

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 13-cv-02105-REB-MJW

COLORADO CHRISTIAN UNIVERSITY,

Plaintiff,

v.

KATHLEEN SEBELIUS, in her official capacity as Secretary of the United States Department of Health and Human Services, et al.,

Defendants.

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**ORDER OF ADMINISTRATIVE CLOSURE**

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**Blackburn, J.**

This matter is before me *sua sponte*. Recently, defendants in **Dobson v. Sebelius**, Civil Action No. 1:13-cv-03326-REB-CBS, **appeal filed** (June 11, 2014) (No. 14-1233), appealed from this court's **Order Granting Motion for Preliminary Injunction** ([#37], filed April 17, 2014) in that case. That appeal in turn has been abated pending resolution of other appeals challenging the same statute and regulations as are at issue in this case. (See Order, Doc.: 01019274124, **Dobson v. Burwell**, No. 14-1233 (10<sup>th</sup> Cir. July 7, 2014).)<sup>1</sup>

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<sup>1</sup> **Little Sisters of the Poor Home for the Aged, Denver, Colorado v. Burwell**, Civil Action No. 13-cv-02611-WJM-BNB (D. Colo.), **appeal filed** (Dec. 27, 2013) (No. 13-1540); **Southern Nazarene University v. Burwell**, Case No. CIV-13-1015-F (W.D. Okla.), **appeal filed** (Feb. 11, 2014) (No. 14-6026). These cases, as well as the appeal in **Reaching Souls International v. Burwell**, Case No. CIV-13-1092-D (W.D. Okla.), **appeal filed** (Feb. 12, 2014) (No. 14-6028), have been set for oral argument on September 29, 2014. (See Argument Calendar, **September 2014 Term of Court, Monday, September 29, 2014, Denver, CO, Courtroom I** (available at: [http://www.ca10.uscourts.gov/sites/default/files/calendar/events/Sept\\_2014\\_Cal.pdf](http://www.ca10.uscourts.gov/sites/default/files/calendar/events/Sept_2014_Cal.pdf)) (last accessed Aug. 13, 2014). Yet another related appeal – **Diocese of Cheyenne v. Burwell**, Case No. 14-CV-21-SWS (D. Wyo.), **appeal filed** (May 15, 2014) (No. 14-8040) – also has been abated pending resolution of the other currently pending appeals.

It appears that the issues raised by and inherent to these pending appeals are closely analogous to those presented by the instant suit. The Tenth Circuit's anticipated decision may be expected to impact the resolution of this case. That decision, however, may still be many months away.

Accordingly, the court finds and concludes that the interests of justice and judicial economy and efficiency are best served by closing this action administratively. In accordance with D.C.COLO.LCivR 41.2, all pending motions will be denied without prejudice.

**THEREFORE, IT IS ORDERED** as follows:

1. That under D.C.COLO.LCivR 41.2, this action is **CLOSED ADMINISTRATIVELY** and all pending motions are **TERMINATED**;
2. That all currently pending motions are **DENIED WITHOUT PREJUDICE**; and
3. That under D.C.COLO.LCivR 41.2, the clerk is **DIRECTED** to close this civil action administratively, subject to reopening for good cause.

Dated August 13, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge