

CLOSED,REOPEN,TRCK2

**U.S. District Court
Eastern District of Missouri (St. Louis)
CIVIL DOCKET FOR CASE #: 4:13-cv-01577-JCH**

Wieland et al v. United States Department of Health and Human
Services et al
Assigned to: District Judge Jean C. Hamilton
Cause: 28:2201 Declaratory Judgment

Date Filed: 08/14/2013
Date Terminated: 07/21/2016
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Paul Joseph Wieland
a Missouri resident

represented by **Kevin E. White**
KEVIN EDWARD WHITE AND
ASSOCIATES
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

Teresa Jane Wieland
a Missouri resident

represented by **Kevin E. White**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter C. Breen
(See above for address)

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V.

Defendant

**United States Department of Health
and Human Services**

represented by **Michelle R Bennett**
U.S. DEPARTMENT OF JUSTICE –
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20 Massachusetts Avenue, NW
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Email: michelle.bennett@usdoj.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

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

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

Defendant

United States Department of Treasury

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

Defendant

Jacob J. Lew
*in his official capacity as the Secretary of
the United States Department of the
Treasury*

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

Defendant

United States Department of Labor

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

Defendant

Seth D. Harris
in his official capacity as Acting

represented by **Michelle R Bennett**
(See above for address)

Secretary of the United States
Department of Labor

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/14/2013	<u>1</u>	COMPLAINT against defendant All Defendants with receipt number 0865-3940540, in the amount of \$400 Non-Jury Demand,, filed by Paul Joseph Wieland. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Original Filing Form , # <u>3</u> Summons , # <u>4</u> Summons , # <u>5</u> Summons , # <u>6</u> Summons , # <u>7</u> Summons , # <u>8</u> Summons)(Belz, Timothy) (Additional attachment(s) added on 8/14/2013: # <u>9</u> Summons Atty Gen, # <u>10</u> Summons AUSA) (BAK). (Entered: 08/14/2013)
08/14/2013		Case Opening Notification 8 Summons(es) issued, Judge Assigned: U.S. District Judge Jean C. Hamilton. The summons were emailed to attorney Timothy Belz. (BAK) (Entered: 08/14/2013)
08/20/2013	<u>2</u>	MOTION for Temporary Restraining Order by Plaintiff Paul Joseph Wieland. (Belz, Timothy) (Entered: 08/20/2013)
08/20/2013	<u>3</u>	MOTION for Leave to File in Excess of Page Limitation by Plaintiff Paul Joseph Wieland. (Belz, Timothy) (Entered: 08/20/2013)
08/20/2013	<u>4</u>	MEMORANDUM in Support of Motion re <u>2</u> MOTION for Temporary Restraining Order filed by Plaintiff Paul Joseph Wieland. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Belz, Timothy) (Entered: 08/20/2013)
08/22/2013	<u>5</u>	Docket Text ORDER: Re: <u>3</u> MOTION for Leave to File in Excess of Page Limitation by Plaintiff Paul Joseph Wieland. ; ORDERED : LEAVE GRANTED TO FILE. Signed by District Judge Jean C. Hamilton on 8/22/13. (CEL) (Entered: 08/23/2013)
08/23/2013		Receipt 4644037643 in the amount of \$100.00 for PRO HAC VICE on behalf of Peter Breen (CCAM) (Entered: 08/25/2013)
08/26/2013	<u>6</u>	NOTICE by Plaintiff Paul Joseph Wieland (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy)(atty notified to attach summons to each return receipt - Modified on 8/27/2013 (CEL). (Entered: 08/26/2013)
08/27/2013	<u>7</u>	MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Temporary Restraining Order by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 08/27/2013)
08/27/2013	<u>8</u>	SUMMONS Returned Executed filed by Paul Joseph Wieland. Kathleen Sebellus on 8/19/13 (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)
08/27/2013	<u>9</u>	SUMMONS Returned Executed filed by Teresa Jane Wieland, Paul Joseph Wieland. US Dept. of Health and Human Services on 8/19/13 (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)
08/27/2013	<u>10</u>	SUMMONS Returned Executed filed by Paul Joseph Wieland. Attorney General on 8/19/13 (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)
08/27/2013	<u>11</u>	SUMMONS Returned Executed filed by Paul Joseph Wieland. US Attorney's Office St. Louis on 8/15/13 (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)
08/27/2013	<u>12</u>	SUMMONS Returned Executed filed by Paul Joseph Wieland. Deft. US Department of Labor on 8/20/13(Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)
08/27/2013	<u>13</u>	SUMMONS Returned Executed filed by Paul Joseph Wieland. Deft. US Dept. of Treasury on 8/21/13 (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)

