10/2012)
08/10/2012	<u>43</u>	ORDER granting <u>42</u> Motion for Extension of Time and Page Limit re <u>39</u> MOTION to Dismiss. Responses due by 9/13/2012. Signed by Judge Joy Flowers Conti on 08/10/2012. (smc) (Entered: 08/10/2012)
08/10/2012		Set/Reset Hearings: Case Management set for 8/22/2012 is reset for 10/11/2012 at 04:30 PM in Courtroom 5A before Judge Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 08/10/2012)
08/13/2012	<u>44</u>	ORDER granting <u>38</u> Motion for Leave to File Excess Pages. Signed by Judge Joy Flowers Conti on 8/8/2012. (smc) (Entered: 08/13/2012)
08/14/2012	<u>45</u>	MOTION to File Amicus Brief by AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA. (Attachments: # <u>1</u> Exhibit 1. Proposed Brief Amicus Curiae, # <u>2</u> Exhibit 2. Corporate Disclosure Statement, # <u>3</u> Proposed Order) (Walczak, Witold) (Entered: 08/14/2012)

08/14/2012	<u>46</u>	MOTION for attorney Brigitte Amiri to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2472580) by AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order) (Walczak, Witold) (Entered: 08/14/2012)
08/15/2012		ORDER granting <u>46</u> Motion for Brigitte Amiri to Appear Pro Hac Vice for the American Civil Liberties Union Foundation. Signed by Judge Joy Flowers Conti on 8/15/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 08/15/2012)
08/15/2012	<u>47</u>	RESPONSE IN OPPOSITION to <u>45</u> Motion to File Amicus Brief, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Bowman, Matt) (Entered: 08/15/2012)
08/21/2012	<u>48</u>	REPORT of Rule 26(f) Planning Meeting. (Baylor, Gregory) (Entered: 08/21/2012)
08/21/2012	<u>49</u>	MOTION to Stay <i>Discovery Pending Resolution of Defendants' Motion to Dismiss</i> by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 08/21/2012)
09/07/2012	<u>50</u>	RESPONSE IN OPPOSITION to <u>49</u> Motion to Stay, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Attachments: # <u>1</u> Proposed Order) (Baylor, Gregory) (Entered: 09/07/2012)
09/13/2012		ORDER denying <u>49</u> Motion to Stay. After careful consideration of Defendants' Motion to Stay Discovery and the response thereto, the motion is DENIED. Signed by Judge Joy Flowers Conti on 9/12/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) Modified on 9/14/2012 to correct typos. (ksa2) (Entered: 09/13/2012)
09/13/2012	<u>51</u>	RESPONSE IN OPPOSITION to <u>39</u> Motion to Dismiss/Lack of Jurisdiction, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Attachments: # <u>1</u> Affidavit of Wayne L. Hepler) (Baylor, Gregory) (Entered: 09/13/2012)
09/17/2012	<u>52</u>	MOTION for Leave to File Reply Brief in Support of Motion to Dismiss by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 09/17/2012)
09/19/2012		ORDER granting <u>52</u> Motion for Leave to File Reply Brief in Support of Motion to Dismiss by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. Defendants shall file a reply brief in support of their motion to dismiss by 10/4/2012 not to exceed twenty pages in length. Signed by Judge Joy Flowers Conti on 9/18/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 09/19/2012)
09/20/2012		Set/Reset Hearings: Status Conference / Motion hearing set for 10/11/2012 is reset for 10/31/2012 05:00 PM in Courtroom 5A before Judge Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 09/20/2012)
09/26/2012	<u>53</u>	ORDER denying <u>45</u> Motion to File Amicus Brief by American Civil Liberties Union of Pennsylvania and American Civil Liberties Union. Signed by Judge Joy Flowers Conti on 09/26/2012. (dmm) (Entered: 09/26/2012)

10/04/2012	<u>54</u>	REPLY in Support re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) Modified on 10/5/2012 to edit docket text. (ksa2) (Entered: 10/04/2012)
10/31/2012		Minute Entry for proceedings held before Judge Joy Flowers Conti: Motion Hearing held on 10/31/2012 re <u>39</u> MOTION to Dismiss for Lack of Jurisdiction <i>or, in the alternative, to dismiss claims seven through twelve for failure to state a claim</i> filed by UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER, HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. The court heard argument with respect to defendants' Motion to Dismiss. The court ordered supplemental briefing as set forth on the record. Defendants' brief due by 11/14/2012; plaintiffs' brief due by 12/03/2012. Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (Court Reporter: Karen Earley) (dmm) (Entered: 11/01/2012)
11/14/2012	<u>55</u>	SUPPLEMENTAL BRIEF in Support re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, <i>pursuant to the Court's October 31, 2012 Order</i> filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) Modified on 11/15/2012 to add additional docket text. (ksa2) (Entered: 11/14/2012)
12/03/2012	<u>56</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on October 31, 2012, before Judge Joy Flowers Conti. Court Reporter Karen Earley, Telephone number 412-201-2660. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely, electronically available to the public without redaction after 90 calendar days. For redaction purposes, or otherwise, during this 90 day period a copy of the transcript may be purchased from the court reporter or viewed at the clerk's office public terminal. Notice of Intent for Redaction of Personal Data Identifiers due by 12/10/2012. Redaction Request due 12/24/2012. Redacted Transcript Deadline set for 1/3/2013. Release of Transcript Restriction set for 3/4/2013. (kme,) (Entered: 12/03/2012)
12/03/2012	<u>57</u>	BRIEF in Opposition re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, <i>pursuant to the Court's October 31, 2012 Order</i> , filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Bowman, Matt) Modified on 12/4/2012 ERROR: Wrong event selected. Document removed from public view and redocketed. (ksa) (Entered: 12/03/2012)
12/03/2012	<u>58</u>	RESPONSE to <u>55</u> Brief in Support of Motion, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. "Document previously filed electronically" (ksa) (Entered: 12/04/2012)
12/04/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>57</u> Brief in Opposition to Motion. ERROR: Wrong event selected. CORRECTION: Re-docketed as Response (other). This message is for informational purposes only. (ksa) (Entered: 12/04/2012)
12/10/2012	<u>59</u>	NOTICE of Supplemental Authority by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES (Baylor, Gregory) (Entered: 12/10/2012)
12/18/2012	<u>60</u>	RESPONSE to <u>59</u> Notice, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) (Entered: 12/18/2012)
12/18/2012	<u>61</u>	NOTICE of Supplemental Authority by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED

		STATES DEPARTMENT OF THE TREASURY re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, (Attachments: # <u>1</u> Exhibit Korte v. Sebelius, # <u>2</u> Exhibit Hobby Lobby Stores, Inc. v. Sebelius) (Humphreys, Bradley) (Entered: 12/18/2012)
12/19/2012	<u>62</u>	RESPONSE and Notice of New Supplemental Authority to <u>61</u> Notice, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Attachments: # <u>1</u> Exhibit 1 (Wheaton/BAC Order)) (Bowman, Matt) (Entered: 12/19/2012)
12/19/2012		NOTICE of Additional Supplemental Authority by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Filed with document <u>62</u>) (ksa2) (Entered: 12/20/2012)
12/20/2012		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>62</u> Response. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney Bowman advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Notice of Additional Supplemental Authority. This message is for informational purposes only. (ksa2) (Entered: 12/20/2012)
12/31/2012	<u>63</u>	NOTICE of Supplemental Authority, 7th Circuit Korte Opinion, by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES (Attachments: # <u>1</u> Exhibit 7th Cir Opinion Korte) (Bowman, Matthew) (Entered: 12/31/2012)
01/07/2013	<u>64</u>	NOTICE of Substitution of Attorney Appearance by Michael A. Comber on behalf of TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. Attorney Albert W. Schollaert terminated. (Comber, Michael) (Entered: 01/07/2013)
01/12/2013	<u>65</u>	NOTICE of Supplemental Authority by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, (Attachments: # <u>1</u> Exhibit University of Notre Dame v. Sebelius, # <u>2</u> Exhibit Diocese of Peoria v. Sebelius, # <u>3</u> Colorado Christian University v. Sebelius) (Humphreys, Bradley) (Entered: 01/12/2013)
01/12/2013	<u>66</u>	RESPONSE to Plaintiffs' Notice of Supplemental Authority to <u>63</u> Notice,, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Exhibit Autocam Corporation v. Sebeliu, # <u>2</u> Exhibit Annex Medical, Inc. v. Sebelius) (Humphreys, Bradley) (Entered: 01/12/2013)
01/15/2013	<u>67</u>	NOTICE of Supplemental Authority by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY re <u>39</u> Motion to Dismiss/Lack of Jurisdiction. (Attachments: # <u>1</u> Exhibit Conestoga Wood Specialties Corp. v. Sebelius) (Humphreys, Bradley) (Entered: 01/15/2013)
01/16/2013	<u>68</u>	RESPONSE to <u>67</u> Notice, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Bowman, Matthew) (Entered: 01/16/2013)
01/25/2013	<u>69</u>	NOTICE of Supplemental Authority by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, (Attachments: # <u>1</u> Exhibit Persico v. Sebelius) (Humphreys, Bradley) (Entered: 01/25/2013)

01/31/2013	<u>70</u>	NOTICE of Supplemental Authority by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES (Attachments: # <u>1</u> Exhibit 7th Circuit Decision) (Bowman, Matthew) (Entered: 01/31/2013)
02/12/2013	<u>71</u>	NOTICE of Supplemental Authority by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY re <u>39</u> Motion to Dismiss/Lack of Jurisdiction, (Attachments: # <u>1</u> Exhibit Conestoga Specialities Corporation v. Sebelius) (Humphreys, Bradley) (Entered: 02/12/2013)
02/18/2013	<u>72</u>	RESPONSE to <u>71</u> Notice, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES. (Bowman, Matthew) (Entered: 02/18/2013)
02/18/2013	<u>73</u>	NOTICE of Supplemental Authority by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC., WLH ENTERPRISES (Attachments: # <u>1</u> Exhibit 1 Eighth Circuit Annex Medical, # <u>2</u> Exhibit 2 ND Tex Fort Worth) (Bowman, Matthew) (Entered: 02/18/2013)
03/06/2013	<u>74</u>	MEMORANDUM OPINION and ORDER granting in part and denying in part <u>39</u> Motion to Dismiss for Lack of Jurisdiction, as set forth in the accompanying memorandum opinion and order. Signed by Judge Joy Flowers Conti on 3/6/2013. (dmm) Modified on 3/7/2013 to add additional docket text. (ksa2) (Entered: 03/06/2013)
03/11/2013	<u>75</u>	MOTION for Preliminary Injunction by WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Attachments: # <u>1</u> Proposed Order) (Bowman, Matthew) (Entered: 03/11/2013)
03/11/2013	<u>76</u>	BRIEF in Support re <u>75</u> Motion for Preliminary Injunction filed by WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Attachments: # <u>1</u> Exhibit 1 Affidavit of Wayne L. Hepler, # <u>2</u> Exhibit 2 Affidavit of Carrie E. Kolesar) (Bowman, Matthew) (Entered: 03/11/2013)
03/14/2013	<u>77</u>	CASE MANAGEMENT ORDER: Rule 26 Meeting Report and Stipulation Selecting ADR Process due by 4/11/2013. Status Conference set for 4/18/2013 03:30 PM in Courtroom 5A before Judge Joy Flowers Conti. All counsel and unrepresented parties shall bring their calendars to the conference for scheduling purposes. The parties should be prepared to discuss settlement, the designation of an Alternative Dispute Resolution process and any other matter that will contribute to the prompt disposition of the case. The parties shall be prepared to address and argue all pending motions at the scheduling conference. Any party filing a motion prior to the scheduling conference to which a response is required but not filed shall file a motion for a continuance of the scheduling conference until the response is due. Signed by Judge Joy Flowers Conti on 3/14/2013. (smc) Modified on 3/15/2013 to indicate correct date Rule 26 Meeting Report and Stipulation Selecting ADR Process are due by. (ksa2) (Entered: 03/14/2013)
03/14/2013		ORDER Response/Briefing Schedule re <u>75</u> Motion for Preliminary Injunction. Response to Motion due by 3/22/2013. Signed by Judge Joy Flowers Conti on 3/14/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 03/14/2013)
03/22/2013	<u>78</u>	BRIEF in Opposition re <u>75</u> Motion for Preliminary Injunction filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Exhibit Gilardi v. Sebelius (D.C. Cir.)) (Humphreys, Bradley) (Entered: 03/22/2013)
03/22/2013	<u>79</u>	NOTICE of Supplemental Authorities by WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. re <u>75</u> Motion for Preliminary Injunction (Attachments: # <u>1</u> Exhibit 1 Lindsay Consent PI, # <u>2</u> Exhibit 2 Sharpe Consent to PI) (Bowman, Matthew) (Entered: 03/22/2013)

03/25/2013		ORDER setting telephone Status Conference for 3/25/2013 at 05:00 PM before Judge Joy Flowers Conti. The parties should contact chambers prior to the call and provide a telephone number at which they can be reached at that time. Signed by Judge Joy Flowers Conti on 3/25/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (dmm) (Entered: 03/25/2013)
03/25/2013		Minute Entry for proceedings held before Judge Joy Flowers Conti: Status Conference held on 3/25/2013. The parties indicated that they do not require any additional discovery and will submit the pending motion for preliminary injunction to the court on the briefing. Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (dmm) (Court Reporter: Juliann Kienzle) (Entered: 03/25/2013)
