

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION

RANDY REED AUTOMOTIVE, INC.,)
et al.,)
)
Plaintiffs,)
)
vs.) Case No. 13-6117-CV-SJ-ODS
)
SYLVIA BURWELL, et al,)
)
Defendants.)

ORDER

In light of the Supreme Court’s decision in *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014), and upon consideration of the parties’ motions, it is hereby:

ORDERED that Defendants, their employees, agents, officers and successors in office are enjoined

(a) from enforcing

(1) the “June 30, 2014 Contraceptive Coverage Requirement,” defined here to include those provisions of federal law in existence on June 30, 2014, when the Supreme Court decided *Hobby Lobby*, that require Plaintiffs Randy Reed Automotive, Inc.; Randy Reed Buick-GMC, Inc.; Randy Reed Nissan, LLC; and Randy Reed Chevrolet, LLC (“Randy Reed Companies”) to provide their employees with health coverage for contraceptive methods, sterilization procedures, and related patient education and counseling to which Plaintiffs object on religious grounds, e.g., 26 C.F.R. § 54.9815-2713(a)(1)(iv); 29 C.F.R. § 2590.715-2713(a)(1)(iv); 45 C.F.R. § 147.130(a)(1)(iv); and

(2) any penalties, fines, or assessments for noncompliance with the June 30, 2014 Contraceptive Coverage Requirement, including those found in 26 U.S.C. § 4980D and 29 U.S.C. §§ 1132 and 1185d; and

(b) from taking any other actions based on noncompliance with the June 30, 2014 Contraceptive Coverage Requirement

against Plaintiffs Randy Reed Companies, their employee health plan(s), the group health coverage provided in connection with such plan(s), and/or the Randy Reed Companies' health insurance issuers and/or third-party administrators with respect to the Randy Reed Companies' health plan(s); and it is further

ORDERED that judgment is entered in favor of Plaintiffs and against Defendants on Plaintiffs' claim under the Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb *et seq.*; and it is further

ORDERED that all other claims against Defendants are DISMISSED; and it is further

ORDERED that any motion by Plaintiffs for attorneys' fees pursuant to 42 U.S.C. § 1988(b) may be filed within 45 days after entry of judgment and Defendants shall have 30 days in which to respond to Plaintiffs' motion; and it is further

ORDERED that this Injunction and Judgment does not apply with respect to any changes in statute or regulation that are enacted or promulgated after this date, and nothing herein prevents Plaintiffs from filing a new civil action to challenge any such future changes.

IT IS SO ORDERED.

DATE: November 12, 2014

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT