

As this Court is aware, in *Wheaton College v. Burwell*, the Supreme Court issued an interim order in connection with that plaintiff's application for an injunction. *See Wheaton Coll. v. Burwell*, 134 S. Ct. 2806 (2014). That order suggests an alternative accommodation. The interim order provides that, "[i]f [Wheaton College] informs the Secretary of Health and Human Services in writing that it is a nonprofit organization that holds itself out as religious and has religious objections to providing coverage for contraceptive services, the [Departments of Health and Human Services, Labor, and the Treasury] are enjoined from enforcing against" Wheaton College provisions of the Affordable Care Act and related regulations requiring coverage without cost-sharing of certain contraceptive services "pending final disposition of appellate review." *Id.* at 2807. The order states that Wheaton College need not use the self-certification form prescribed by the government or send a copy of the executed form to its health insurance issuers or third-party administrators to meet the condition for this injunctive relief. The order also states that this relief neither affects "the ability of [Wheaton College's] employees and students to obtain, without cost, the full range of FDA approved contraceptives," nor precludes the government from relying on the notice it receives from Wheaton College "to facilitate the provision of full contraceptive coverage under the Act." *Id.*

The *Wheaton College* injunction does not reflect a final Supreme Court determination that the Religious Freedom Restoration Act or any other provision of law requires the government to apply the accommodations in this manner. Nevertheless, the Departments responsible for implementing the accommodations have informed us that they have determined to augment the regulatory accommodation process in light of the *Wheaton College* injunction, and that they plan to issue interim final rules on or before August 22.

The forthcoming interim final rules might resolve plaintiff's concerns and end this case, which would obviate the need for further briefing. And even if further briefing is necessary, the planned regulations might affect the Court's analysis. Accordingly, in the interests of judicial economy and the conservation of the parties' time and resources, the parties ask that this case be stayed until September 30, 2014, or further order of this Court.

Respectfully submitted this 12th day of August, 2014,

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CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notice of such filing to all parties.

/s/ Antonia Konkoly
ANTONIA KONKOLY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MEDIA RESEARCH CENTER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:14-cv-379-GBL-IDD
)	
KATHLEEN SEBELIUS, <i>et al.</i> ,)	
)	
Defendants.)	
)	
_____)	

ORDER

The Court, having reviewed the parties' Joint Motion to Stay Proceedings, hereby grants the motion and orders as follows:

This case is stayed until September 30, 2014, or further order of this Court.

IT IS SO ORDERED.

Date: _____

The Honorable Gerald Bruce Lee