

CLOSED,STAYED

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:13-cv-11379-DPH-MJH**

MK Chambers Company et al v. Department of Health and
Human Services et al
Assigned to: District Judge Denise Page Hood
Referred to: Magistrate Judge Michael J. Hluchaniuk
Cause: 42:1983 Civil Rights Act

Date Filed: 03/28/2013
Date Terminated: 11/21/2014
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

MK Chambers Company

represented by **Kimberly A. Cochrane**
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Plaintiff

Gerald D Chambers

represented by **Kimberly A. Cochrane**
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Plaintiff

Robert W Chambers

represented by **Kimberly A. Cochrane**
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V.

Defendant

**Department of Health and Human
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Defendant

Department of Labor

represented by **Bradley P. Humphreys – INACTIVE**
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Defendant

Department of Treasury

represented by **Bradley P. Humphreys – INACTIVE**
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Defendant

**Department of Health and Human
Services, Secretary of**

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Defendant

Department of Labor, Secretary of

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Defendant

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Amicus

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Bill Schuette

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Date Filed	#	Docket Text
03/28/2013	<u>1</u>	COMPLAINT <i>Verified</i> filed by All Plaintiffs against Department of Health and Human Services, Department of Labor, Department of Treasury, Department of Health and Human Services, Secretary of, Department of Labor, Secretary of, Department of Treasury, Secretary of. Plaintiff requests summons issued . Receipt No: 0645-4016384 – Fee: $ 350. County of 1st Plaintiff: Lapeer – County Where Action Arose: Lapeer – County of 1st Defendant: USA. [Previously dismissed case: No] [Possible companion case(s): Federal District Court Easteran District of Michigan Southern division, 12-12061, Judge Cleland] (Chapman, Daniel) (Entered: 03/28/2013)
03/28/2013	<u>2</u>	NOTICE of Appearance by Kimberly A. Cochrane on behalf of All Plaintiffs. (Cochrane, Kimberly) (Entered: 03/28/2013)
03/28/2013	<u>3</u>	Ex Parte MOTION for Leave to File Excess Pages <i>in Support of Emergency Motion For Temporary Restraining Order</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1 Motion for TRO) (Cochrane, Kimberly) (Entered: 03/28/2013)
03/29/2013	<u>4</u>	SUMMONS Issued for the United States Attorney and the Office of the Attorney General. (TMcg) (Entered: 03/29/2013)
03/29/2013	<u>5</u>	SUMMONS Issued for * All Defendants * (TMcg) (Entered: 03/29/2013)
04/01/2013	<u>6</u>	EX PARTE ORDER Allowing Plaintiffs to File Brief in Excess of Page Limits in Support of Their Emergency Motion for Temporary Restraining Order <u>3</u> . Signed by District Judge Denise Page Hood. (LSau) (Entered: 04/01/2013)
04/02/2013	<u>7</u>	Ex Parte MOTION for Temporary Restraining Order <i>and Certificate of Service</i> by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 Affidavit of Gerald D. Chambers, # <u>3</u> Exhibit 2 Affidavit of Robert W. Chambers, # <u>4</u> Exhibit 3 Opinion; Legatus, et al. v. Sebelius, et al., # <u>5</u> Exhibit 4 Opinion; Domino's Farms Corp., et al. v. Sebelius, et al., # <u>6</u> Exhibit 5 Opinion; American Pulverizer Co., et al. v. Dep't of Health & Human Servs, et al., # <u>7</u> Exhibit 6 Opinion; Newland, et al. v. Sebelius, et al., # <u>8</u> Exhibit 7 Opinion; Tyndale House Publishers, Inc. v. Sebelius, et al.) (Cochrane, Kimberly) (Entered: 04/02/2013)
04/03/2013	<u>8</u>	ORDER Denying Ex-Parte Emergency Motion for Temporary Restraining Order <u>7</u> . Signed by District Judge Denise Page Hood. (LSau) (Entered: 04/03/2013)
04/04/2013	<u>9</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by MK Chambers Company (Cochrane, Kimberly) (Entered: 04/04/2013)
04/11/2013	<u>10</u>	Ex Parte MOTION for Leave to File Excess Pages <i>In Support of Plaintiffs' Motion For Preliminary Injunction</i> by All Plaintiffs. (Cochrane, Kimberly) (Entered: 04/11/2013)
04/16/2013	<u>11</u>	CERTIFICATE of Service/Summons Returned Executed. U.S. Attorney served on 04/09/2013. (Cochrane, Kimberly) (Entered: 04/16/2013)
04/16/2013	<u>12</u>	CERTIFICATE of Service/Summons Returned Executed. U.S. Department of Treasury served on 04/10/2013. (Cochrane, Kimberly) (Entered: 04/16/2013)
04/16/2013	<u>13</u>	CERTIFICATE of Service/Summons Returned Executed. Secretary of U.S. Department of Treasury served on 04/11/2013. (Cochrane, Kimberly) (Entered: 04/16/2013)
04/16/2013	<u>14</u>	CERTIFICATE of Service/Summons Returned Executed. Secretary of U.S. Department of Health & Human Services served on 04/08/2013. (Cochrane, Kimberly) (Entered: 04/16/2013)

04/16/2013	<u>15</u>	CERTIFICATE of Service/Summons Returned Executed. Secretary for U.S. Department of Labor served on 04/08/2013. (Cochrane, Kimberly) (Entered: 04/16/2013)
04/19/2013	<u>16</u>	NOTICE of Appearance by Bradley P. Humphreys on behalf of All Defendants. (Humphreys, Bradley) (Entered: 04/19/2013)
04/24/2013	<u>17</u>	CERTIFICATE of Service/Summons Returned Executed. Department of Health and Human Services served on 04/08/2013. (Cochrane, Kimberly) (Entered: 04/24/2013)
04/24/2013	<u>18</u>	ORDER granting <u>10</u> Motion for Leave to File Excess Pages. Signed by District Judge Denise Page Hood. (JOWe) (Entered: 04/24/2013)
04/25/2013	<u>19</u>	STIPULATION AND ORDER Allosing Plaintiffs to File a Brief in Exess of Page Limits in Support of their Motion for Preliminary Injunction, and Defendants to File a Brief in Excess of Page Limits in Repsonse to Plaintifffs' Motion for Preliminary Injunction. Signed by District Judge Denise Page Hood. (JOWe) (Entered: 04/25/2013)
04/26/2013	<u>20</u>	Emergency MOTION for Preliminary Injunction <i>and Certificate of Service</i> by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 Affidavit of Gerald D. Chambers, # <u>3</u> Exhibit 2 Affidavit of Robert W. Chambers) (Cochrane, Kimberly) (Entered: 04/26/2013)
05/01/2013	<u>21</u>	NOTICE OF HEARING on <u>20</u> Emergency MOTION for Preliminary Injunction <i>and Certificate of Service</i> . Motion Hearing set for 5/15/2013 02:00 PM before District Judge Denise Page Hood (LSau) (Entered: 05/01/2013)
05/02/2013	<u>22</u>	CERTIFICATE of Service/Summons Returned Executed. U.S. Department of Labor served on 04/08/2013. (Cochrane, Kimberly) (Entered: 05/02/2013)
05/02/2013		Set/Reset Deadlines as to <u>20</u> Emergency MOTION for Preliminary Injunction <i>and Certificate of Service</i> . Responses due by 5/22/2013 Replies due by 5/31/2013 Motion Hearing set for 6/7/2013 02:00 PM before District Judge Denise Page Hood (LSau) (Entered: 05/02/2013)
05/06/2013	<u>23</u>	CERTIFICATE of Service/Summons Returned Executed. U.S. Attorney on behalf of All Defendants. (Cochrane, Kimberly) (Entered: 05/06/2013)
05/22/2013	<u>24</u>	MOTION for Leave to File Excess Pages <i>in Support of Defendants' Motion to Dismiss and in Opposition to Plaintiffs' Motion for a Preliminary Injunction</i> by All Defendants. (Humphreys, Bradley) (Entered: 05/22/2013)
05/22/2013	<u>25</u>	MOTION to Dismiss <i>and Memorandum in Opposition to Plaintiffs' Motion for a Preliminary Injunction</i> by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Autocam Corp. v. Sebelius (6th Cir.), # <u>3</u> Exhibit Autocam Corp. v. Sebelius (6th Cir. – Denying Motion for Reconsideration), # <u>4</u> Exhibit Autocam Corp. v. Sebelius (W.D. Mich.), # <u>5</u> Exhibit Hobby Lobby v. Sebelius (10th Cir.), # <u>6</u> Exhibit Conestoga Wood Specialities Corp. v. Sebelius (3d Cir.), # <u>7</u> Exhibit Conestoga Wood Specialities Corp. v. Sebelius (E.D. Pa.), # <u>8</u> Exhibit Annex Med., Inc. v. Sebelius (D. Minn.), # <u>9</u> Exhibit Annex Med., Inc. v. Sebelius (D. Minn. – Denying Motion for Injunction Pending Appeal), # <u>10</u> Exhibit Grote Indus., Inc. v. Sebelius (S.D. Ind.), # <u>11</u> Exhibit Grote Indus., Inc. v. Sebelius (S.D. Ind. – Denying Motion for Reconsideration), # <u>12</u> Exhibit Korte v. U.S. Dep't of Health & Human Servs. (S.D. Ind.), # <u>13</u> Exhibit Gilardi v. Sebelius (D.D.C.)) (Humphreys, Bradley) (Entered: 05/22/2013)
05/24/2013	<u>26</u>	MOTION for Leave to File <i>Amicus Brief</i> by American Civil Liberties Union of Michigan, American Civil Liberties Union. (Attachments: # <u>1</u> Exhibit Proposed Amicus Brief) (Steinberg, Michael) (Entered: 05/24/2013)
05/30/2013	<u>27</u>	NOTICE of Appearance by Daniel Mach on behalf of American Civil Liberties Union, American Civil Liberties Union of Michigan. (Mach, Daniel) (Entered: 05/30/2013)
05/30/2013	<u>28</u>	STIPULATED ORDER Allowing Plaintiffs to File a Reply Brief in Excess of Page Limits in Support of Their Motion for Preliminary Injunction. Signed by District Judge Denise Page Hood. (LSau) (Entered: 05/30/2013)
05/31/2013	<u>29</u>	REPLY to Response re <u>20</u> Emergency MOTION for Preliminary Injunction <i>and Certificate of Service</i> , <u>25</u> MOTION to Dismiss <i>and Memorandum in Opposition to</i>

		<i>Plaintiffs' Motion for a Preliminary Injunction and Certificate of Service</i> filed by All Plaintiffs. (Cochrane, Kimberly) (Entered: 05/31/2013)
05/31/2013	<u>30</u>	ATTORNEY APPEARANCE: B. Eric Restuccia appearing on behalf of Bill Schuette <i>with certificate of service</i> (Restuccia, B.) (Entered: 05/31/2013)
05/31/2013	<u>31</u>	MOTION for Leave to File <i>an Amicus Brief with Certificate of Service</i> by Bill Schuette. (Restuccia, B.) (Entered: 05/31/2013)
05/31/2013	<u>32</u>	Amicus Curiae BRIEF by Bill Schuette (Restuccia, B.) (Entered: 05/31/2013)
05/31/2013	<u>33</u>	REQUEST for Leave to Appear Telephonically at the Hearing on Plaintiffs' Motion for a Preliminary Injunction by All Defendants. (Humphreys, Bradley) (Entered: 05/31/2013)
06/05/2013		TEXT-ONLY ORDER Granting <u>24</u> MOTION for Leave to File Excess Pages. Signed by District Judge Denise Page Hood. (LSau) (Entered: 06/05/2013)
06/05/2013	<u>34</u>	NOTICE OF HEARING on <u>25</u> MOTION to Dismiss <i>and Memorandum in Opposition to Plaintiffs' Motion for a Preliminary Injunction</i> . Motion Hearing set for 7/24/2013 03:00 PM before District Judge Denise Page Hood (LSau) (Entered: 06/05/2013)
06/05/2013	<u>35</u>	NOTICE OF HEARING on <u>31</u> MOTION for Leave to File <i>an Amicus Brief with Certificate of Service</i> , <u>26</u> MOTION for Leave to File <i>Amicus Brief</i> . Motion Hearing set for 6/7/2013 02:00 PM before District Judge Denise Page Hood (LSau) (Entered: 06/05/2013)
06/06/2013	<u>36</u>	RESPONSE to <u>20</u> Emergency MOTION for Preliminary Injunction <i>and Certificate of Service REFILED</i> filed by All Defendants. (Humphreys, Bradley) (Entered: 06/06/2013)
06/06/2013	<u>37</u>	Amended MOTION to Dismiss by All Defendants. (Humphreys, Bradley) (Entered: 06/06/2013)
06/07/2013	<u>38</u>	NOTICE of Appearance by Jennifer Lee on behalf of American Civil Liberties Union, American Civil Liberties Union of Michigan. (Lee, Jennifer) (Entered: 06/07/2013)
06/07/2013		Minute Entry for proceedings held before District Judge Denise Page Hood: Motion Hearing held on 6/7/2013 re <u>26</u> MOTION for Leave to File, <u>20</u> Emergency MOTION for Preliminary Injunction, <u>31</u> MOTION for Leave to File Disposition: TAKEN UNDER ADVISEMENT(Court Reporter Cheryl Warren Daniel) (LSau) (Entered: 06/10/2013)
06/10/2013		TEXT-ONLY ORDER Denying Request for Leave to Appear Telephonically <u>33</u> . Signed by District Judge Denise Page Hood. (LSau) (Entered: 06/10/2013)
06/14/2013	<u>39</u>	NOTICE OF HEARING on <u>37</u> Amended MOTION to Dismiss . Motion Hearing set for 7/24/2013 03:00 PM before District Judge Denise Page Hood (LSau) (Entered: 06/14/2013)
06/20/2013	<u>40</u>	STIPULATED ORDER Allowing Plaintiffs to File a Brief In Excess of Page Limits in Support of Their Response To re <u>37</u> Amended MOTION to Dismiss. Signed by District Judge Denise Page Hood. (Loury, R) (Entered: 06/20/2013)
06/27/2013	<u>41</u>	RESPONSE to <u>37</u> Amended MOTION to Dismiss <i>and Certificate of Service</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 Affidavit of Gerald D. Chambers, # <u>3</u> Exhibit 2 Affidavit of Robert W. Chambers) (Cochrane, Kimberly) (Entered: 06/27/2013)
07/10/2013	<u>42</u>	MOTION for Extension of Time to File Response/Reply as to <u>37</u> Amended MOTION to Dismiss by All Defendants. (Humphreys, Bradley) (Entered: 07/10/2013)
07/15/2013	<u>43</u>	MOTION for Leave to File Excess Pages <i>for Defendants' Reply in Support of Defendants' Motion to Dismiss</i> by All Defendants. (Humphreys, Bradley) (Entered: 07/15/2013)
07/15/2013	<u>44</u>	REPLY to Response re <u>37</u> Amended MOTION to Dismiss filed by All Defendants. (Humphreys, Bradley) (Entered: 07/15/2013)

07/18/2013	<u>45</u>	STIPULATED ORDER Allowing Defendants to File a Reply Brief in Excess of Page Limits re <u>43</u> Motion for Leave to File Excess Pages. Signed by District Judge Denise Page Hood. (Monda, H) (Entered: 07/18/2013)
07/24/2013		Minute Entry for proceedings held before District Judge Denise Page Hood: Motion Hearing held on 7/24/2013 re <u>37</u> Amended MOTION to Dismiss – TAKEN UNDER ADVISEMENT and <u>20</u> Emergency MOTION for Preliminary Injunction – DENIED (Court Reporter Cheryl Warren Daniel) (LSau) (Entered: 07/26/2013)
09/13/2013	<u>46</u>	ORDER denying <u>20</u> Motion for Preliminary Injunction and Order granting <u>26</u> , <u>31</u> Motions to File Amicus Curiae Briefs. Signed by District Judge Denise Page Hood. (JOwe) (Entered: 09/13/2013)
01/31/2014	<u>47</u>	Joint MOTION to Stay Case by All Defendants. (Humphreys, Bradley) (Entered: 01/31/2014)
02/21/2014	<u>48</u>	STIPULATED ORDER STAYING CASE. Signed by District Judge Denise Page Hood. (LSau) (Entered: 02/21/2014)
03/04/2014	<u>49</u>	ORDER Dismissing Motions Without Prejudice re <u>25</u> MOTION to Dismiss, <u>37</u> Amended MOTION to Dismiss and <u>42</u> MOTION for Extension of Time to File Response/Reply as to <u>37</u> Amended MOTION to Dismiss. Signed by District Judge Denise Page Hood. (Monda, H) (Entered: 03/04/2014)
08/21/2014	<u>50</u>	STIPULATED ORDER Entering Preliminary Injunction Signed by District Judge Denise Page Hood. (JOwe) (Entered: 08/21/2014)
09/23/2014	<u>51</u>	NOTICE by All Defendants of <i>Consent to Injunction and Judgement</i> (Attachments: # <u>1</u> Exhibit Text of Proposed Injunction and Judgment) (Humphreys, Bradley) (Entered: 09/23/2014)
09/24/2014	<u>52</u>	NOTICE by All Plaintiffs <i>Objection to Entry of Defendants' Proposed Injunction And Judgment (DOC #51 AND #51-1)</i> (Attachments: # <u>1</u> Exhibit 1 Proposed Injunction And Judgment) (Cochrane, Kimberly) (Entered: 09/24/2014)
11/07/2014	<u>53</u>	NOTICE TO APPEAR: Miscellaneous Hearing Regarding Entry of Consent Injunction and Judgment set for 11/19/2014 03:30 PM before District Judge Denise Page Hood (LSau) (Entered: 11/07/2014)
11/07/2014		TEXT-ONLY NOTICE: Miscellaneous Hearing on November 19, 2014 is Cancelled re <u>53</u> Notice to Appear. (LSau) (Entered: 11/07/2014)
11/21/2014	<u>54</u>	STIPULATED ORDER and JUDGMENT. Signed by District Judge Denise Page Hood. (JOwe) (Entered: 11/21/2014)
