

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

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

Defendants.)

Case No. 3:12-cv-459

PLAINTIFFS' CROSS-MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56, Plaintiffs hereby move for summary judgment on all of Plaintiffs' claims. The grounds for this motion are set forth in the accompanying memorandum of law. This motion is also supported by the following evidentiary materials that are attached:

- Exhibit A Declaration of Wanda Bollman;
- Exhibit B Declaration of Steve Carlson;
- Exhibit C Declaration of Tonya Lee Fawcett;
- Exhibit D Declaration of John French;
- Exhibit E Declaration of Lisa Harman;
- Exhibit F Grace College and Seminary Faculty Application for Employment;

Exhibit G Grace College and Seminary Staff Application for Employment;
Exhibit H Declaration of Dee Anna Muraski;
Exhibit I Declaration of Arielle Peters;
Exhibit J Declaration of Sarah Prater;
Exhibit K Declaration of David Swain;
Exhibit L Declaration of Peter Wolff;
Exhibit M Declaration of Alison Arcadi;
Exhibit N Declaration of Ketha Boespflug;
Exhibit O Declaration of Cynthia Cole;
Exhibit P Declaration of Alanna Godoy;
Exhibit Q Declaration of Chris Grace;
Exhibit R Declaration of Ronald Mooradian;
Exhibit S Declaration of Scott Rae;
Exhibit T Declaration of Wendy Walker;

Respectfully submitted this 11th day of October, 2013.

/s Gregory S. Baylor

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2013 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

s/ Gregory S. Baylor

INDEX OF EXHIBITS
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

<u>Exhibit</u>	<u>Description</u>	<u>Bates Number</u>
A	Wanda Bollman Declaration	1-5
B	Steve Carlson Declaration	6-10
C	Tonya Lee Fawcett Declaration	11-15
D	John French Declaration	16-20
E	Lisa Harman Declaration	21-25
F	Grace College and Seminary Faculty Application for Employment	26-30
G	Grace College and Seminary Staff Application for Employment	31-35
H	Dee Anna Muraski Declaration	36-39
I	Arielle Peters Declaration	40-44
J	Sarah Prater Declaration	45-49
K	David Swain Declaration	50-53
L	Peter Wolff Declaration	54-58
M	Alison Arcadi Declaration	59-63
N	Ketha Boespflug Declaration	64-67
O	Cynthia Cole Declaration	68-71
P	Alanna Godoy Declaration	72-75
Q	Chris Grace Declaration	76-80
R	Ronald Mooradian Declaration	81-84
S	Scott Rae Declaration	85-89
T	Wendy Walker Declaration	90-94

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF WANDA BOLLMAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, WANDA BOLLMAN, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of Indiana, with my permanent residence being in Warsaw, Indiana.
3. I serve as Admissions Office Manager at Grace College.
4. I have been employed by the College since November 2005.
5. As part of my compensation package, the College provides health insurance for my husband and me.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the College, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My husband and I have two grown daughters, one 28 and the other 27. We have conveyed our pro-life religious convictions to them. We do not want them to ever use abortifacient drugs and devices. We do not want them to be given access to “free” drugs and devices that can destroy human life in the womb. We strenuously object to the government’s effort to make those drugs and devices available to our daughters. Both of my daughters are also pro-life. They have indicated that they would never use abortifacient drugs or devices.

10. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed to me a desire that these drugs and devices be added to the College’s plans.

13. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

14. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

15. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

16. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, WANDA BOLLMAN, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this 11th day of October, 2013, at Winona Lake, Indiana

Wanda Bollman
Wanda Bollman

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

) Case No. 3:12-cv-459 JD

DECLARATION OF STEVE CARLSON IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

I, STEVE CARLSON, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of Indiana, with my permanent residence being in Winona Lake, Indiana.
3. I serve as Registrar at Grace College.
4. I have been employed by the College since 8/31/1997.
5. As part of my compensation package, the College provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the College, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My wife and I have two teenagers, a son and a daughter, one 18 and the other 16. We have conveyed our pro-life religious convictions to them. We do not want them to ever use abortifacient drugs and devices. We do not want them to be given access to “free” drugs and devices that can destroy human life in the womb. We strenuously object to the government’s effort to make those drugs and devices available to our daughter. My daughter is also pro-life. She has indicated that she would never use abortifacient drugs or devices.

10. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed to me a desire that these drugs and devices be added to the College’s plans.

13. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

14. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

15. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

16. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, STEVE CARLSON, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this _11_ day of October, 2013, at Winona Lake, Indiana.

s/Steve Carlson

Steve Carlson*

**I certify that I have the signed original of this document, which is available for inspection at any time by the Court or a party to this action.*

EXHIBIT C

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,	)	
INC.	)	
	)	
<i>Plaintiffs,</i>	)	
	)	Case No. 3:12-cv-459 JD
v.	)	
	)	
KATHLEEN SEBELIUS, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	
	)	

**DECLARATION OF TONYA LEE FAWCETT IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, TONYA LEE FAWCETT, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of Indiana, with my permanent residence being in Winona Lake, Indiana.
3. I serve as Library Director at Grace College.
4. I have been employed by the College since 09/12/2011.
5. As part of my compensation package, the College provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the College, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My husband and I have four children, three daughters, 26, 24, and 21 and one son, 24. We have conveyed our pro-life religious convictions to them. We do not want them to ever use abortifacient drugs and devices. We do not want them to be given access to “free” drugs and devices that can destroy human life in the womb. We strenuously object to the government’s effort to make those drugs and devices available to our children. Our children are also pro-life.

10. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients.

13. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

14. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

15. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

16. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, TONYA LEE FAWCETT, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this 11th day of October, 2013, at Winona Lake, Indiana



Tonya Lee Fawcett

EXHIBIT D

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral.

8. I do not want the College, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My wife and I have a married daughter and a teenage son. We have conveyed our pro-life religious convictions to them. Both share our pro-life views on abortion.

10. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed to me a desire that these drugs and devices be added to the College’s plans.

13. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

14. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

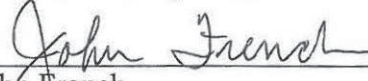
15. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

16. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, JOHN FRENCH, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this 11th day of October, 2013, at Winona Lake, Indiana



John French

EXHIBIT E

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF LISA HARMAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, LISA HARMAN, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of Indiana, with my permanent residence being in Claypool, Indiana.
3. I serve as Benefits Specialist at Grace College.
4. I have been employed by the College since 12/13/2010.
5. As part of my compensation package, the College provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.
8. I do not want the College, the third-party administrator of its health plans, or any other third party to give me and my family coverage of abortifacients in the form of promised

payments. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My husband and I have two teenage daughters, one 17 and the other 15. We have conveyed our pro-life religious convictions to them. We do not want them to ever use abortifacient drugs and devices. We do not them to be given access to “free” drugs and devices that can destroy human life in the womb. We strenuously object to the government’s effort to make those drugs and devices available to our daughters.

10. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the College’s plans.

13. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

14. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

15. I and my colleagues are unaware of any employee becoming pregnant out of wedlock.

16. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

17. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

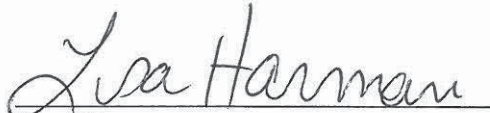
18. All Grace College and Seminary employees have at least graduated from high school.

19. A true and correct copy of the Grace College and Seminary Application for Employment is attached to this declaration as Exhibits F and G.

DECLARATION UNDER PENALTY OF PERJURY

I, LISA HARMAN, a citizen of the United States and resident of the State of Indiana, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 11 day of October, 2013, at Winona Lake, Indiana.



Lisa Harman

EXHIBIT F



200 Seminary Drive · Winona Lake, IN 46590 · 574.372.5100 · www.grace.edu

Faculty Application for Employment

Applicants are considered for all positions without regard to race, color, religion (except as exempt under the law), sex, national origin, veteran status, or the presence of a non-job-related medical condition or handicap.

Date of Application _____ Position Applied For 1. _____ 2. _____

Type of employment sought ☐ Full time ☐ Part time

Last Name _____ First _____ Middle _____

Street _____ City _____ State _____ Zip _____

Home Phone _____ Business Phone _____ E-Mail Address _____

In case of emergency notify: Name _____ Relationship _____ Telephone _____

Are you known to schools/references by another name? ☐ Yes ☐ No If yes, what name? _____

How did you hear about this position? _____

Are you legally allowed to work in the U.S.? ☐ Yes ☐ No Please note that Grace Schools does not sponsor any types of Visas.

Have you ever been employed with Grace Schools before? ☐ Yes ☐ No If yes, indicate department, dates, and name of supervisor.

Are you related to anyone currently employed by Grace Schools? ☐ Yes ☐ No Name/relationship _____

Are you employed now? ☐ Yes ☐ No May we contact your present employer? ☐ Yes ☐ No

Can you travel if a job requires it? ☐ Yes ☐ No Are you a veteran of the U.S. Military? ☐ Yes ☐ No If yes, which branch? _____

On what date would you be available for work? _____ Best time for an interview? _____

Are you an ordained minister? ☐ Yes ☐ No If yes, which organization? _____

Have you been convicted of a felony within the last seven years? ☐ Yes ☐ No If yes, explain. _____

Education

	High School	College	Graduate / Professional
School name	_____	_____	_____
Years Completed	_____	_____	_____
Diploma / Degree	_____	_____	_____
Courses of study	_____	_____	_____
Activities, Skills, Training Apprenticeship	_____	_____	_____

— To be considered for employment, you must complete all 4 pages. —

Employment Experience

List each job held. Begin with your present or most recently held position.

(Part-time applicants need list only current employer)

Employer _____ From / To _____

Position / Responsibilities _____

Address _____

City _____ State _____ Zip _____

Salary - Starting / Final _____ Supervisor _____

Reason for Leaving _____

Employer _____ From / To _____

Position / Responsibilities _____

Address _____

City _____ State _____ Zip _____

Salary - Starting / Final _____ Supervisor _____

Reason for Leaving _____

Employer _____ From / To _____

Position / Responsibilities _____

Address _____

City _____ State _____ Zip _____

Salary - Starting / Final _____ Supervisor _____

Reason for Leaving _____

If additional space is needed, please continue on another sheet of paper. Please give any additional information that you feel may be relevant to your qualifications.

Other Information

What plans do you have regarding further graduate study? _____

Names of professional associations, service clubs, and Christian organizations of which you are a member. _____

Give fields in which you feel you are best qualified to teach. _____

Give fields in which you prefer to teach in order of preference. _____

List books, pamphlets, articles, if any, which you have written during the past ten years (attach additional pages if necessary). _____

— To be considered for employment, you must complete all 4 pages. —

List any special studies or research projects which you have completed during the past five years. _____

Give any additional information relevant to your qualifications. _____

References

Please give the names, addresses and phone numbers of three individuals, (including at least two employers) whom we may contact regarding your educational background, experience, and performance.

1 Name _____
Address _____
City _____ State _____ Zip _____
Phone _____ Relationship _____

2 Name _____
Address _____
City _____ State _____ Zip _____
Phone _____ Relationship _____

3 Name _____
Address _____
City _____ State _____ Zip _____
Phone _____ Relationship _____

Spiritual Information

Present Church Membership _____
Address _____
Phone _____ Pastor _____
Present Church Membership of Spouse _____
Address _____
Phone _____ Pastor _____
Previous Church Membership _____
Address _____
Phone _____ Pastor _____

— To be considered for employment, you must complete all 4 pages. —

Do you consider yourself, without reservation, to be a conservative, evangelical Christian? ☐ Yes ☐ No Is your spouse? ☐ Yes ☐ No

Please write a brief account of your conversion and a statement of your present commitment to Christ.

Have you ever been ☐ divorced ☐ separated ☐ had a marriage annulled ☐ No

Will you cheerfully uphold the standard of Grace Schools as described in our Community Lifestyle statement? ☐ Yes ☐ No If no, please explain.

Do you wholeheartedly subscribe to the doctrinal statement of Grace Schools? ☐ Yes ☐ No If no, please explain.

Statement of Community Lifestyle

Members of the Grace College and Theological Seminary (Grace Schools) are committed to the mission of the institution and to living in a manner that brings glory to the name of our Lord. To this end we agree to uphold the standards of the community as cited in this statement.

Since members of the Grace Schools community are also members of the broader community of the body of Jesus Christ, it is expected that everything we do will reflect our commitment, both to our Lord and to His body of believers. This commitment is to be demonstrated by faithful involvement in a local evangelical church, Christian loyalty to each other, and pursuit of the fruit of the spirit – love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control.

The Word of God is the final authority on all matters of faith and conduct. Therefore, items expressly forbidden in the Scripture are not acceptable for members of the Grace Schools community. Examples include pride, lust, slander, drunkenness, profane language, premarital sex, adultery, homosexual behavior and prejudice (1 Corinthians 6:9-11). Members of the Grace Schools community work hard to eliminate inappropriate attitudes and actions in their personal lives and in the life of the community and to see them replaced by Christ-like attitudes and actions appropriate for mature Christians.

Grace Schools values the worth and dignity of human life as expressed through the fruit of the spirit. Having been made in the image of God, those who live and work at the institution express like faith and are expected to respect and uphold life-affirming practices that distinguish our faith community from other institutions of higher education, particularly for those who are vulnerable members of society. Consistent with the views of the Fellowship of Grace Brethren Churches, Grace Schools believes that human life is worthy of respect and protection at all stages from the time of conception. The sanctity of human life is established by creation (Genesis 1:26-27), social protection (Genesis 9:6) and redemption (John 3:16).

While Scripture does not provide specific teaching regarding all social practices in a given cultural setting, it does speak to the Christian's responsibility in areas of conduct which may be harmful or spiritually offensive to self or others. In keeping with its objectives to develop moral and spiritual leadership, Grace Schools expects members of the community to demonstrate restraint and discretion in entertainment choices, social activities, and personal habits (Galatians 5:13-23). Without question, the Christian must abstain from all that is morally degrading. While Grace Schools does not normally assume the role of a censoring agent, it does expect tangible evidence of a life committed to growth in Christ and sound judgment based on biblical principles.

Some substances may harm one's physiological and psychological well-being. In some cases, they dishonor the body, which is the temple of the Holy Spirit (Romans 12:1). Therefore, members of the community are to refrain from the use of tobacco in any form, hallucinogenic drugs, illegal substances (including marijuana), and/or narcotics not authorized by a physician. Under no circumstances are the above to be used, possessed, or distributed on or away from campus.

Grace Schools is committed to maintaining an alcohol-free campus. This means that the consumption of alcohol will be prohibited on campus properties and at Grace Schools-affiliated events. Adult employees of Grace Schools will use careful discretion in any use of alcohol, avoiding the serving or consumption of alcohol in any situation in which traditional undergraduate or underage members of the Grace Schools family are or are likely to be present. Underage drinking is not only contrary to school policy, but also against the law.

Above all, we the members of the Grace Schools community are committed to accurately representing the Lord Jesus Christ on our campus, in our community and to the ends of the earth.

Applicant's signature _____ Date _____

— To be considered for employment, you must complete all 4 pages. —

EXHIBIT G



200 Seminary Drive Winona Lake, IN 46590 574.372.5100 www.grace.edu

Application for Employment

Applicants are considered for all positions without regard to race, color, religion (except as exempt under the law), sex, national origin, veteran status, or the presence of a non-job-related medical condition or handicap.

Date of Application _____ Position Applied For 1. _____ 2. _____

Type of employment sought ☐ Full time ☐ Part time ☐ Seasonal ☐ On-call ☐ Temporary

Last Name _____ First _____ Middle _____

Street _____ City _____ State _____ Zip _____

Home Phone _____ Business Phone _____ E-Mail Address _____

In case of emergency notify: Name _____ Phone _____

Are you known to schools/references by another name? ☐ Yes ☐ No If yes, what name? _____

How did you hear about this position? _____

Are you legally allowed to work in the U.S.? ☐ Yes ☐ No Please note that Grace Schools does not sponsor any types of Visas.

Have you ever been employed with Grace Schools before? ☐ Yes ☐ No If yes, indicate department, dates, and name of supervisor.

Are you related to anyone currently employed by Grace Schools? ☐ Yes ☐ No Name/relationship _____

Are you employed now? ☐ Yes ☐ No May we contact your present employer? ☐ Yes ☐ No

Can you travel if a job requires it? ☐ Yes ☐ No Are you a veteran of the U.S. Military ☐ Yes ☐ No If yes, which branch? _____

On what date would you be available for work? _____ Best time for an interview? _____

Have you been convicted of a felony within the last seven years? ☐ Yes ☐ No If yes, explain. _____

Education

	High School	College	Graduate / Professional
School name	_____	_____	_____
Years Completed	_____	_____	_____
Diploma / Degree	_____	_____	_____
Courses of study	_____	_____	_____
Activities, Skills, Training Apprenticeship	_____	_____	_____

— To be considered for employment, you must complete all 4 pages —

Employment Experience

List each job held. Begin with your present or most recently held position.

Employer _____ From / To _____
 Position / Responsibilities _____
 Address _____ City _____ State _____ Zip _____
 Salary - Starting / Final _____ Supervisor _____
 Reason for Leaving _____

Employer _____ From / To _____
 Position / Responsibilities _____
 Address _____ City _____ State _____ Zip _____
 Salary - Starting / Final _____ Supervisor _____
 Reason for Leaving _____

Employer _____ From / To _____
 Position / Responsibilities _____
 Address _____ City _____ State _____ Zip _____
 Salary - Starting / Final _____ Supervisor _____
 Reason for Leaving _____

If additional space is needed, please continue on another sheet of paper. Please give any additional information that you feel may be relevant to your qualifications.

Overview of Experience

Please indicate with T (training) or E (experience). Check only as relevant to the position for which you are applying.

____ Accounting / Cashier	____ Carpentry	____ Deep Fat Fryer	Please check the type of employment desired. ☐ Clerical ☐ Custodial ☐ Food Service ☐ Library ☐ Maintenance ☐ Secretarial ☐ Security ☐ Other
____ Computer	____ Custodial	____ Dishwashing Machine	
____ Dictating Equipment	____ Electrical	____ Food Chopper / Grinder	
____ Typing (wpm _____)	____ Electronics	____ Food Mixer (Dough)	
____ Offset Presses	____ Grounds Maintenance	____ Food Mixer (Vertical)	
____ Receptionist	____ Heating / Air Conditioning	____ Grill & Broiler	
____ Word Processing	____ Heavy Equipment	____ Meat Slicer	
____ Microsoft Word	____ Mechanic	____ Range	
____ Lotus	____ Plumbing	____ Steam Pressure Cooker	
____ Other _____	____ Other _____	____ Vegetable Peeler	
		____ Other _____	

-To be considered for employment, you must complete all 4 pages -

Briefly discuss any special qualifications that you possess which might be of benefit to Grace College and Seminary.

Names of professional associations, service clubs, and Christian organizations of which you are a member. _____

Give any additional information relevant to your qualifications. _____

References

Please give the names, addresses and phone numbers of four individuals, (including at least two employers) whom we may contact regarding your educational background, experience, and performance.

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Relationship _____

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Relationship _____

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Relationship _____

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Relationship _____

— To be considered for employment, you must complete all 4 pages —

Do you consider yourself without reservation to be a conservative, evangelical Christian? ☐ Yes ☐ No

Please write a brief account of your conversion and a statement of your present commitment to Christ.

Have you ever been divorced? ☐ Yes ☐ No

Do you wholeheartedly subscribe to the doctrinal statement of Grace Schools? ☐ Yes ☐ No If no, please explain.

Statement of Community Lifestyle

Members of the Grace College and Theological Seminary (Grace Schools) are committed to the mission of the institution and to living in a manner that brings glory to the name of our Lord. To this end we agree to uphold the standards of the community as cited in this statement.

Since members of the Grace Schools community are also members of the broader community of the body of Jesus Christ, it is expected that everything we do will reflect our commitment, both to our Lord and to His body of believers. This commitment is to be demonstrated by faithful involvement in a local evangelical church, Christian loyalty to each other, and pursuit of the fruit of the spirit – love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control.

The Word of God is the final authority on all matters of faith and conduct. Therefore, items expressly forbidden in the Scripture are not acceptable for members of the Grace Schools community. Examples include pride, lust, slander, drunkenness, profane language, premarital sex, adultery, homosexual behavior and prejudice (1 Corinthians 6:9-11). Members of the Grace Schools community work hard to eliminate inappropriate attitudes and actions in their personal lives and in the life of the community and to see them replaced by Christ-like attitudes and actions appropriate for mature Christians.

