

National Health Law Program

Contact: Jane Perkins
 UPDATED: 3/13/2012

<u>VENUE</u>	<u>HEALTH REFORM LITIGATION</u> <u>CASE SCHEDULING</u>
<p>Northern District of Florida</p> <p>Held: Mandate Unconstitutional; Medicaid Constitutional</p> <p>Appealed & aff'd</p>	<p><i>Florida v. Sebelius</i>, No. 3:10-cv-00091 – Judge Roger Vinson</p> <p>3/23/10 – Complaint</p> <p>4/23/10 – Denial of Motions to Intervene</p> <p>5/14/10 – FLA\Amended Complaint.pdf</p> <p>6/14/10 – Order on Amicus Curiae Filings (none permitted re: Motion to Dismiss)</p> <p>6/16/10 – Motion to Dismiss filed by Defendants</p> <p>6/23/10 – Motion for Leave to Appear as Amicus Curiae and Memorandum in Support filed by Oregon, Iowa, and Vermont</p> <p>6/23/10 – Motion to File Amicus Brief in Support of Defendants from Governors of Washington, Colorado, Michigan, Pennsylvania</p> <p>6/25/10 – Order denying Motion for Leave to File Amicus Brief from Governors of Colorado, Michigan, Pennsylvania and Vermont</p> <p>8/06/10 – Response in Opposition to Motion to Dismiss</p> <p>8/27/10 – Reply on Motion to Dismiss</p> <p>9/14/10 – Oral Argument on Defendants’ Motion to Dismiss (transcript available)</p> <p>10/14/10 – FLA\Order on Motion to Dismiss.pdf (granting in part, denying in part)</p> <p>11/01/10 – Motion to Intervene from Retired Judge Eve Ellingwood arguing President Obama is illegal President</p> <p>11/04/10 – Answer to Complaint</p> <p>11/04/10 – Motion for Summary Judgment (Plaintiffs)</p> <p>11/04/10 – Motion for Summary Judgment (Defendants) 11/10/10 – Motions to File Amicus Briefs for Defendants and for Plaintiffs</p> <p>11/10/10 – Order denying Eve Ellingwood’s Motion to Intervene</p> <p>11/12/10 – Orders Granting Amici requests</p> <p>11/16/10 – Amicus Filed in support of Plfs (Rep. Boehner et al.)</p> <p>11/17/10 – Amicus Filed in support of Dfts (Am. Ass’n of People w/Dis. et al.)</p> <p>11/19/10 – Amici Briefs in support of Defendants (Am. Acad. of Ped. et al.; Govs. CO, MI, PA, WA; U.S. Senators; Am. Hosp. Ass’n et al.; Small Bus. Majority Found.; Young Invincibles; State Legislators; Economic Scholars; Am. Nurses Ass’n; Atty Gen. from IA, MD, OR, VT, KY)</p> <p>11/19/10 – Amici Briefs in support of Plaintiffs (Am. Ctr. for Law & Justice et al.; Family Research Council; Am. Civil Rights Union; Gov. of Minnesota)</p> <p>11/23/10 – Memo in Opp. to Def. Motion for Summary Judgment</p> <p>11/23/10 – Memo in Opp. to Plaintiffs’ Motion for Summary Judgment</p> <p>12/06/10 – Reply to Mot. For Summary Judgment filed by Plaintiffs</p> <p>12/06/10 – Reply to Mot. For Summary Judgment filed by Defendants</p> <p>12/16/10 – Oral argument on Motions for Summary Judgment; Transcripts available</p> <p>1/18/10 – Motion for Leave to file Second Amended Complaint adding state officials</p> <p>1/19/11 – Order granting leave to file Second Amended Complaint</p>

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	<p>1/31/11 – FLA\Order Granting Summary Judgment.pdf (finding ACA unconstitutional)</p> <p>2/17/11 - Motion to Clarify Order on Summary Judgment filed by Defendants</p> <p>2/23/11 - Opposition to Motion to Clarify</p> <p>2/28/11 – Notice of Appeal filed by Defendants</p> <p>2/28/11 – Reply in Support of Motion to Clarify</p> <p>3/03/11 – FLA\Order Clarifying Decision & Granting Stay.pdf</p> <p>3/08/11 – Notice of Appeal filed by Defendants</p> <p>3/10/11 – Notice of Cross-Appeal filed by Plaintiffs</p> <p>3/11/11- Motion for an order remedying the incomplete transcript</p> <p>3/16/11- Order denying Motion to remedy the incomplete transcript</p> <p>7/06/11 – Prior Appeal Status Deadlines terminated</p>
<p>11th Circuit Ct. of App.</p> <p>Held: Mandate unconstitutional; Medicaid constitutional</p> <p>Petition for Cert. Granted</p>	<p><i>State of Fla. & Nat’l Fed of Indep. Bus. et al. v. U.S. Dep’t of Health & Human Servs. et al.</i>, Appeal -- No. 11-11021 (US DHHS), Cross-Appeal – No. 11-11067 (State of Fla. et al.)</p> <p>3/09/11 – Appeal docketed -- US DHHS (from No. 3:10-cv-00091 above)</p> <p>3/09/11 – Motion for Expedited Review, DHHS</p> <p>3/10/11 – Motion for initial en banc review filed by State of Florida et al.</p> <p>3/11/11 – Cross Appeal docketed -- State of Fla. et al.</p> <p>3/11/11 – Order Granting Expedited Review</p> <p>3/31/11 - Motion for Initial En Banc Review Denied</p> <p>4/04/11 – DHHS Opening Brief</p> <p>4/11-22/11 – Amici Briefs Supporting DHHS from States and State Legislators; Am. Nurses Ass’n.; Am. Academy of Pediatrics etc.; American Association of People with Disabilities etc.; National Indian Health Board; Economic Scholars; Constitutional Law Professors; Professors of Federal Jurisdiction; Am. Cancer Soc’y; SEIU; Nat’l Women’s Law Ctr.; Young Invincibles; Harry Reid</p> <p>5/04/11 – State of Fla. etc. Opening/Response Brief</p> <p>5/5-16/11 – Amici Briefs Supporting State of Fla. from Am. Center for Law and Justice; John Boehner; Mountain States Legal Found.; S.C. Chamber of Commerce; Justice & Freedom Fund; Washington Legal Found.; Landmark Legal Found.; Indep. Instit.; Am. Civil Rights Union; Am. Legislative Exchange Council; Catholic Med. Ass’n; Family Research Council; Ass’n of Am. Physicians and Surgeons; Heritage Found.; Cato Instit.; Economists; Revere America Found.; Ctr. for Individual Rights; Center for Constit. Jurisprudence; Idaho Freedom Found.</p> <p>5/18/11 – DHHS Response/Reply Brief</p> <p>5/25/11 – State of Fla. Reply Brief</p> <p>6/02/11 – Order allowing purchase of Oral argument transcript for \$26.00</p> <p>6/08/11 - Oral argument</p> <p>6/21/11 – Supp. Authority by Appellees (Bond v. US, SCt., 6/16/ 2011)</p> <p>7/07/11 – Supp. authority filed by Appellants (Thomas More Law Center, 6th Cir.)</p>

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	<p>7/13/11 – Response to supplemental authority 8/09/11 – Supp. authority filed by Appellants (New Jersey Physicians, 3d Cir.) 8/12/11 – Opinion finding individual mandate unconstitutional and severable and finding Medicaid expansion constitutional (648 F.3d 1235) 9/28/11 – Notice of Filing Writs of Certiorari (all parties) 10/3/11 – U.S. (unopposed) Motion to Stay Mandate 11/13/11 - Order denying Motion to Stay 11/14/11 – Writs of certiorari filed</p>
<p>United States Supreme Court</p> <p>Cert. Granted</p>	<p><i>United States v. Florida et al.</i>, Nos. 11-393, 11-398, 11-400</p> <p>All briefs posted at http://www.supremecourt.gov/docket/PPAACA.aspx</p> <p>9/27/11 – Florida Petition for Certiorari (11-400) 9/28/11 – US Petition for Certiorari (11-398) 9/28/11 – NFIB Petition for Certiorari (11-393)</p> <p>10/14-17/11 – Response Briefs 10/24-26/11 – Reply Brief 10/26/11 – Cases distributed for Nov. 10 conference 11/14/11 – Certiorari granted: (1) constitutionality of individual mandate (2 hr. oral argument); (2) severability of individual mandate from remainder of ACA (1 ½ hr. oral arg.); (3) constitutionality of Medicaid expansion (1 hr. oral arg.); (4) Anti-Injunction Act bar (1 hr. oral arg.). 11/18/11 – Invitation to Bartow Farr to argue individual mandate is severable 11/18/11 – Invitation to Robert Long to argue Anti-Injunction Act bars the case</p>
<p>Eastern District of Virginia</p> <p>Held: Mandate unconstitutional</p> <p>Appealed & rev'd</p>	<p><i>Virginia ex rel. Cuccinelli v. Sebelius</i>, No. 3:10-cv-188 – Judge Henry Hudson</p> <p>3/23/10 – VA\Complaint.pdf 5/24/10 – Motion to Dismiss filed by Defendant 6/04/10 – Motion for Leave to File Amicus Brief by Ray Elbert Parker (Virginia citizen) 6/07/10 – Plaintiff's Response in Opposition to Motion to Dismiss 6/07/10 – Motion for Leave to File Amici Brief by American Center for Law & Justice 6/10/10 – Response Amici Brief filed by American Center for Law & Justice 6/16/10 – Amicus Mot./Mem. in support of Cuccinelli (Physician Hospitals of America) 6/17/10 – Amicus Mot./Mem. in support of Defendants (Small Business Majority Foundation, Inc. et al.) 6/17/10 – Amicus Mot./Mem. in opposition to Defendants' Motion to Dismiss (Washington Legal Foundation et al.) 6/17/10 – Response Amici Brief filed by Main Street Alliance, Small Business Majority Foundation, Inc.</p>

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	<p>6/22/10 – Reply in Support of Motion to Dismiss filed by Kathleen Sebelius 6/30/10 – Amicus Reply to Plaintiff’s Opposition to Dismissal, by Ray Elbert Parker 7/01/10 – Hearing re: Motion to Dismiss (transcript available) 8/02/10 – Order and Memorandum Denying Defendants’ Motion to Dismiss 8/16/10 – Answer 9/03/10 – Motions for Summary Judgment filed by both parties 9/23/10 – Opposition to Motions for Summary Judgment filed by both parties 10/01/10 – Amici briefs by Young Invincibles (for Def.) and Cato Institute (for Plf.) 10/12/10 – Amicus brief from former AGs Barr, Thornberg, Meese 10/18/10 – Hearing on Motions for Summary Judgment (transcript available) 11/15/10 – Mot. for Arrest Warrant for Pres. Obama (from W. Spenser Connerat, III) 11/24/10 – Order denying Motion for Arrest Warrant 12/13/10 – VA\Order Granting Summ. J. for Plaintiff.pdf as to declaratory relief and denying injunctive relief 1/18/11 – Notice of Appeal</p>
<p>4th Circuit Ct. of App.</p> <p>Held: No subject matter jurisdiction (Anti-Injunc. Act)</p> <p>Pet. for Cert. filed</p>	<p><i>Commonwealth of Virginia ex rel. Cuccinelli v. Sebelius</i>, No. 11-1058</p> <p>1/21/11 – Appeal docketed (from No. 3:10-cv-188 above) 1/26/11 – Motion by Defendants to expedite decision 1/26/11 – Order granting Defendants’ Motion to expedite decision 1/26/11 – Order consolidating oral argument with Liberty Univ., below 2/28/11 – Opening Brief by Defendant-Appellant Sebelius 3/2-7/11 – Amici Briefs supporting Sebelius from Am. Ass’n of People with Disabilities, etc.; Am. Nurses Ass’n, Am. Acad. of Pediatrics etc.; AHA; Young Invincibles; Am. Ass’n of Univ. Women; Am. Cancer Soc’y etc.; Economic Scholars; AARP; Nat’l Women’s Law Ctr.; SEIU; State officials 3/8-19/11 – Orders granting filing of Amici briefs 3/28/11 – Opening/Response Brief by Plaintiff-Appellee Cuccinelli 3/28- 4/04/11 – Amici Briefs supporting Cuccinelli from Am. Ctr. for Law and Justice etc.; Pacific Legal Found.; Am. for Free Choice in Medicine; Wash. Legal Found. etc.; Justice and Freedom Fund; Am. Civil Rights Union; Mountain States Legal Found.; Landmark Legal Found.; Gun Owners of Am.; Family Research Council; Am. Life League; Am. Physicians & Surgeons 4/04-5/11- Orders granting filing of additional Amici briefs 4/08/11 - Response and Reply Brief from Sec. Sebelius 4/15/11 - Reply Brief from AG Cuccinelli 5/10/11 – Oral argument (Judges Motz, Davis, Wynn) 5/23/11 - Court order requesting supplemental briefing (on Anti-Injunction Act) 5/31/11 – Supplemental briefing from Cuccinelli and Sebelius 6/20/11 – Supplemental Amicus Br. Supporting Appellee from Pacific Legal Found. 7/06/11 – Supplemental authorities filed by Appellant (Thomas More Law Center,</p>

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	<p>6th Cir.) 7/08/11 - Amicus Curiae brief of Toussaint Tyson supporting Appellee 9/08/11 - Opinion finding no subject matter juris., vacating D.Ct. (656 F.3d 253) 10/31/11 - Mandate issued</p>
<p>United States Supreme Court</p> <p>Petition for Cert. Pending</p>	<p><i>Commonwealth of Virginia v. Sebelius</i>, No. 11-438</p> <p>9/30/11 - Virginia Pet. for Writ of Cert., http://www.supremecourt.gov/docket/PDFs/11-420%20Cert%20Petition.pdf</p> <p>11/03/11 - Brief in Opp., http://www.supremecourt.gov/docket/PDFs/11-420%20BIO.pdf</p> <p>11/07/11 - Distributed for Nov. 22 conference</p>
<p>Western District of Virginia</p> <p>Held: Mandate Constitutional</p> <p>Appealed & rev'd</p>	<p><i>Liberty Univ. v. Geithner</i>, No. 6:10-cv-00015 - Judge Normal K. Moon</p> <p>3/23/10 - Complaint 7/30/10 - VA\Liberty Univ\First Am. Complaint.pdf 8/13/10 - Motion to Dismiss Filed by Defendants 9/03/10 - Opposition to Motion to Dismiss 9/22/10 - Reply in Support of Motion to Dismiss 10/22/10 - Oral argument on Motion to Dismiss (transcript available) 11/30/10 - VA\Liberty Univ\Order of Dismissal.pdf for Defendant 12/01/10 - Notice of Appeal</p>
<p>4th Circuit Ct. of App.</p> <p>Held: No subject matter jurisdiction (Anti-Injunc. Act)</p> <p>Pet. for Cert. filed</p>	<p><i>Liberty Univ. v. Geithner</i>, No. 10-2347</p> <p>12/03/10 - Appeal docketed (from No. 6:10-cv-00015, see above) 1/26/11 - Order consolidating oral argument in seriatim with Commonwealth of Va., above 1/18/11 - Opening Brief filed by Liberty Univ. 1/21-25/11 - Amici Briefs supporting Liberty Univ. from Mountain States Legal Found.; Revere America Found.; American Civil Liberties Union 2/18/11 - Response Brief filed by Sec. Geithner 2/25/11 - Amici Briefs supporting Sec. Geithner filed by American Ass'n of People with Disabilities etc.; Am. Nurses Ass'n etc.; Constit. Law Professors; AHA; Nat'l Women's Law Ctr.; Sen. Reid etc.; ACLU; AFSCME; AAP etc.; 3/04/11 - Reply Brief filed by Liberty Univ. 5/10/11 - Oral argument (Judges Motz, Davis, Wynn) 5/23/11 - Court order requesting supplemental briefing 5/31/11 - Supp. briefs by Appellants and Appellees 7/06/11 - Supp. authority filed by Appellee Geithner (Thomas More Law Ctr., 6th Cir.) 8/08/11 - Supp. authority filed by Appellee (New Jersey Physicians, 3d Cir.) 8/12/11 - Supp. authority filed by Appellant (Fla. v. Sebelius, 11th Cir.)</p>

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	<p>8/18/11 – Supp. authority filed by Appellee (Baldwin, 9th Cir.) 9/08/11 – Opinion dismissing case based on Anti-Injunction Act 10/31/11 – Mandate issued</p>
<p>United States Supreme Court Petition for Cert. pending</p>	<p><i>Liberty Univ. v. Geithner</i>, No. 11-438</p> <p>10/07/11 – Liberty Univ. Pet. for Writ of Cert., http://www.supremecourt.gov/docket/PDFs/11-438%20Cert%20Petition.pdf 10/18/11 - Geithner Response, http://www.supremecourt.gov/docket/PDFs/11-438%20BIO.pdf 10/28/11 – Distributed for Nov. 10 Conference 11/28/11 – Liberty Univ. Reply, http://www.supremecourt.gov/docket/PDFs/11-438%20Reply.pdf</p>
<p>Eastern District of Michigan Held: Mandate Constitutional Appealed & aff'd</p>	<p><i>Thomas More Law Center v. Obama</i>, No. 2:10-cv-11156 – Judge George C. Steeh</p> <p>3/23/10 – MICH\TMLC Complaint.pdf 4/06/10 – Motion for Preliminary Injunction 5/11/10 – Response to Motion for Preliminary Injunction filed by Defendants 5/21/10 – Notice of Supplemental Authority by Defendants (<i>US v. Comstock</i>) 6/03/10 – Reply to Support Motion for Preliminary Injunction 7/14/10 – Sur-Reply Re: Motion for Preliminary Injunction Filed by Defendants 7/15/10 - Order Consolidating Hearing on Preliminary Injunction with Trial on Merits 7/21/10 – Hearing on Motion for Preliminary Injunction 8/02/10 – Notice of Supplemental Authority from Plaintiffs (<i>Va. v. Sebelius</i>) 8/04/10 – Def. Response to Supplemental Authority (<i>Va. v. Sebelius</i>) 9/01/10 – Notice of Supplemental Authority from Defendants (Baldwin) 9/02/10 – Plaintiffs’ Response to Supplemental Authority (Baldwin) 10/07/10 – MICH\Order.pdf denying Plf’s Mot. for Injunction and Dismissing Claims 10/21/10 – Stipulated Order dismissing remaining claims without prejudice 10/22/10 – Notice of appeal</p>
<p>6th Circuit Ct. of App. Held: Mandate Constitutional Pet. for Cert. filed</p>	<p><i>Thomas More Law Center v. Obama</i>, No. 10-2388</p> <p>10/25/10 – Appeal docketed (from No. 2:10-cv-11156, see above) 12/15/10 – Opening Brief filed by Appellant Thomas More Law Center 12/15-22/10 – Amici Briefs for TMLC from Am. Ctr. for Law & Justice; Cato Institute; Wash. Legal Found.; Members of Congress; Mountain States Legal Found. 1/14/11 – Response Brief filed by US AG Holder 1/21/11 – Amici Briefs for Holder from Ass’n of Am. Med. Colleges, Catholic Health</p>

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	<p>Ass'n of U.S.; AHA, Nat'l Ass'n of Children's Hospitals & Related Institutions, Members of Congress; Ass'n of People with Disabilities, Families USA, March of Dimes Found. etc.; Economic Scholars; Am. Diabetes Ass'n; Am. Cancer Soc'y; State of Oregon; Constitutional Law Professors, AAP, Am. Medical Student Ass'n; Governor of Washington</p> <p>1/28/11 – Reply Brief filed by TMLC 1/31/11 – Motion to expedite oral argument 2/08/11 – Order granting motion to expedite oral argument 5/27/11 – Motion filed by AG Holder to dismiss case as moot 5/30/11 – Response opposing mootness filed by TMLC 6/01/11 – Oral argument (Judges Martin, Sutton, Graham) 6/17/11 – Additional citation by Appellants (Bond v. US, USSCt.) 6/29/11 – Order affirming the Dismissal of TMLC claims (651 F.3d 529)</p>
<p style="text-align: center;">United States Supreme Court</p> <p style="text-align: center;">Pet. for Cert. pending</p>	<p><i>Thomas More Law Ctr. v. Obama</i>, No. 11-117</p> <p>7/26/11 – TMLC Pet. for Writ of Cert., http://www.supremecourt.gov/docket/PDFs/11-117%20Cert%20Petition.pdf 9/28/11 - Brief in Opp., http://www.supremecourt.gov/docket/PDFs/11-117%20BIO.pdf 10/06/11 - Reply Brief, http://www.supremecourt.gov/docket/PDFs/11-117%20%20Reply.pdf 10/29/11 – Distributed for Nov. 10 conference</p>
<p style="text-align: center;">Northern District of Ohio</p> <p style="text-align: center;">Held: Mandate constitutional</p> <p style="text-align: center;">Appealed</p>	<p><i>US Citizens Ass'n v. Obama</i>, No. 5:10-cv-1065 – Judge David Dowd</p> <p>5/12/10 – Ohio\Complaint.pdf 7/06/10 – Motion to Dismiss Plaintiffs Glick and Ellison filed by Glick and Ellison 7/13/10 – Order Granting Motion to Dismiss Glick and Ellison 7/13/10 – Case Management Conference Scheduling Order 8/12/10 – Motion to Dismiss 9/01/10 – First Amended Complaint 9/08/10 – Order denying Defendants' Motion to Dismiss as moot 9/08/10 – Order granting Defendants' Motion to Stay Summary Judgment Pending Motion to Dismiss ruling 09/16/10 – Second Amended Complaint 10/08/10 – Defendants' Motion to Dismiss Second Amended Complaint 10/28/10 – Opposition to Defendants' Motion to Dismiss 11/02/10 – Amicus brief in Support of Plaintiffs (Alliance for Natural Health US) 11/19/10 – Defendants' Reply in Support of Motion to Dismiss 11/22/10 – Order denying in part, granting in part Defs.' Motion to Dismiss 1/05/11 – Defendant's Answer to Second Amended Complaint filed 1/24/11 – Motion for Summary Judgment filed by Plaintiffs 1/24/11 – Motion for Summary Judgment filed by Defendants</p>

