

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Marcia S. Krieger

Civil Action No. 1:13-cv-03263-MSK-KMT

FELLOWSHIP OF CATHOLIC UNIVERSITY STUDENTS,
a Colorado non-profit corporation, et al.,

Plaintiffs,

v.

KATHLEEN SEBELIUS, Secretary of the United States Department of Health
and Human Services, et al.,

Defendants.

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION,
CERTIFICATE OF COMPLIANCE RE: CONSULTATION
and REQUEST FOR FORTHWITH CONSIDERATION**

Pursuant to Fed. R. Civ. P. 65, Plaintiffs respectfully move the Court to enter a preliminary injunction order **on or before May 15, 2014** enjoining application of Defendants' contraceptive/abortifacient mandate ("Mandate") as to Plaintiffs.

Pursuant to D.C.COLO.LCiv.R 7.1(a), counsel for Plaintiffs has consulted and conferred with counsel for Defendants, to wit: Bradley P. Humphreys, Esq., prior to filing this motion. Defendants oppose the entry of the requested preliminary injunction order.

Plaintiffs request a preliminary injunction order against Defendants and their Mandate that requires Plaintiffs to contract, arrange, pay, or refer or facilitate, contrary to their sincerely held religious beliefs, contraceptives and abortifacient drugs and devices and related education and counseling as a part of Fellowship of Catholic University Students' ("FOCUS") employee health plan.

Because Plaintiffs, in violation of their sincerely held religious beliefs, will be required, absent injunctive relief, to include coverage of contraceptive/abortifacient drugs, devices, and services in FOCUS's health insurance plan that begins on July 1, 2014 or face massive fines and penalties for noncompliance, Plaintiffs need injunctive relief on or by May 15, 2014 so as to arrange the details of that plan, including required employee notices, by the July 1, 2014 renewal date.

The factual and legal bases for Plaintiffs' request for a preliminary injunction order and Defendants' opposition thereto have been fully briefed by the parties in connection with Plaintiffs' Motion for Partial Summary Judgment (Docs. 12 and 12-1). In addition, Plaintiffs' request is supported by a memorandum brief filed contemporaneously herewith. A proposed order is also filed contemporaneously herewith.

Plaintiffs respectfully request oral argument on the motion.

Respectfully submitted this 11th day of March, 2014,

s/ Michael J. Norton

Michael J. Norton

ALLIANCE DEFENDING FREEDOM

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiffs, Michael J. Norton, hereby certifies that, on the 11th day of March, 2014, the foregoing was served on all parties or their counsel of record through the Court's CM/ECF system, all of whom are registered users, to wit:

bradley.p.humphreys@usdoj.gov

s/ Michael J. Norton

Michael J. Norton