08/27/2013	<u>14</u>	SUMMONS Returned Executed filed by Paul Joseph Wieland. Deft Seth Harris served 8/19/13 (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)
08/27/2013	<u>15</u>	SUMMONS Returned Executed filed by Paul Joseph Wieland. Deft. Jacob J. Lew served on 8/21/13 (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) Modified on 8/27/2013 (CEL). (Entered: 08/27/2013)
08/28/2013	<u>16</u>	RESPONSE to Motion re <u>7</u> MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Temporary Restraining Order filed by Plaintiff Paul Joseph Wieland. (Belz, Timothy) (Entered: 08/28/2013)
08/28/2013	<u>17</u>	MOTION for Leave to Appear Pro Hac Vice Peter Breen. The Certificate of Good Standing was attached.(Filing fee \$100) by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Certificate of Good Standing, # <u>2</u> Envelope)(CLK) (Entered: 08/28/2013)
08/29/2013	18	Docket Text ORDER: Re: <u>17</u> MOTION for Leave to Appear Pro Hac Vice Peter Breen. by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. ; ORDERED : SO ORDERED. Signed by District Judge Jean C. Hamilton on 8/29/13. (CEL) (Entered: 08/29/2013)
08/29/2013		ORDER RECEIPT: (see receipt) Docket No: 18. Thu Aug 29 14:49:02 CDT 2013 (Lippold, Carrie) (Entered: 08/29/2013)
09/04/2013	19	Docket Text ORDER: Re: <u>7</u> MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Temporary Restraining Order by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor; GRANTED JCH. Signed by District Judge Jean C. Hamilton on 9/4/13. (CLA) (Entered: 09/04/2013)
09/10/2013	<u>20</u>	MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) Modified on 9/11/2013 (CLK). (left detailed message for Atty. Re: wrong case number listed on documents and for future filings to use correct case number) (Entered: 09/10/2013)
09/10/2013	<u>21</u>	MEMORANDUM in Opposition re <u>2</u> MOTION for Temporary Restraining Order filed by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) Modified on 9/11/2013 (CLK).(left detailed message for Atty. Re: wrong case number listed on documents and for future filings to use correct case number 4:13-cv-1577) (Entered: 09/10/2013)
09/10/2013	<u>22</u>	MOTION to Dismiss Case by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Attachments: # <u>1</u> Memorandum in Support)(Bennett, Michelle) Modified on 9/11/2013 (CLK).(left detailed message for Atty. Re: wrong case number listed on documents and for future filings to use correct case number 4:13-cv-1577) (Entered: 09/10/2013)
09/10/2013		Receipt 4644037993 in the amount of \$100.00 for PRO HAC VICE on behalf of Thomas L. Brejcha (CCAM) (Entered: 09/11/2013)
09/10/2013		Receipt 4644037994 in the amount of \$100.00 for PRO HAC VICE on behalf of Kevin E. White (CCAM) (Entered: 09/11/2013)
09/10/2013	<u>23</u>	MOTION for Leave to Appear Pro Hac Vice Kevin E. White. The Certificate of Good Standing was attached.(Filing fee \$100) by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Certificate of Good Standing)(CLK) (Entered: 09/11/2013)
09/10/2013	<u>24</u>	MOTION for Leave to Appear Pro Hac Vice Thomas L. Brejcha. The Certificate of Good Standing was attached.(Filing fee \$100) by Plaintiffs Paul Joseph Wieland,

		Teresa Jane Wieland. (Attachments: # <u>1</u> Certificate of Good Standing)(CLK) (Entered: 09/11/2013)
09/11/2013	<u>25</u>	Docket Text ORDER: Re: <u>20</u> MOTION for Leave to File in Excess of Page Limitation by Defendants. ORDERED SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on 09/11/2013. (CLK) (Entered: 09/11/2013)
09/12/2013	<u>26</u>	Docket Text ORDER: Re: <u>24</u> MOTION for Leave to Appear Pro Hac Vice Thomas L. Brejcha. The Certificate of Good Standing was attached.(Filing fee \$100) by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Certificate of Good Standing)(CLK) filed by Teresa Jane Wieland, Paul Joseph Wieland, <u>23</u> MOTION for Leave to Appear Pro Hac Vice Kevin E. White. The Certificate of Good Standing was attached.(Filing fee \$100) by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Certificate of Good Standing)(CLK) filed by Teresa Jane Wieland, Paul Joseph Wieland ; SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on 9/12/13. (CLA) (Entered: 09/12/2013)
09/12/2013		ORDER RECEIPT: (see receipt) Docket No: 26. Thu Sep 12 14:38:13 CDT 2013 (Abrams, Carrie) (Entered: 09/12/2013)
09/20/2013	<u>27</u>	MOTION for Leave to File in Excess of Page Limitation by Plaintiff Paul Joseph Wieland. (Belz, Timothy) (Entered: 09/20/2013)
09/20/2013	<u>28</u>	REPLY to Response to Motion re <u>22</u> MOTION to Dismiss Case , <u>2</u> MOTION for Temporary Restraining Order filed by Plaintiff Paul Joseph Wieland. (Attachments: # <u>1</u> 1)(Belz, Timothy) Modified on 9/23/2013 (CLA)attachment sealed per attys. request. (Entered: 09/20/2013)
09/26/2013	<u>29</u>	Docket Text ORDER: Re: <u>27</u> MOTION for Leave to File in Excess of Page Limitation by Plaintiff Paul Joseph Wieland. (Belz, Timothy) filed by Paul Joseph Wieland ; LEAVE GRANTED JCH. Signed by District Judge Jean C. Hamilton on 9/26/13. (CLA) (Entered: 09/26/2013)
09/30/2013	<u>30</u>	MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 09/30/2013)
09/30/2013	<u>31</u>	REPLY to Response to Motion re <u>22</u> MOTION to Dismiss Case filed by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 09/30/2013)
10/02/2013	<u>32</u>	Docket Text ORDER: Re: <u>30</u> MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. ORDERED SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on 10/02/2013. (CLK) (Entered: 10/02/2013)
10/04/2013	<u>33</u>	MOTION for Leave to File Surreply by Plaintiff Paul Joseph Wieland. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 1a, # <u>3</u> Exhibit 2a, # <u>4</u> Exhibit 3a)(Belz, Timothy) (Entered: 10/04/2013)
10/07/2013	<u>34</u>	Docket Text ORDER: Re: <u>33</u> MOTION for Leave to File Surreply by Plaintiff Paul Joseph Wieland. ; ORDERED : LEAVE GRANTED. Signed by District Judge Jean C. Hamilton on 10/7/13. (CEL) (Entered: 10/07/2013)
10/07/2013	<u>35</u>	SURREPLY to Motion re <u>22</u> MOTION to Dismiss Case , <u>2</u> and supplement to MOTION for Temporary Restraining Order filed by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Exhibit 1A, # <u>2</u> Exhibit 2A, # <u>3</u> Exhibit 3A)(CEL) (Entered: 10/07/2013)
10/08/2013	<u>36</u>	RULE 16 ORDER This case is assigned to Track: 2 Joint Scheduling Plan due by 11/11/2013. Rule 16 Conference set for 11/21/2013 10:15 AM by Telephone before District Judge Jean C. Hamilton.. Signed by District Judge Jean C. Hamilton on 10/8/13. (CEL) (Entered: 10/08/2013)

