

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LEGATUS, et al.,

Plaintiffs,

v.

Case No. 12-12061

SYLVIA BURWELL, et al.,

Defendants.

**INJUNCTION AND JUDGMENT AS TO PLAINTIFFS WEINGARTZ SUPPLY
COMPANY AND DANIEL WEINGARTZ¹**

In light of the Supreme Court's decision in *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014), and defendants' consent, it is hereby

ORDERED that defendants, their employees, agents, and successors in office are enjoined

(a) from enforcing

(1) the "June 30, 2014 Contraceptive Coverage Requirement," defined here to include those provisions of federal law in existence on June 30, 2014, when the Supreme Court decided *Hobby Lobby*, that require Plaintiff Weingartz Supply Company to provide its employees with health coverage for contraceptive methods, sterilization procedures, and related patient education and counseling to which plaintiffs object on religious grounds,

¹ This Injunction and Judgment relates to Plaintiffs Weingartz Supply Company's and Daniel Weingartz's claims only and does not affect Plaintiff Legatus' claims in any way.

e.g., 26 C.F.R. § 54.9815-2713(a)(1)(iv); 29 C.F.R. § 2590.715-2713(a)(1)(iv); 45 C.F.R. § 147.130(a)(1)(iv); and

(2) any penalties, fines, or assessments for noncompliance with the June 30, 2014 Contraceptive Coverage Requirement, including those found in 26 U.S.C. § 4980D, and 29 U.S.C. §§ 1132 and 1185d; and

(b) from taking any other actions based on noncompliance with the June 30, 2014 Contraceptive Coverage Requirement

against Plaintiff Weingartz Supply Company, its employee health plan(s), the group health coverage provided in connection with such plan(s), and/or Weingartz Supply Company's health insurance issuers and/or third-party administrators with respect to Weingartz Supply Company's health plan(s); and it is further

ORDERED that judgment is entered in favor of Plaintiffs Weingartz Supply Company and Daniel Weingartz and against defendants on Plaintiffs Weingartz Supply Company and Daniel Weingartz's claim under the Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb *et seq.*; and it is further

ORDERED that all other claims brought by Plaintiffs Weingartz Supply Company and Daniel Weingartz against Defendants are DISMISSED; and it is further

ORDERED that the Parties will meet and confer to reach agreement on attorneys' fees and costs with respect to Plaintiffs Weingartz Supply Company and Daniel Weingartz's claims. The Parties will file a joint status report, including a recommendation for further proceedings, by no later than February 9, 2015. If there is no resolution of the attorneys' fees and costs matter, Plaintiffs Weingartz Supply Company and Daniel Weingartz may file a motion for attorneys' fees and costs within

thirty days of February 9, 2015, pursuant to Federal Rule of Civil Procedure 54; and it is further

ORDERED that this Injunction and Judgment does not apply with respect to any changes in statute or regulation that are enacted or promulgated after this date, and nothing herein prevents plaintiffs from filing a new civil action to challenge any such future changes.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: December 31, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 31, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522