

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

1112CV159

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Diocese of Fort Wayne-South Bend, Inc., et al. (See Attachment.)

(b) County of Residence of First Listed Plaintiff Allen County (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number) See Attachment.

DEFENDANTS

Kathleen Sebelius, in her official capacity as Sec. of the U.S. Dept. of Health & Human Services, et al. (See Attachment.)

County of Residence of First Listed Defendant Washington, D.C. (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known) U.S. Department of Justice

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1 Incorporated or Principal Place of Business in This State
2 2 Incorporated and Principal Place of Business in Another State
3 3 Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories and checkboxes.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 5 U.S.C. s 702; 28 U.S.C. ss 2201, 2202; 42 U.S.C. s 2000bb-1(c); and U.S. Const. amend. I. Brief description of cause: Violations of Plaintiffs' rights under the First Amendment, RFRA, and the APA

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER INN1002139

DATE 5/21/12 SIGNATURE OF ATTORNEY OF RECORD Matthew Harris

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

**Attachment to Civil Cover Sheet**

***Diocese of Fort Wayne-South Bend, Inc., et al. v. Kathleen Sebelius, et al.***

**I. (a)**

**Plaintiffs**

Diocese of Fort Wayne-South Bend, Inc.

Catholic Charities of the Diocese of Fort Wayne-South Bend, Inc.

Saint Anne Home & Retirement Community of the Diocese of Fort Wayne-South Bend, Inc.

Franciscan Alliance, Inc.

University of Saint Francis

Our Sunday Visitor, Inc.

**Defendants**

Kathleen Sebelius, in her official capacity as Secretary of the U.S. Department of Health and Human Services;

Hilda Solis, in her official capacity as Secretary of the U.S. Department of Labor;

Timothy Geithner, in his official capacity as Secretary of the U.S. Department of Treasury;

U.S. Department of Health and Human Services;

U.S. Department of Labor; and

U.S. Department of Treasury.

**I. (c)**

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