10/16/2013	<u>37</u>	MEMORANDUM AND ORDER IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants (ECF No. 22) is GRANTED; IT IS FURTHER ORDERED that the Motion for Temporary Restraining Order (ECF No. 2) filed by Plaintiffs is DENIED; IT IS FURTHER ORDERED that Plaintiffs Complaint (ECF No. 1) is DISMISSED, with prejudice. A separate Order of Dismissal will issue contemporaneously with this Memorandum and Order. <u>22</u> 2 Signed by District Judge Jean C. Hamilton on 10/16/13. (CLA) (Entered: 10/16/2013)
10/16/2013	<u>38</u>	JUDGMENT IT IS HEREBY ORDERED, ADJUDGED and DECREED that Judgment is entered infavor of Defendants and that this matter is DISMISSED, with prejudice. Signed by District Judge Jean C. Hamilton on 10/16/13. (CLA) (Entered: 10/16/2013)
10/21/2013	<u>39</u>	Emergency MOTION for Preliminary Injunction <i>Pending Appeal</i> by Plaintiff Paul Joseph Wieland. (Belz, Timothy) (Entered: 10/21/2013)
10/21/2013	<u>40</u>	MEMORANDUM in Support of Motion re <u>39</u> Emergency MOTION for Preliminary Injunction <i>Pending Appeal</i> filed by Plaintiff Paul Joseph Wieland. (Attachments: # <u>1</u> Exhibit 1)(Belz, Timothy) (Entered: 10/21/2013)
10/29/2013	<u>41</u>	Docket Text ORDER: Re: <u>39</u> Emergency MOTION for Preliminary Injunction <i>Pending Appeal</i> by Plaintiff Paul Joseph Wieland. ORDERED DENIED JCH. Signed by District Judge Jean C. Hamilton on 10/29/2013. (CLK) (Entered: 10/29/2013)
11/12/2013	<u>42</u>	NOTICE OF APPEAL by Plaintiff Paul Joseph Wieland. Filing fee \$ 455, receipt number 0865-4068115. (Attachments: # <u>1</u> Form A) (Entered: 11/12/2013)
11/19/2013	<u>43</u>	NOTIFICATION OF APPEAL AND NOA SUPPLEMENT by clerk to USCA regarding <u>37</u> Memorandum & Order, <u>38</u> Judgment - (Case). Notice of Appeal filed on 11/12/13 by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. NOTIFICATION TO COUNSEL AND PRO SE PARTY: FILE REQUEST FOR TRANSCRIPT WITH DISTRICT COURT CLERKS OFFICE.(BAK) (Entered: 11/19/2013)
11/22/2013	<u>44</u>	Initial Notification and Briefing Schedule from USCA for <u>42</u> Notice of Appeal filed by Paul Joseph Wieland USCA Appeal Number: 13-3528 Notice of Appeal forwarded to panel: No (Attachments: # <u>1</u> Letter)(CEL) (Entered: 11/22/2013)
07/20/2015	<u>45</u>	OPINION from USCA re <u>42</u> Notice of Appeal : USCA Appeal #: 13-3528 We reverse and remand. (CLK). Modified on 7/20/2015 (CLK).(wrong document attached replaced with correct document and resent nef) (Entered: 07/20/2015)
07/20/2015	<u>46</u>	USCA JUDGMENT as to <u>42</u> Notice of Appeal filed by Paul Joseph Wieland: This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel. After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is reversed and the cause is remanded to the district court for proceedings consistent with the opinion of this court. (CLK) (Main Document 46 replaced on 7/20/2015) (CLK). (Entered: 07/20/2015)
09/10/2015	<u>48</u>	MANDATE of USCA as to <u>42</u> Notice of Appeal filed by Paul Joseph Wieland USCA #:13-3528 (CLA) (Entered: 09/10/2015)
09/11/2015	<u>49</u>	Docket Text ORDER: DEFENDANTS HAVE 20 DAYS TO FILE AN ANSWER TO THE COMPLAINT. SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on 9/11/15. (CLA) (Entered: 09/11/2015)
09/25/2015	<u>50</u>	MOTION to Clarify 49 Docket Text Order , Consent MOTION for Extension of Time to File <i>Motion to Dismiss or Answer</i> by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 09/25/2015)
09/28/2015	<u>51</u>	ORDER: This matter is before the Court on Defendants' Motion for Clarification of September 11, 2015 Order and Motion for Extension of Time to Respond to Order. (ECF No. <u>50</u> .) Defendants "request that the Court clarify its September 11, 2015 Order to make clear that defendants may renew (or refile) the Rule 12(b)(6) portion of their original motion to dismiss, instead of filing an answer." Defendants "also seek a two week extension of time (from October 1, 2015 or the date on which the Court

		decides the instant motion for clarification, whichever is later) to respond to the complaint."IT IS HEREBY ORDERED that Defendant' Motion (ECF No. <u>50</u>) is GRANTED. Defendants shall have until October 15, 2015 to respond to the Complaint, and Defendants may renew or refile the Rule 12(b)(6) portion of their original motion to dismiss. Extension date: 10/15/2015 Signed by District Judge Jean C. Hamilton on 09/28/2015. (CLK) (Entered: 09/28/2015)
10/15/2015	<u>52</u>	MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 10/15/2015)
10/15/2015	<u>53</u>	MOTION to Dismiss Case by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Attachments: # <u>1</u> Memorandum in Support)(Bennett, Michelle) (Entered: 10/15/2015)
10/15/2015	<u>54</u>	MOTION for Extension of Time to File Response/Reply by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 10/15/2015)
10/20/2015	55	Docket Text ORDER: Re: <u>52</u> MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle); ORDERED SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on 10/20/2015. (CLK) (Entered: 10/20/2015)
10/20/2015	56	Docket Text ORDER: Re: <u>54</u> MOTION for Extension of Time to File Response/Reply by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy); ORDERED SO ORDERED JCH, (Response to Court due by 11/5/2015.). Signed by District Judge Jean C. Hamilton on 10/20/2015. (CLK) (Entered: 10/20/2015)
11/05/2015	<u>57</u>	MOTION for Leave to File in Excess of Page Limitation by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 11/05/2015)
11/05/2015	<u>58</u>	MEMORANDUM in Opposition re <u>53</u> MOTION to Dismiss Case filed by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 11/05/2015)
11/06/2015	59	Docket Text ORDER: Re: <u>57</u> MOTION for Leave to File in Excess of Page Limitation by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) filed by Teresa Jane Wieland, Paul Joseph Wieland ; ORDERED SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on 11/6/15. (CLA) (Entered: 11/06/2015)
11/09/2015	<u>60</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>53</u> MOTION to Dismiss Case , <u>58</u> Memorandum in Opposition to Motion by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 11/09/2015)
11/10/2015	61	Docket Text ORDER: Re: <u>60</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>53</u> MOTION to Dismiss Case filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor; GRANTED – SO ORDERED. (Response due 12/4/15.) Signed by District Judge Jean C. Hamilton on 11/10/15. (KJS) (Entered: 11/10/2015)
12/04/2015	<u>62</u>	MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 12/04/2015)
12/04/2015	<u>63</u>	REPLY to Response to Motion re <u>53</u> MOTION to Dismiss Case filed by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 12/04/2015)
12/07/2015	64	Docket Text ORDER: Re: <u>62</u> MOTION for Leave to File in Excess of Page Limitation by Defendants ; SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on

		12/7/15. (CLA) (Entered: 12/07/2015)
12/18/2015	<u>65</u>	NOTICE Supplemental Authority: by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury re <u>53</u> MOTION to Dismiss Case (Attachments: # <u>1</u> Exhibit – Real Alternatives Decision)(Bennett, Michelle) (Entered: 12/18/2015)
01/08/2016	<u>66</u>	MEMORANDUM AND ORDER :IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (ECF No. <u>53</u>) is GRANTED in part and DENIED in part.IT IS FURTHER ORDERED that Counts II, III, IV, and V of Plaintiffs Complaint (ECF No. <u>1</u>) are DISMISSED with prejudice. Signed by District Judge Jean C. Hamilton on 01/08/2016. (CLK) (Entered: 01/08/2016)
01/08/2016	<u>67</u>	RULE 16 ORDER: HEREBY ORDERED Scheduling Conference pursuant to Fed. R. Civ. P. 16 is setfor January 28, 2016, at 11:00 am The conference will be held by telephone with the Plaintiff initiating the call. The phone number for Judge Hamilton's chambers is (314) 244–7600. This case is assigned to Track: 2 Joint Scheduling Plan due by 1/21/2016. Rule 16 Conference set for 1/28/2016 11:00 AM in Telephone before District Judge Jean C. Hamilton. Signed by District Judge Jean C. Hamilton on 01/08/2016. (CLK) (Entered: 01/08/2016)
01/13/2016	<u>68</u>	Docket Text ORDER: RESETTING Rule 16 Conference set for 1/28/2016 10:45 AM before District Judge Jean C. Hamilton. (This is a time change only.) Signed by District Judge Jean C. Hamilton on 1/13/16. (KJS) (Entered: 01/13/2016)
01/21/2016	<u>69</u>	JOINT SCHEDULING PLAN by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. . (Belz, Timothy) (Entered: 01/21/2016)
01/22/2016	<u>70</u>	ANSWER to <u>1</u> Complaint, by Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury.(Bennett, Michelle) (Entered: 01/22/2016)
01/28/2016	<u>71</u>	CASE MANAGEMENT ORDER – TRACK 2: STANDARD: IT IS HEREBY ORDERED that the following schedule shall apply in this case, and will be modified only upon a showing of exceptional circumstances;(See Order for Details). Signed by District Judge Jean C. Hamilton on 01/28/2016. (CLK) (Entered: 01/28/2016)
02/04/2016	<u>72</u>	NOTICE Filing of Certified Administrative Record: by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury (Attachments: # <u>1</u> Index for Administrative Record, # <u>2</u> Certification of Administrative Record)(Bennett, Michelle) Administrative Record CD 1,2, and 3 filed in paper form. (Entered: 02/04/2016)
03/04/2016	<u>73</u>	NOTICE (Joint Notice): by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury (Bennett, Michelle) (Entered: 03/04/2016)
03/24/2016	<u>74</u>	MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 03/24/2016)
03/24/2016	<u>75</u>	MOTION for Summary Judgment by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Material Facts with Exhibits)(Bennett, Michelle) (Entered: 03/24/2016)
03/28/2016	<u>76</u>	Docket Text ORDER: Re: <u>74</u> MOTION for Leave to File in Excess of Page Limitation by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor ; ORDERED LEAVE GRANTED JCH. Signed by District Judge Jean C. Hamilton on

		03/28/2016. (CLK) (Entered: 03/28/2016)
04/15/2016	<u>77</u>	MOTION for Leave to File in Excess of Page Limitation by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 04/15/2016)
04/15/2016	<u>78</u>	MOTION for Summary Judgment by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 04/15/2016)
04/15/2016	<u>79</u>	MEMORANDUM in Support of Motion re <u>75</u> MOTION for Summary Judgment , <u>78</u> MOTION for Summary Judgment , <u>77</u> MOTION for Leave to File in Excess of Page Limitation filed by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Response to Government Statement of Facts)(Belz, Timothy) (Entered: 04/15/2016)
04/15/2016	<u>80</u>	STATEMENT of Material Facts re <u>78</u> MOTION for Summary Judgment filed by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12)(Belz, Timothy) (Entered: 04/15/2016)
04/18/2016	81	Docket Text ORDER: Re: <u>77</u> MOTION for Leave to File in Excess of Page Limitation filed by Teresa Jane Wieland, Paul Joseph Wieland ; GRANTED – SO ORDERED. Signed by District Judge Jean C. Hamilton on 4/18/16. (KJS) (Entered: 04/18/2016)
04/29/2016	<u>82</u>	Consent MOTION for Extension of Time to File Response/Reply by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 04/29/2016)
05/04/2016	83	Docket Text ORDER: Re: <u>82</u> Consent MOTION for Extension of Time to File Response/Reply filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor; GRANTED – SO ORDERED. Signed by District Judge Jean C. Hamilton on 5/4/16. (KJS) (Entered: 05/04/2016)
05/13/2016	<u>84</u>	MEMORANDUM in Opposition re <u>78</u> MOTION for Summary Judgment <i>and Reply in Support of Defendants' Motion for Summary Judgment</i> filed by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Response to Pls.' Statement of Material Facts in Supp. of Pls.' Mot. for Summ. J.)(Bennett, Michelle) (Entered: 05/13/2016)
06/03/2016	<u>85</u>	REPLY to Response to Motion re <u>78</u> MOTION for Summary Judgment filed by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Belz, Timothy) (Entered: 06/03/2016)
07/21/2016	<u>86</u>	MEMORANDUM AND ORDER IT IS HEREBY ORDERED that Defendants Motion for Summary Judgment (ECF No. 75) is DENIED. IT IS FURTHER ORDERD that Plaintiffs Motion for Summary Judgment (ECF No. 78) is GRANTED. IT IS FURTHER ORDERED that Defendants are hereby permanently ENJOINED from enforcing against Plaintiffs and their health insurance issuer the statutes and regulations requiring a health insurance issuer to provide them with health insurance that includes contraceptive coverage. A separate Order will accompany this Memorandum and Order. <u>75</u> <u>78</u> Signed by District Judge Jean C. Hamilton on 7/21/16. (CLA) (Entered: 07/21/2016)
07/21/2016	<u>87</u>	ORDER IT IS HEREBY ORDERED that Defendants Motion for Summary Judgment (ECF No. 75) is DENIED. IT IS FURTHER ORDERD that Plaintiffs Motion for Summary Judgment (ECF No. 78) is GRANTED. IT IS FURTHER ORDERED that Defendants, their employees, agents, and successors in office are permanently ENJOINED from enforcing against Plaintiffs and Plaintiffs health insurance issuer, in connection with Plaintiffs healthcare plan: (a) the statutes and regulations requiring a health insurance issuer to provide health insurance that includes contraceptive coverage; or (b) any attendant penalties, fines, or assessment for noncompliance with the above statutes or regulations. This Order should not be construed as to prevent enforcement of any statute or regulation againsta health insurance issuer in the individual market regarding any plan offered or provided to any individual other than

		the named Plaintiffs and their dependents. Signed by District Judge Jean C. Hamilton on 7/21/16. (CLA) (Entered: 07/21/2016)
08/02/2016	<u>88</u>	Consent MOTION for Extension of Time to File ;Extension to file the following: motion for attorney fees and costs ;Proposed extension date 8/18/2016 by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 08/02/2016)
08/08/2016	<u>89</u>	Docket Text ORDER: Re: <u>88</u> Consent MOTION for Extension of Time to File ;Extension to file the following: motion for attorney fees and costs ;Proposed extension date 8/18/2016 by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) filed by Teresa Jane Wieland, Paul Joseph Wieland ; ORDERED SO ORDERED JCH. Signed by District Judge Jean C. Hamilton on 8/8/16. (CLA) (Entered: 08/08/2016)
08/18/2016	<u>90</u>	(WITHDRAWN) MOTION for Attorney Fees by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) Modified on 12/18/2017 (JAB). (Entered: 08/18/2016)
08/18/2016	<u>91</u>	MOTION for Leave to File in Excess of Page Limitation by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 08/18/2016)
08/18/2016	<u>92</u>	MEMORANDUM in Support of Motion re <u>90</u> MOTION for Attorney Fees filed by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Belz, Timothy) (Entered: 08/18/2016)
08/22/2016	<u>93</u>	Docket Text ORDER: Re: <u>91</u> MOTION for Leave to File in Excess of Page Limitation by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) filed by Teresa Jane Wieland, Paul Joseph Wieland ; ORDERED LEAVE GRANTED JCH. Signed by District Judge Jean C. Hamilton on 8/22/16. (CLA) (Entered: 08/22/2016)
09/01/2016	<u>94</u>	Consent MOTION to Stay <i>Briefing on Plaintiffs' Motion for Attorneys' Fees and Costs</i> by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) (Entered: 09/01/2016)
09/16/2016	<u>95</u>	Docket Text ORDER: Re: <u>94</u> Consent MOTION to Stay <i>Briefing on Plaintiffs' Motion for Attorneys' Fees and Costs</i> by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Bennett, Michelle) filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor ; ORDERED GRANTED JCH. Signed by District Judge Jean C. Hamilton on 9/16/16. (CLA) (Entered: 09/16/2016)
09/16/2016	<u>96</u>	NOTICE OF APPEAL by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. (Entered: 09/16/2016)
09/19/2016	<u>97</u>	NOTIFICATION OF APPEAL AND NOA SUPPLEMENT by clerk to USCA regarding <u>87</u> Order,,, <u>86</u> Memorandum & Order,,, Notice of Appeal filed on 9/16/16 by Defendants Seth D. Harris, Jacob J. Lew, Kathleen Sebelius, United States Department of Health and Human Services, United States Department of Labor, United States Department of Treasury. NOTIFICATION TO COUNSEL AND PRO SE PARTY: FILE REQUEST FOR TRANSCRIPT WITH DISTRICT COURT CLERKS OFFICE.(BAK) (Entered: 09/19/2016)
10/04/2016	<u>98</u>	LETTER from USCA USCA Appeal #: 16-3831(CLA) (Entered: 10/04/2016)
10/04/2016	<u>99</u>	Initial Notification and or Briefing Schedule from USCA for <u>96</u> Notice of Appeal filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor USCA Appeal Number: 16-3831 Method of Appendix due: 14 days from today Notice of Appeal treated as: noa Notice of Appeal forwarded to panel: Yes(CLA) (Entered: 10/04/2016)
11/23/2016	<u>100</u>	ORDER of USCA USCA Appeal #: 16-3831 The appellants motion to hold this appeal in abeyance is granted, and the appeal will be heldin abeyance through

		February 13, 2017. At that time, the parties should submit letters to the clerk stating their positions regarding a further stay of the proceedings.(CLA) (Entered: 11/23/2016)
09/06/2017	<u>101</u>	ORDER of USCA as to <u>96</u> Notice of Appeal filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor: The governments request to file another status report on or before October 30, 2017, is granted. USCA Appeal #: 16-3831 (JAB) (Entered: 09/06/2017)
11/16/2017	<u>102</u>	USCA JUDGMENT as to <u>96</u> Notice of Appeal filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor. The parties have filed a joint stipulation for dismissal of the appeal. Pursuant to the provisions of Federal Rule of Appellate Procedure 42(b), the matter is dismissed. The court's mandate shall issue forthwith. (CLA) (Entered: 11/16/2017)
11/16/2017	<u>103</u>	MANDATE of USCA as to <u>96</u> Notice of Appeal filed by United States Department of Treasury, Kathleen Sebelius, United States Department of Health and Human Services, Jacob J. Lew, Seth D. Harris, United States Department of Labor (CLA) (Entered: 11/16/2017)
11/20/2017	104	Docket Text ORDER: Re: <u>90</u> MOTION for Attorney Fees filed by Teresa Jane Wieland, Paul Joseph Wieland; IT IS HEREBY ORDERED THAT THE DEFENDANT SHALL FILE A RESPONSE TO THE MOTION FOR ATTORNEY FEES ON OR BEFORE 12/20/17, ANY REPLY BY THE PLAINTIFF SHALL BE FILED ON OR BEFORE 1/3/18 – SO ORDERED. Signed by District Judge Jean C. Hamilton on 11/20/17. (KJS) (Entered: 11/20/2017)
12/15/2017	<u>105</u>	Consent MOTION to Withdraw <u>90</u> MOTION for Attorney Fees by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) (Entered: 12/15/2017)
12/18/2017	106	Docket Text ORDER: Re: <u>105</u> Consent MOTION to Withdraw <u>90</u> MOTION for Attorney Fees by Plaintiffs Paul Joseph Wieland, Teresa Jane Wieland. (Belz, Timothy) ; ORDERED GRANTED. Signed by District Judge Jean C. Hamilton on 12/18/17. (JAB) (Entered: 12/18/2017)