

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

July 21, 2014

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 14-20112 East Texas Baptist University, et al v.  
Kathleen Sebelius, et al

USDC No. 4:12-CV-3009

USDC No. 4:12-CV-314

USDC No. 4:12-CV-314

USDC No. 1:13-CV-709

Enclosed is an order entered in this case and an updated caption to be used for all future filings.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Angelique D. Batiste, Deputy Clerk  
504-310-7715

Mr. Thomas F. Allen Jr.  
Mr. Randal G. Cashiola  
Mr. John Walter Crumley  
Ms. Natalia Oehninger Delaune  
Mr. Basheer Youssef Ghorayeb  
Mr. Daniel David Hu  
Mr. Bradley Philip Humphreys  
Mr. Adam Craig Jed  
Mr. Scott A. Keller  
Ms. Alisa Beth Klein  
Ms. Tamara Marinkovic  
Mr. Terence M. Murphy  
Mr. Patrick George Nemeroff  
Mr. Jacek Pruski  
Mr. Eric C. Rassbach  
Ms. Diana Marie Verm  
Mr. Kenneth Reed Wynne

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 14-20112

---

EAST TEXAS BAPTIST UNIVERSITY; HOUSTON BAPTIST UNIVERSITY,

Plaintiffs - Appellees

WESTMINSTER THEOLOGICAL SEMINARY,

Intervenor Plaintiff - Appellee

v.

SECRETARY KATHLEEN SEBELIUS; DEPARTMENT OF HEALTH AND  
HUMAN SERVICES; DEPARTMENT OF LABOR; DEPARTMENT OF  
TREASURY; SECRETARY OF LABOR THOMAS PEREZ; SECRETARY  
JACOB LEW,

Defendants - Appellants

-----  
consol w/14-10241

UNIVERSITY OF DALLAS,

Plaintiff - Appellee

v.

KATHLEEN SEBELIUS, 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 Treasury;  
JACOB J. LEW, in his official capacity as Secretary of the United States  
Department of Labor; UNITED STATES DEPARTMENT OF HEALTH AND

HUMAN SERVICES; UNITED STATES DEPARTMENT OF LABOR;  
UNITED STATES DEPARTMENT OF TREASURY,

Defendants - Appellants

---

consol w/14-40212

CATHOLIC DIOCESE OF BEAUMONT; CATHOLIC CHARITIES OF  
SOUTHEAST TEXAS, INCORPORATED,

Plaintiffs - Appellees

v.

KATHLEEN SEBELIUS, 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 Treasury; JACOB J. LEW, in his official capacity as Secretary of the United States Department of Labor; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES DEPARTMENT OF LABOR; UNITED STATES DEPARTMENT OF TREASURY,

Defendants – Appellants

---

14-10661

ROMAN CATHOLIC DIOCESE OF FORT WORTH; CATHOLIC CHARITIES, DIOCESE OF FORT WORTH, INCORPORATED; UNIVERSITY OF DALLAS; OUR LADY OF VICTORY CATHOLIC SCHOOL,

Plaintiffs - Appellees

v.

KATHLEEN SEBELIUS, in her official capacity as Secretary of the U.S. Department of Health and Human Services; THOMAS PEREZ, in his official

capacity as Secretary of the U.S. Department of Labor; JACOB J. LEW, in his official capacity as Secretary, U.S. Department of Treasury; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES DEPARTMENT OF LABOR; UNITED STATES DEPARTMENT OF TREASURY,

Defendants - Appellants

---

Appeals from the United States District Court for the  
Southern District of Texas, Houston

---

O R D E R:

IT IS ORDERED that Appellants' opposed motion to consolidate appeal No. 14-10661 with No. 14-20112 is GRANTED.

IT IS FURTHER ORDERED that, consistent with a prior order of this court, Appellees may each file a separate brief and separate record excerpts in response to Appellants' single brief.

IT IS FURTHER ORDERED that Appellants' motion to have the appeals argued before the same panel on the same day is GRANTED. Either party may move the court for allotment of additional time for oral arguments, as necessary, pursuant to 5TH CIR. R. 34.12.

/s/ James L. Dennis  
JAMES L. DENNIS  
UNITED STATES CIRCUIT JUDGE

Case No. 14-20112

EAST TEXAS BAPTIST UNIVERSITY; HOUSTON BAPTIST UNIVERSITY,

Plaintiffs - Appellees

WESTMINSTER THEOLOGICAL SEMINARY,

Intervenor Plaintiff - Appellee

v.

SECRETARY KATHLEEN SEBELIUS; DEPARTMENT OF HEALTH AND HUMAN SERVICES; DEPARTMENT OF LABOR; DEPARTMENT OF TREASURY; SECRETARY OF LABOR THOMAS PEREZ; SECRETARY JACOB LEW,

Defendants - Appellants

-----  
Consolidated with 14-10241

UNIVERSITY OF DALLAS,

Plaintiff - Appellee

v.

KATHLEEN SEBELIUS, 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 Treasury; JACOB J. LEW, in his official capacity as Secretary of the United States Department of Labor; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES DEPARTMENT OF LABOR; UNITED STATES DEPARTMENT OF TREASURY,

Defendants - Appellants

-----  
Consolidated with 14-40212

CATHOLIC DIOCESE OF BEAUMONT; CATHOLIC CHARITIES OF SOUTHEAST TEXAS, INCORPORATED,

Plaintiffs - Appellees

v.

KATHLEEN SEBELIUS, 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 Treasury; JACOB J. LEW, in his official capacity as Secretary of the United States Department of Labor; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES DEPARTMENT OF LABOR; UNITED STATES DEPARTMENT OF TREASURY,

Defendants - Appellants

-----  
Consolidated with 14-10661

ROMAN CATHOLIC DIOCESE OF FORT WORTH; CATHOLIC CHARITIES, DIOCESE OF FORT WORTH, INCORPORATED; UNIVERSITY OF DALLAS; OUR LADY OF VICTORY CATHOLIC SCHOOL,

Plaintiffs - Appellees

v.

KATHLEEN SEBELIUS, in her official capacity as Secretary of the U.S. Department of Health and Human Services; THOMAS PEREZ, in his official capacity as Secretary of the U.S. Department of Labor; JACOB J. LEW, in his official capacity as Secretary, U.S. Department of Treasury; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED STATES DEPARTMENT OF LABOR; UNITED STATES DEPARTMENT OF TREASURY,

Defendants - Appellants