04/03/2013	<u>80</u>	NOTICE of Supplemental Authorities by WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. re <u>75</u> Motion for Preliminary Injunction (Attachments: # <u>1</u> Exhibit 1 Gilardi Injunction (D.C. Cir.), # <u>2</u> Exhibit 2 Hall Consent Injunction, # <u>3</u> Exhibit 3 Bick Consent Injunction) (Bowman, Matthew) (Entered: 04/03/2013)
04/05/2013	<u>81</u>	MOTION for Reconsideration re <u>74</u> Order on Motion to Dismiss/Lack of Jurisdiction, by GENEVA COLLEGE. (Attachments: # <u>1</u> Exhibit 1 Declaration of Kenneth A. Smith) (Baylor, Gregory) Modified on 4/8/2013. (jsp) (Entered: 04/05/2013)
04/10/2013		ORDER Setting Response: Response to Motion Deadline. The court hereby ORDERS that Defendants' response to Plaintiff Geneva College's Motion for Reconsideration (ECF No. <u>81</u>) shall be due by 4/19/2013. Signed by Judge Joy Flowers Conti on 4/10/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (dmm) (Entered: 04/10/2013)
04/12/2013	<u>82</u>	PROPOSED DISCOVERY PLAN pursuant to Rule 26(f) by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Bowman, Matthew) (Entered: 04/12/2013)
04/18/2013		Minute Entry for proceedings held before Judge Joy Flowers Conti: Status Conference held on 4/18/2013. The parties discussed the direction of the case and the court exempted the parties from ADR. Once the court has ruled on the motion for reconsideration, a conference call will be scheduled. Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (dmm) (Court Reporter: Juliann Kienzle) (Entered: 04/19/2013)
04/19/2013	<u>83</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW with respect to plaintiffs' motion for preliminary injunction (ECF No. <u>75</u>). An appropriate order will follow. Signed by Judge Joy Flowers Conti on 4/19/2013. (dmm) (Entered: 04/19/2013)
04/19/2013	<u>84</u>	ORDER granting <u>75</u> Motion for Preliminary Injunction, as set forth in the accompanying order. Signed by Judge Joy Flowers Conti on 4/19/2013. (dmm) (Entered: 04/19/2013)
04/19/2013	<u>85</u>	BRIEF IN OPPOSITION to <u>81</u> Motion for Reconsideration, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) Modified on 4/22/2013 to edit docket text. (ksa2) (Entered: 04/19/2013)
05/08/2013	<u>86</u>	MEMORANDUM OPINION and ORDER granting <u>81</u> Motion for Reconsideration, as set forth in the accompanying memorandum opinion and order. It is FURTHER ORDERED that defendants' motion to dismiss ECF No. <u>39</u> is Granted in Part, as follows: The claims set forth in count III and count IV are dismissed without prejudice; The arbitrary and capricious and contrary to law claims set forth in count VI are dismissed without prejudice; and the claim set forth in count V is dismissed with prejudice. It is FURTHER ORDERED that in all other respects defendants' motion to dismiss counts I, II, and VI is DENIED. Signed by Judge Joy Flowers Conti on 5/8/2013. (dmm) Modified on 5/9/2013 to add additional docket text. (ksa2) (Entered: 05/08/2013)

05/22/2013	<u>87</u>	MOTION for Preliminary Injunction by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Baylor, Gregory) (Entered: 05/22/2013)
05/22/2013	<u>88</u>	BRIEF in Support re <u>87</u> Motion for Preliminary Injunction filed by GENEVA COLLEGE. (Attachments: # <u>1</u> Affidavit of Timothy R. Baird) (Baylor, Gregory) (Entered: 05/22/2013)
05/24/2013		ORDER re <u>87</u> Motion for Preliminary Injunction filed by GENEVA COLLEGE. It is HEREBY ORDERED that defendants' Response to Plaintiff's Motion for Preliminary Injunction is due by 6/5/2013. Signed by Judge Joy Flowers Conti on 5/24/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (dmm) (Entered: 05/24/2013)
06/05/2013	<u>89</u>	Memorandum in Opposition to Motion re <u>87</u> MOTION for Preliminary Injunction by <i>Geneva College</i> filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) Modified on 6/6/2013 to correctly title document. (ksa) (Entered: 06/05/2013)
06/17/2013	<u>90</u>	NOTICE OF APPEAL as to <u>84</u> Order on Motion for Preliminary Injunction by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporters: Karen Earley and Juliann Kienzle. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Humphreys, Bradley) Modified on 6/18/2013 to add name of additional court reporter. (ksa) (Entered: 06/17/2013)
06/18/2013	<u>91</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW with respect to plaintiff Geneva College's motion for preliminary injunction (ECF No. <u>87</u>). An appropriate order will follow. Signed by Judge Joy Flowers Conti on 6/18/2013. (dmm) (Entered: 06/18/2013)
06/18/2013	<u>92</u>	ORDER granting <u>87</u> Motion for Preliminary Injunction, as set forth in the accompanying order. Signed by Judge Joy Flowers Conti on 6/18/2013. (dmm) (Entered: 06/18/2013)
08/17/2013	<u>94</u>	NOTICE OF APPEAL as to <u>92</u> Order on Motion for Preliminary Injunction by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporters: Karen Earley and Juliann Kienzle. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Humphreys, Bradley) Modified on 8/19/2013 to edit court reporters. (ksa) (Entered: 08/17/2013)
09/12/2013	<u>96</u>	MOTION for an Indicative Ruling Under Federal Rule of Civil Procedure 62.1 re <u>84</u> Order on Motion for Preliminary Injunction, <u>92</u> Order on Motion for Preliminary Injunction <i>if Remanded by the United States Court of Appeals for the Third Circuit</i> by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) Modified on 10/4/2013 to correctly title motion. (ksa) (Entered: 09/12/2013)
09/12/2013	<u>97</u>	BRIEF in Support re <u>96</u> Motion to Vacate, filed by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) (Entered: 09/12/2013)

10/02/2013	<u>99</u>	MOTION to Stay <i>All Deadlines In Light of Lapse of Appropriations</i> by TIMOTHY GEITHNER, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 10/02/2013)
10/02/2013	<u>100</u>	RESPONSE IN OPPOSITION to <u>99</u> Motion to Stay, filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Attachments: # <u>1</u> Proposed Order) (Baylor, Gregory) (Entered: 10/02/2013)
10/02/2013	<u>101</u>	MOTION for Leave to File Second Amended Complaint by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Attachments: # <u>1</u> Proposed Order) (Baylor, Gregory) (Entered: 10/02/2013)
10/02/2013		MOTION for Injunction if Stay is Granted by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Filed with document <u>100</u>) (ksa) (Entered: 10/03/2013)
10/03/2013		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>100</u> Response in Opposition. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney Baylor advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Motion for Injunction if Stay is Granted. This message is for informational purposes only. (ksa) (Entered: 10/03/2013)
10/03/2013	<u>102</u>	NOTICE of Orders by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. re <u>99</u> Motion to Stay. (Attachments: # <u>1</u> Exhibit 1 PFL order re stay, # <u>2</u> Exhibit 2 Legatus order re stay, # <u>3</u> Exhibit 3 Archdiocese order re stay) (Bowman, Matthew) Modified on 10/4/2013 to edit docket text. (ksa) (Entered: 10/03/2013)
10/03/2013	<u>103</u>	BRIEF in Opposition re <u>96</u> Motion to Vacate, <i>if remanded -- i.e. motion for indicative order</i> filed by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC.. (Attachments: # <u>1</u> Affidavit Exh 1 WLH Affidavit) (Bowman, Matthew) (Entered: 10/03/2013)
10/18/2013	<u>98</u>	Second AMENDED COMPLAINT against All Defendants, filed by CARRIE E. KOLESAR, WAYNE HEPLER, GENEVA COLLEGE, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Baylor, Gregory) Modified on 10/2/2013 to edit docket text. (ksa) (Entered: 10/01/2013)
10/18/2013		ORDER denying as moot <u>99</u> Motion to Stay. Signed by Chief Judge Joy Flowers Conti on 10/18/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (ten) (Entered: 10/18/2013)
10/18/2013		ORDER granting <u>101</u> Motion for Leave to File amended complaint. The amended complaint previously filed at <u>98</u> shall be deemed filed on this date. Signed by Chief Judge Joy Flowers Conti on 10/18/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (ten) (Entered: 10/18/2013)
10/18/2013	<u>104</u>	ORDER denying <u>96</u> Motion for an Indicative Ruling pursuant to Federal Rule of Civil Procedure 62.1. Signed by Chief Judge Joy Flowers Conti on 10/18/2013. (ten) (Entered: 10/18/2013)
10/18/2013		ORDER denying as moot Motion to Stay, filed with <u>100</u> . Signed by Chief Judge Joy Flowers Conti on 10/18/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (ten) (Entered: 10/18/2013)
10/22/2013		Set/Reset Hearings: Status Conference set for 11/12/2013 03:30 PM in Courtroom 5A before Chief Judge Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc)

		(Entered: 10/22/2013)
10/28/2013		Set/Reset Hearings: Status Conference set for 11/12/2013 is reset for 11/13/2013 at 10:00 AM in Courtroom 5A before Chief Judge Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) Modified on 10/28/2013. Corrected time of conference. (smc) (Entered: 10/28/2013)
10/28/2013		Remark: The correct time for the Status Conference set for 11/13/2013 is 10:00 AM. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 10/28/2013)
11/05/2013		Set/Reset Hearings: Status Conference set for 11/13/2013 is reset for 11/12/2013 at 04:30 PM in Courtroom 5A before Chief Judge Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 11/05/2013)
11/12/2013	<u>105</u>	Second MOTION for Preliminary Injunction by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Baylor, Gregory) (Entered: 11/12/2013)
11/12/2013	<u>106</u>	BRIEF in Support re <u>105</u> Motion for Preliminary Injunction filed by GENEVA COLLEGE. (Baylor, Gregory) (Entered: 11/12/2013)
11/12/2013		Minute Entry for proceedings held before Chief Judge Joy Flowers Conti: Scheduling Conference held on 11/12/2013. Response to <u>105</u> GENEVA COLLEGE'S Second Motion for Preliminary Injunction due December 3, 2013. Reply in support due December 6, 2013. Parties advised of requirements for filing Cross-Motions for Summary Judgment, as set forth on the record. Any such motions will be disposed of separately from the Motion for Preliminary Injunction. (Court Reporter: Virginia Pease). Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (ten) (Entered: 11/12/2013)
12/03/2013	<u>107</u>	BRIEF in Opposition re <u>105</u> Motion for Preliminary Injunction filed by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) (Entered: 12/03/2013)
12/03/2013	<u>108</u>	MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Exhibit Defendants' Statement of Material Facts, # <u>2</u> Proposed Order) (Humphreys, Bradley) Modified on 12/4/2013 ERROR: MULTIPLE RELIEF DOCUMENT FILED AS ONE RELIEF; RE-FILED BY COURT. (ksa) (Entered: 12/03/2013)
12/03/2013	<u>109</u>	BRIEF in Support re <u>108</u> Motion to Dismiss, <i>or, in the Alternative, for Summary Judgment</i> filed by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Humphreys, Bradley) (Entered: 12/03/2013)
12/03/2013		MOTION for Summary Judgment by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Filed with document <u>108</u>) (ksa) (Entered: 12/04/2013)
12/03/2013	<u>110</u>	CONCISE STATEMENT OF MATERIAL FACTS re Motion for Summary Judgment, by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. (ksa) (Entered: 12/04/2013)

12/04/2013		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>108</u> Motion to Dismiss. ERROR: MULTIPLE Relief Motion Filed as One Relief. CORRECTION: Attorney Humphreys advised in future that Motions of this nature are to be filed using the Motion Event and clicking on all the reliefs sought in said motion. Clerk of Court added/docketed Motion for Summary Judgment. This message is for informational purposes only. CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>108</u> Motion to Dismiss. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney Humphreys advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Concise Statement of Material Facts. This message is for informational purposes only. (ksa) (Entered: 12/04/2013)
12/06/2013	<u>111</u>	REPLY Brief in support of <u>105</u> Motion for Preliminary Injunction, <u>107</u> Brief in Opposition to Motion, filed by GENEVA COLLEGE. (Baylor, Gregory) Modified on 12/9/2013 to edit docket text. (ksa) (Entered: 12/06/2013)
12/11/2013	<u>112</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>108</u> MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> by GENEVA COLLEGE. (Attachments: # <u>1</u> Proposed Order) (Baylor, Gregory) (Entered: 12/11/2013)
12/13/2013		ORDER granting <u>112</u> Motion for Extension of Time to File its opposition to Defendants' re <u>108</u> MOTION to Dismiss or, in the alternative, for Summary Judgment. The Opposition must filed no later than 1/3/2014. Signed by Chief Judge Joy Flowers Conti on 12/13/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 12/13/2013)
12/20/2013	<u>113</u>	NOTICE of Supplemental Authority by GENEVA COLLEGE (Attachments: # <u>1</u> Roman Catholic Archdiocese of NY v. Sebelius Opinion) (Baylor, Gregory) (Entered: 12/20/2013)
12/23/2013	<u>114</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW re: <u>105</u> Second MOTION for Preliminary Injunction filed by GENEVA COLLEGE. Signed by Chief Judge Joy Flowers Conti on 12/23/2013. (ten) Modified on 12/26/2013 to correctly title document. (ksa) (Entered: 12/23/2013)
12/23/2013	<u>115</u>	ORDER granting <u>105</u> Motion for Preliminary Injunction. Signed by Chief Judge Joy Flowers Conti on 12/23/2013. (ten) (Entered: 12/23/2013)
01/03/2014	<u>116</u>	RESPONSE IN OPPOSITION to <u>108</u> Motion to Dismiss and Motion for Summary Judgment filed by GENEVA COLLEGE. (Baylor, Gregory) Modified on 1/6/2014 document linkage corrected. Document also linked to Motion for Summary Judgment filed with document <u>108</u> . (ksa) (Entered: 01/03/2014)
01/03/2014	<u>117</u>	RESPONSE IN OPPOSITION to <u>110</u> Concise Statement of Material Facts, filed by GENEVA COLLEGE. (Baylor, Gregory) (Entered: 01/03/2014)
01/06/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>116</u> Response in Opposition. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (ksa) (Entered: 01/06/2014)
02/11/2014	<u>118</u>	NOTICE OF APPEAL as to <u>115</u> Order on Motion for Preliminary Injunction by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, UNITED STATES DEPARTMENT OF THE TREASURY. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporters: Karen Earley, Juliann Kienzle and Virginia Pease. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Humphreys, Bradley) Modified on 2/12/2014 to add names of court reporters. (ksa) (Entered: 02/11/2014)
04/02/2014	<u>120</u>	ORDER of USCA as to <u>118</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, THOMAS E. PEREZ, JACOB J. LEW,

		TIMOTHY GEITHNER, <u>94</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER granting Motion by appellants to consolidate for the purposes of filing a single opening brief and a single reply brief. (ksa) Modified docket text on 9/9/2014. (tt) (Entered: 04/02/2014)
05/27/2014		ORDER denying, without prejudice, <u>108</u> Motion to Dismiss or for Summary Judgment. The court will schedule a time for the re-submission of any such motion(s) following issuance of the mandates in the appeals pending at the Court of Appeals for the Third Circuit: Appeal No. 13-2814, which appeal is being held in abeyance pending the Supreme Court's decision in Conestoga Wood Specialties (S.Ct. No. 13-356); and Appeal No. 13-3536, which has been consolidated with Appeal Nos. 14-1374, 14-1376 and 14-1377, for which a consolidated appellate briefing schedule was set on May 1, 2014. Signed by Chief Judge Joy Flowers Conti on 5/27/2014. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (ten) (Entered: 05/27/2014)
08/28/2014	<u>123</u>	ORDER of USCA as to <u>118</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, THOMAS E. PEREZ, JACOB J. LEW, TIMOTHY GEITHNER that the foregoing motion to lift the stay is Denied at this time. The government shall advise the Court of its position not later than 9/5/2014. (ksa) (Entered: 09/16/2014)
09/04/2014	<u>121</u>	ORDER of USCA as to <u>90</u> Notice of Appeal, filed by UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER, HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, dismissing case pursuant to Fed. R. App. P. 42(b). Modified docket text on 9/9/2014. (tt) (Entered: 09/04/2014)
09/08/2014	<u>122</u>	MOTION for Status Conference by WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC.. (Bowman, Matthew) (Entered: 09/08/2014)
09/19/2014		Set/Reset Hearings: Status Conference set for 10/10/2014 at 01:00 PM in Courtroom 5A before Chief Judge Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 09/19/2014)
10/07/2014	<u>124</u>	STATUS REPORT <i>Joint by Defendants and</i> by WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Bowman, Matthew) (Entered: 10/07/2014)
10/10/2014	<u>125</u>	PERMANENT INJUNCTION. Signed by Chief Judge Joy Flowers Conti on 10/10/2014. (ten) (Entered: 10/10/2014)
10/10/2014	<u>126</u>	JUDGMENT in favor of Wayne L. Hepler, individually, and in his capacity as sole proprietor of WLH Enterprises, Carrie E. Kolesar, and The Seneca Hardwood Lumber Company, Inc. and against Sylvia Burwell, in her official capacity as Secretary of the United States Department of Health and Human Services, Thomas Perez, in his official capacity as Secretary of the United States Department of Labor, Jacob Lew, in his official capacity as Secretary of the United States Department of the Treasury, the United States Department of Health and Human Services, the United States Department of Labor, and the United States Department of the Treasury. Signed by Chief Judge Joy Flowers Conti on 10/10/2014. (ten) (Entered: 10/10/2014)
10/10/2014		Minute Entry for proceedings held before Chief Judge Joy Flowers Conti: Status Conference held on 10/10/2014. Court heard argument and indicated that a permanent injunction and judgment will be entered in favor of Wayne Hepler, Carrie Kolesar, and the Seneca Hardwood Lumber Company, Inc. (Court Reporter: Deborah Rowe). Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (ten) (Entered: 10/10/2014)

11/20/2014	<u>127</u>	Joint MOTION to Extend Time to Extend Attorneys' Fees Petition Deadline by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 11/20/2014)
11/25/2014	<u>128</u>	ORDER granting <u>127</u> Motion to Extend Attorneys' Fees Petition Deadline. Any petition by the Hepler Plaintiffs for attorneys fees or costs shall be filed on or before 1/8/2015, and that any response or opposition to such petition shall be filed on or before 2/13/2015. Signed by Chief Judge Joy Flowers Conti on 11/25/2014. (smc) (Entered: 11/25/2014)
01/08/2015	<u>129</u>	NOTICE of Settlement of Hepler Fees and Costs Petition by WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Bowman, Matthew) Modified on 1/9/2015. (jsp) (Entered: 01/08/2015)
02/11/2015	<u>130</u>	JUDGMENT OF USCA as to <u>118</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, THOMAS E. PEREZ, JACOB J. LEW, TIMOTHY GEITHNER, <u>94</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER Reversing judgments/orders of the district court. Mandate will follow. (pdb3,) (Entered: 02/11/2015)
03/03/2015	<u>131</u>	NOTICE of Appearance by Adam Grogg 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. (Grogg, Adam) (Entered: 03/03/2015)
03/05/2015	<u>132</u>	MOTION to Withdraw as Attorney by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Humphreys, Bradley) (Entered: 03/05/2015)
03/06/2015		ORDER granting <u>132</u> Defendants' Motion to Withdraw Bradley P. Humphreys as Attorney of record. Attorney Bradley P. Humphreys terminated. Signed by Chief Judge Joy Flowers Conti on 3/6/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 03/06/2015)
04/13/2015	<u>135</u>	ORDER of USCA as to <u>90</u> Notice of Appeal, filed by UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER, HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, <u>118</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, THOMAS E. PEREZ, JACOB J. LEW, TIMOTHY GEITHNER, <u>94</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER denying petitions for rehearing by the panel and the Court en banc. (ksa) (Entered: 02/11/2016)
04/15/2015	<u>133</u>	MANDATE of USCA issued as to <u>118</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, THOMAS E. PEREZ, JACOB J. LEW, TIMOTHY GEITHNER, <u>94</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY,

		UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER. IT IS HEREBY ORDERED and ADJUDGED that the judgments of the District Court entered 6/18/2013, 12/20/2013 and 12/23/2013 be and the same are hereby reversed. (Attachments: # <u>1</u> mandate letter, # <u>2</u> opinion) (tmm3,) Modified on 4/16/2015 to add additional docket text. (ksa) (Entered: 04/15/2015)
05/06/2015	<u>134</u>	USCA ORDER Motion by Appellee Geneva College to Recall and Stay Mandate is temporarily granted pending action by the Supreme Court in Zubik v. Burwell, No. 14A1065 (S. Ct.). (Entered: 05/06/2015)
06/20/2016	<u>136</u>	ORDER of USCA as to <u>118</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, THOMAS E. PEREZ, JACOB J. LEW, TIMOTHY GEITHNER, <u>94</u> Notice of Appeal, filed by HILDA SOLIS, KATHLEEN SEBELIUS, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES DEPARTMENT OF LABOR, TIMOTHY GEITHNER recalling the mandate issued on 4/15/2015 in light of the U.S. Supreme Court's decision vacating the judgment of this Court and remanding for further proceedings. (ksa) (Entered: 06/22/2016)
01/16/2017	<u>137</u>	MOTION to Withdraw as Attorney by GENEVA COLLEGE, WAYNE HEPLER, CARRIE E. KOLESAR, THE SENECA HARDWOOD LUMBER COMPANY, INC. (Attachments: # <u>1</u> Proposed Order) (Bowman, Matthew) (Entered: 01/16/2017)
01/17/2017	138	ORDER granting <u>137</u> Motion to Withdraw as Counsel. Attorney Matthew S Bowman terminated. Signed by Chief Judge Joy Flowers Conti on 1/17/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (smc) (Entered: 01/17/2017)
08/16/2017	<u>139</u>	NOTICE of Appearance by Michelle Bennett 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. (Bennett, Michelle) (Entered: 08/16/2017)
08/16/2017	<u>140</u>	MOTION to Withdraw as Attorney by TIMOTHY GEITHNER, JACOB J. LEW, THOMAS E. PEREZ, KATHLEEN SEBELIUS, HILDA SOLIS, 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) (Grogg, Adam) (Entered: 08/16/2017)
08/21/2017	141	ORDER granting <u>140</u> Motion to Withdraw as Attorney. Attorney Adam Grogg granted leave to withdraw as counsel for defendants. Signed by Chief Judge Joy Flowers Conti on 8/21/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 08/21/2017)