12/17/2014	<u>55</u>	MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 June 30, 2014 Opinion – Burwell v Hobby Lobby, 573 U.S. ____ (2014), # <u>3</u> Exhibit 2 November 21, 2014 Stipulated Order and Judgment, # <u>4</u> Exhibit 3 Bill of Costs, # <u>5</u> Exhibit 4 Affidavit of Daniel E. Chapman and Affidavit of Kimberly A. Cochrane, # <u>6</u> Exhibit 5 State Bar of Michigan's 2014 Economics of Law Practice, Attorney Income and Billing Rate Summary Report) (Cochrane, Kimberly) (Entered: 12/17/2014)
12/30/2014	<u>56</u>	MOTION for Extension of Time to File Response/Reply as to <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> by All Defendants. (Humphreys, Bradley) (Entered: 12/30/2014)
01/05/2015	<u>57</u>	ORDER REFERRING MOTION to Magistrate Judge Michael J. Hluchaniuk: <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> filed by MK Chambers Company, Gerald D Chambers, Robert W Chambers. Signed by District Judge Denise Page Hood. (LSau) (Entered: 01/05/2015)
01/05/2015	<u>58</u>	STIPULATED ORDER Extending Time for Defendant to File Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs <u>55</u> (Response due by 1/5/2015) Signed by District Judge Denise Page Hood. (LSau) (Entered: 01/05/2015)
01/05/2015	<u>59</u>	Second MOTION for Extension of Time to File Response/Reply as to <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> by All Defendants. (Humphreys, Bradley) (Entered: 01/05/2015)

01/06/2015		TEXT-ONLY ORDER granting <u>59</u> Motion for Extension of Time to File Response/Reply re <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> Response due by 1/7/2015 . Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 01/06/2015)
01/07/2015	<u>60</u>	RESPONSE to <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> filed by All Defendants. (Humphreys, Bradley) (Entered: 01/07/2015)
01/09/2015	<u>61</u>	REPLY to Response re <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Billing Records) (Cochrane, Kimberly) (Entered: 01/09/2015)
01/27/2015	<u>62</u>	ORDER Setting Hearing on <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses</i> : Resolved/Unresolved Issues due by 4/22/2015. Telephonic Motion Hearing set for 4/29/2015 09:00 AM before Magistrate Judge Michael J. Hluchaniuk. Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 01/27/2015)
03/13/2015	<u>63</u>	NOTICE by All Plaintiffs of withdrawal of <u>55</u> MOTION for Attorney Fees , <i>Costs, and Expenses, and Certificate of Service</i> . (Cochrane, Kimberly) (Entered: 03/13/2015)
03/13/2015		TEXT-ONLY NOTICE: Hearing on 4/29/15 is Cancelled re <u>62</u> Order Setting Hearing on Motion. Motion withdrawn. (DWor) (Entered: 03/13/2015)