Grace Schools values the worth and dignity of human life as expressed through the fruit of the spirit. Having been made in the image of God, those who live and work at the institution express like faith and are expected to respect and uphold life-affirming practices that distinguish our faith community from other institutions of higher education, particularly for those who are vulnerable members of society. Consistent with the views of the Fellowship of Grace Brethren Churches, Grace Schools believes that human life is worthy of respect and protection at all stages from the time of conception. The sanctity of human life is established by creation (Genesis 1:26-27), social protection (Genesis 9:6) and redemption (John 3:16).

While Scripture does not provide specific teaching regarding all social practices in a given cultural setting, it does speak to the Christian's responsibility in areas of conduct which may be harmful or spiritually offensive to self or others. In keeping with its objectives to develop moral and spiritual leadership, Grace Schools expects members of the community to demonstrate restraint and discretion in entertainment choices, social activities, and personal habits (Galatians 5:13-23). Without question, the Christian must abstain from all that is morally degrading. While Grace Schools does not normally assume the role of a censoring agent, it does expect tangible evidence of a life committed to growth in Christ and sound judgment based on biblical principles.

Some substances may harm one's physiological and psychological well-being. In some cases, they dishonor the body, which is the temple of the Holy Spirit (Romans 12:1). Therefore, members of the community are to refrain from the use of tobacco in any form, hallucinogenic drugs, illegal substances (including marijuana), and/or narcotics not authorized by a physician. Under no circumstances are the above to be used, possessed, or distributed on or away from campus.

Grace Schools is committed to maintaining an alcohol-free campus. This means that the consumption of alcohol will be prohibited on campus properties and at Grace Schools-affiliated events. Adult employees of Grace Schools will use careful discretion in any use of alcohol, avoiding the serving or consumption of alcohol in any situation in which traditional undergraduate or underage members of the Grace Schools family are or are likely to be present. Underage drinking is not only contrary to school policy, but also against the law.

Above all, we the members of the Grace Schools community are committed to accurately representing the Lord Jesus Christ on our campus, in our community and to the ends of the earth.

Applicant's signature _____ Date _____

— To be considered for employment, you must complete all 4 pages —

EXHIBIT H

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF DEE ANNA MURASKI IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, DEE ANNA MURASKI, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and I am over the age of eighteen.
2. I am a resident of the State of Indiana, with my permanent residence being in Kosciusko County.
3. I am employed by Grace College (hereinafter "Grace") with my start date being September 15, 2012.
4. Grace employs me as the Orthopaedic Scholar Institute Special Programs Manager and Adjunct Faculty.
5. As part of my compensation package, Grace provides health insurance for me and any future family members.

6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B directly conflict with my beliefs. I would not use abortifacients.

8. I do not want Grace, the third-party administrator of its health plans, or any other third-party to make insurance coverage or payments for abortifacients available to me. I object on religious grounds to having alleged benefit inflicted upon myself.

9. I believe attaching the availability of separate payments for abortifacients to Grace's health insurance plans undermines its efforts to foster a faithful community and to be obedient to God's standards. I object to the government's intended interference with Grace's efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

10. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed to me a desire that these drugs and devices be added to Grace's plans.

11. Every Grace employee voluntarily signs a "Statement of Community Lifestyle," which, among other things, expresses Grace's Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

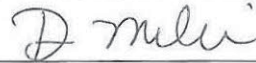
12. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

13. I reject the theory that drugs and devices, that destroy young human life in the womb, advance public health.

DECLARATION UNDER PENALTY OF PERJURY

I, DEE ANNA MURASKI, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this 11 day of October, 2013, at Winona Lake, Indiana



Dee Anna Muraski

EXHIBIT I

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the College, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

10. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

11. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed to me a desire that these drugs and devices be added to the College’s plans.

12. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

13. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

14. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

15. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, ARIELLE PETERS, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this 11 day of October, 2013, at Winona Lake, Indiana

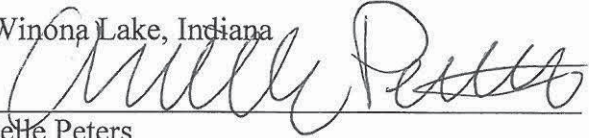

Arielle Peters

EXHIBIT J

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

DECLARATION OF SARAH PRATER IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

I, SARAH PRATER, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of Indiana, with my permanent residence being in Warsaw, Indiana.
3. I serve as Administrative Assistant in the Alumni Department at Grace College.
4. I have been employed by the College since 09/24/2013.
5. As part of my compensation package, the College provides health insurance for myself.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the College, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me.

9. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

10. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

11. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed to me a desire that these drugs and devices be added to the College’s plans.

12. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

13. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

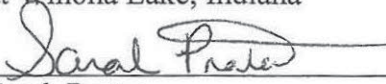
14. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

15. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, SARAH PRATER, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this 11th day of October, 2013, at Winona Lake, Indiana



Sarah Prater

EXHIBIT K

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF DAVID SWAIN IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, DAVID SWAIN, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a Citizen of the United States and am over the age of 18.
2. I am a resident of the state of Indiana, permanently residing in Kosciusko County, Indiana.
3. I am employed as a Client/Server Systems Analyst at Grace College
4. I have been employed at Grace College since May of 2007.
5. As part of my compensation package, Grace College provides health insurance for me, my spouse, and my children.
6. As a believer in Jesus Christ, I believe that God created human beings in His image, and that each life has value to Him. I believe that life begins at conception and that as a living human being, a fetus is entitled to protection.

7. As a believer in Jesus Christ, I believe that the use of abortifacient drugs is sinful and immoral.

8. I do not want the College, the third-party administrator of its employees' health plans, or any other third party to make insurance coverage of payments for abortifacients available to me or my family. My wife has stated that she would never use such drugs, and we will be raising our sons and daughter to be pro-life as well.

9. Part of the consideration I took when applying for employment at Grace College in 2007 was my desire to work for an organization that shares my values and beliefs. It weighed heavily into my decision to accept employment here. I find it extremely objectionable that the government would attempt to force a private organization such as my employer to implement something so contrary to its deep-held and stated beliefs.

10. I believe that the government's solution of creating of a loophole, or "compromise" by allowing for the availability of "separate payments" for abortifacient drugs is not acceptable. My Christian beliefs are deeply held and principled. They are not merely a set of rules to be gotten around on technicalities. That may be how the government works, but thankfully that is not how God works. It would be a violation of Christian integrity for Grace College to fund these drugs in any way.

11. To date I have never heard a desire expressed by one of my co-workers or students that these sorts of drugs should be funded by Grace College's health plan.

DECLARATION UNDER PENALTY OF PERJURY

I, DAVID SWAIN, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this 11 day of October, 2013, at Winona Lake, Indiana


David Swain

EXHIBIT L

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

) Case No. 3:12-cv-459 JD

DECLARATION OF PETER WOLFF IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

I, PETER WOLFF, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of Indiana, with my permanent residence being in Winona Lake, Indiana.
3. I serve a Resident Director at Grace College.
4. I have been employed by the College since 07/25/13.
5. As part of my compensation package, the College provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not encourage the use of abortifacients by my family members.

8. I do not want the College, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My wife and I are both employees of Grace College and have chosen to work in a place where the employer has a right to discriminate based on religious beliefs. We have chosen to work in a community where life is protected.

10. I am grateful that Grace shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the College’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the College’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Grace employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the College’s plans.

13. Grace employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

14. Every Grace employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the College community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

15. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, PETER WOLFF, a citizen of the United States and resident of the State of Indiana hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and factual allegations therein, and the facts as alleged are true and correct.

Executed this _11_ day of October, 2013, at Winona Lake, Indiana.

s/Peter Wolff

Peter Wolff*

**I certify that I have the signed original of this document, which is available for inspection at any time by the Court or a party to this action.*

EXHIBIT M

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF ALISON ARCADI IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, ALISON ARCADI, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in Whittier, California.
3. I serve as Investments Administrator at Biola University.
4. I have been employed by the University since February 16, 1998.
5. As part of my compensation package, the University provides health insurance for myself.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.
8. I do not want the University, the third-party administrator of its health plans, or any other third party to give me and my family coverage of abortifacients in the form of

promised payments. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My husband and I have two sons ages 32 and 28 and a daughter age 23. We have conveyed our pro-life religious convictions to them. We do not want them to ever use abortifacient drugs and devices. We do not want them to be given access to “free” drugs and devices that can destroy human life in the womb. We strenuously object to the government’s effort to make those drugs and devices available to our daughters.

10. I am grateful that Biola shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Biola employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the University’s plans.

13. Every Biola employee signs (as a part of the application process) and declares agreement with Biola’s Doctrinal Statement and Standard of Conduct. Both of these documents express the University’s commitment to the sanctity of life, which begins at conception and rejects abortion as contrary to scripture. I do not know of any Biola employee who does not agree and support the Doctrinal Statement and conduct standards.

14. Every Biola employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the University community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

15. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

16. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, ALISON ARCADI, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 8TH day of October, 2013, at La Mirada, California.


Alison Arcadi

EXHIBIT N

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,
INC.

Plaintiffs,

v.

KATHLEEN SEBELIUS, *et al.*,

Defendants.

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Case No. 3:12-cv-459 JD

**DECLARATION OF KETHA BOESPFLUG IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, KETHA BOESPFLUG, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in Brea, California.
3. I serve as Bursar at Biola University.
4. I have been employed by the University since January 28, 2002.
5. As part of my compensation package, the University provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the University, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me.

9. My husband and I are both employees of Biola University and have chosen to work in a place where the employer has a right to discriminate based on religious beliefs. We have chosen to work in a community where life is protected.

10. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

11. I am unaware of any instance in which a Biola employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the University’s plans.

12. Biola employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

13. The Standard of Conduct for all Biola employees includes a statement that members of the Biola community are not to engage in activities that scripture forbids. This includes “...the destruction or termination of innocent human life through human intervention in any form after conception including but not limited to, abortion, infanticide or euthanasia.” I am not aware of any employee at Biola who does not support this statement.

14. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

15. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, KETHA BOESPFLUG, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 8th day of October, 2013, at La Mirada, California.


Ketha Boespflug

EXHIBIT O

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF CYNTHIA COLE IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, CYNTHIA COLE, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in La Habra, California.
3. I serve as Military Benefits Coordinator at Biola University.
4. I have been employed by the University since March 1, 2006.
5. As part of my compensation package, the University provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the University, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me.

9. I am grateful that Biola shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

10. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

11. I am unaware of any instance in which a Biola employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the University’s plans.

12. Biola employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

13. The Standard of Conduct for all Biola employees includes a statement that members of the Biola community are not to engage in activities that scripture forbids. This includes “...the destruction or termination of innocent human life through human intervention in any form after conception including but not limited to, abortion, infanticide or euthanasia.” I am not aware of any employee at Biola who does not support this statement.

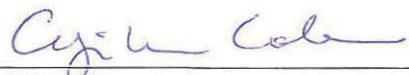
14. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

15. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, CYNTHIA COLE, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 8th day of October, 2013, at La Mirada, California.



Cynthia Cole

EXHIBIT P

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF ALANNA GODOY IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, ALANNA GODOY, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in Brea, California.
3. I serve as Budget Administrator at Biola University.
4. I have been employed by the University since June 8, 2012
5. As part of my compensation package, the University provides health insurance for myself.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the University, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me.

9. I am grateful that Biola shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

10. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

11. I am unaware of any instance in which a Biola employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the University’s plans.

12. Biola employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

13. Every Biola employee signs (as a part of the application process) and declares agreement with Biola’s Doctrinal Statement and Standard of Conduct. Both of these documents express the University’s commitment to the sanctity of life, which begins at conception and rejects abortion as contrary to scripture. I do not know of any Biola employee who does not agree and support the Doctrinal Statement and conduct standards.

14. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

15. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, ALANNA GODOY, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 8 day of October, 2013, at La Mirada, California.

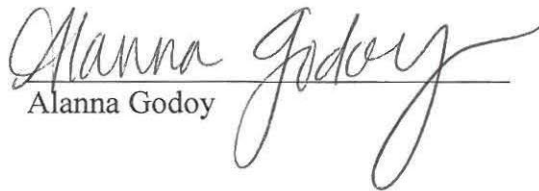

Alanna Godoy

EXHIBIT Q

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF CHRIS GRACE IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, CHRIS GRACE, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in La Habra, California.
3. I serve as Vice President of Student Development and University Planning at Biola University.
4. I have been employed by the University since September 1, 1988
5. As part of my compensation package, the University provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.

8. I do not want the University, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My wife and I have three children, a son, age 21 and two daughters ages 19, and 10. We have conveyed our pro-life religious convictions to them. We do not want them to ever use abortifacient drugs and devices. We do not want them to be given access to “free” drugs and devices that can destroy human life in the womb. We strenuously object to the government’s effort to make those drugs and devices available to our daughters.

10. I am grateful that Biola shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Biola employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the University’s plans.

13. Biola employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

14. In accordance with directives from the Board of Trustees of Biola, every Biola employee must agree to and support the Articles of Faith of the University as well as its Theological Distinctives concerning the sanctity of life which states in part, “The Bible is clear on its teaching on the sanctity of life. Life begins at conception.” I am not aware of any employee who rejects these beliefs.

15. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

16. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, CHRIS GRACE, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 8 day of October, 2013, at La Mirada, California.


Chris Grace

EXHIBIT R

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,	)	
INC.	)	
	)	
<i>Plaintiffs,</i>	)	
	)	Case No. 3:12-cv-459 JD
v.	)	
	)	
KATHLEEN SEBELIUS, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

**DECLARATION OF RONALD G. MOORADIAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, RONALD G. MOORADIAN, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in Cerritos, California.
3. I serve as Senior Director of Human Resources at Biola University.
4. I have been employed by the University since July 1, 1995
5. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
6. I believe, as a matter of Christian conviction, that using abortifacient drugs like ella and Plan B is sinful and immoral.
7. I do not want the University, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a "benefit" foisted upon me and my family.

8. I am grateful that Biola shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

9. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

10. In my position as Senior Director of Human Resources for the University, I am not aware of any instance in which a Biola employee has ever complained that the employee health insurance plans excluded abortifacients such as Plan B and ella. No employee has ever expressed a desire that these drugs be added to the University’s plans.

11. Biola employees are sufficiently well-compensated to be able to bear the relatively modest cost of abortifacients like ella and Plan B in the unlikely event that an employee elected to use those drugs.

12. Every Biola employee signs (as a part of the application process) and declares agreement with Biola’s Doctrinal Statement and Standard of Conduct. Both of these documents express the University’s commitment to the sanctity of life, which begins at conception and rejects abortion as contrary to scripture. I do not know of any Biola employee who does not agree and support the Doctrinal Statement and conduct standards.

13. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

14. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, RONALD G. MOORADIAN, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 7th day of October, 2013, at La Mirada, California.



Ronald G. Mooradian

EXHIBIT S

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,	)	
INC.	)	
	)	
<i>Plaintiffs,</i>	)	
	)	Case No. 3:12-cv-459 JD
v.	)	
	)	
KATHLEEN SEBELIUS, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

**DECLARATION OF SCOTT RAE IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, SCOTT RAE, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in Fullerton, California.
3. I serve as Dean of Faculty and Professor of Christian Ethics at Talbot School of Theology, Biola University.
4. I have been employed by the University since 1989.
5. As part of my compensation package, the University provides health insurance for me and my family.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection. The reason for this is that I believe that the Bible teaches that from conception forward, the embryo/fetus is an image of God bearing person, with full rights to life. The Bible repeatedly uses the same language to describe fully mature adults as it does the unborn in the womb, and uses the terms for baby outside the womb, and fetus in the

womb interchangeably. This view is part of the formal doctrinal statement of the university, to which all faculty must assent.

7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral because it unjustly ends the life of a full person unborn child in the womb, either by making the womb inhospitable for implantation or expelling an embryo from the womb.

8. I do not want the University, the third-party administrator of its health plans, or any other third party to make insurance coverage or payments for abortifacients available to me. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family. Ethically, this is very problematic because it puts the university in the position of facilitating the provision of these medications, which, when taken as designed, produce an outcome that we believe constitutes sin. The university’s complicity in this accommodation is just as problematic as providing the services ourselves.

9. I am grateful that Biola shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

10. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

11. Every Biola employee signs (as a part of the application process) and declares agreement with Biola’s Doctrinal Statement and Standard of Conduct. Both of these documents express the University’s commitment to the sanctity of life, which begins at conception and rejects abortion as contrary to scripture. I do not know of any Biola faculty member who does not agree and support the Doctrinal Statement and conduct standards.

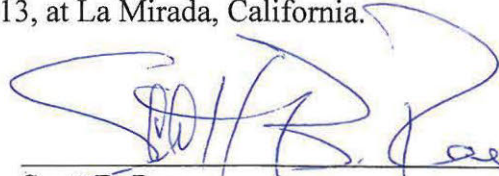
12. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

13. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, SCOTT RAE, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this _9th_ day of October, 2013, at La Mirada, California.



Scott B. Rae

EXHIBIT T

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

GRACE SCHOOLS and BIOLA UNIVERSITY,)
INC.)

Plaintiffs,)

v.)

KATHLEEN SEBELIUS, *et al.*,)

Defendants.)

Case No. 3:12-cv-459 JD

**DECLARATION OF WENDY WALKER IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, WENDY WALKER, under oath and penalty of perjury, declare that the following statements are true and correct based upon my personal knowledge:

1. I am a citizen of the United States of America and am over the age of eighteen.
2. I am a resident of the State of California, with my permanent residence being in Brea, California.
3. I serve as Buyer at Biola University.
4. I have been employed by the University since September 11, 2006.
5. As part of my compensation package, the University provides health insurance for myself.
6. I believe, as a matter of Christian conviction, that God creates human beings in His image. I further believe that each and every human being, from the time of conception, has dignity and is entitled to special protection.
7. I believe, as a matter of Christian conviction, that using abortifacient drugs and devices like ella and Plan B is sinful and immoral. I would not use abortifacients.
8. I do not want the University, the third-party administrator of its health plans, or any other third party to give me and my family coverage of abortifacients in the form of

promised payments. In fact, I object on religious grounds to having such a “benefit” foisted upon me and my family.

9. My husband and I have three daughters, ages 22, 22 and 18. We have conveyed our pro-life religious convictions to them. We do not want them to ever use abortifacient drugs and devices. We do not want them to be given access to “free” drugs and devices that can destroy human life in the womb. We strenuously object to the government’s effort to make those drugs and devices available to our daughters.

10. I am grateful that Biola shares my pro-life religious convictions. I am glad to be part of a community that consistently upholds its religious belief in the dignity and value of human life.

11. I believe that attaching the availability of “separate payments” for abortifacients to the University’s health insurance plans undermines its efforts to foster a faithful community and to be obedient to God’s standards. I object to the government’s intended interference with the University’s efforts to encourage faithful adherence to share Christian principles among faculty, staff, and students.

12. I am unaware of any instance in which a Biola employee or student ever complained that the employee or student plan excluded abortifacients. No employee or student has ever expressed a desire that these drugs and devices be added to the University’s plans.

13. Every Biola employee signs (as a part of the application process) and declares agreement with Biola’s Doctrinal Statement and Standard of Conduct. Both of these documents express the University’s commitment to the sanctity of life, which begins at conception and rejects abortion as contrary to scripture. I do not know of any Biola employee who does not agree and support the Doctrinal Statement and conduct standards.

14. Every Biola employee signs (and thereby declares agreement with) a “Statement of Community Lifestyle,” which, among other things, expresses the University community’s Christian pro-life beliefs. I am not aware of a single employee that rejects these pro-life beliefs.

15. I reject the contention that I must be given free access to abortifacients to experience equality based on sex.

16. I reject the contention that drugs and devices that destroy young human life in the womb advance “public health.”

DECLARATION UNDER PENALTY OF PERJURY

I, WENDY WALKER, a citizen of the United States and resident of the State of California, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I have read the foregoing Declaration and the factual allegations therein, and the facts as alleged are true and correct.

EXECUTED this 8 day of October, 2013, at La Mirada, California.


Wendy Walker