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	<p>2/02/11 – Notice of Supplemental Authority by Plaintiffs (Fla. dec.) 2/14/11 –Opp. to Defendants’ Motion for Summary Judgment filed by Plaintiffs 2/14/11 –Opp. to Plaintiffs’ Motion for Summary Judgment filed by Defendants 2/28/11 – Ohio\Judgment 2 28.pdf Order Dismissing Remaining Counts 3/07/11 –Motion to Clarify or Reconsider filed by US Citizens Ass’n and request for ruling by 5/02/2011 3/14/11 – Opposition to Motion to Clarify 3/14/11 – Reply Supporting of Motion to Clarify 3/17/11 – Order denying Plaintiffs’ request for ruling by 5/02/2011 3/18/11 – Notice of Appeal 4/27/11- Order deferring ruling pending decision by Sixth Circuit in Thomas Moore 7/01/11- Order that this Court is bound by the 6th Cir. Ruling in Thomas More 7/13/11 – Notice of Appeal</p>
<p style="text-align: center;">6th Circuit Ct. of App. Pending</p>	<p><i>US Citizens Ass’n v. Obama</i>, No. 11-3327 (consolidated with 11-3398)</p> <p>3/30/11 – Case docketed (from No. 5:10-cv-1065, above) 5/06/11 – Opening Brief filed by Appellant US Citizens Ass’n(re: Count 2: Violation of freedom of expressive and intimate association, Count 3: Violation of 5th Amendment Due Process, Count 4: Right to Privacy) 7/06/11 – Corrected response brief from Appellee 7/18/11 – Reply Brief filed by Appellants 8/16/11 – Supp. authority from Appellants (Fla. v. Sebelius, 11th Cir.) 9/23/11 – Order consolidating cases and referred (Guy, Sutton, and Griffin) 11/17/11 – Notice of additional citation (SCOTUS review in Florida case) 3/12/12 – Mot. of USA to hold oral argument in abeyance pending SCOTUS review</p> <p>4/11/12 – Oral argument</p>
<p style="text-align: center;">Western District of Oklahoma Stayed</p>	<p><i>Calvey v. Obama</i>, No. 5:10-cv-00353 – Judge David Russell</p> <p>4/07/10 – OKLA\Complaint.pdf 8/06/10 – Amended Complaint 2/15/11 – Motion to Dismiss for Lack of Jurisdiction filed by Defendants 3/09/11 – Motion for Extension of Time to File Response to Mot. to Dismiss 3/22/11 – Motion to Amend/Correct Complaint filed by Calvey 3/22, 23, & 25/11 – Response to Defendants’ Motion to Dismiss filed by Calvey 3/23 & 25/11 – Motion to Amend/Correct Complaint filed by Calvey 3/30/11- Reply supporting Motion to Dismiss filed by Obama 4/26/11- Order granting in part and denying in part Motion to Dismiss for Lack of Jurisdiction; granting Motion to Amend amended complaint. 5/10/11- Answer filed by Defendant 11/08/11 – Order Staying Case pending SCOTUS review in Florida case</p>

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<p>Eastern District Oklahoma</p> <p>Stayed</p>	<p><i>Pruitt v. Sebelius et al</i>, No. 6:11-cv-00030 – Judge Ronald A. White</p> <p>1/21/11 – Complaint</p> <p>2/04/11 – Summons returned executed</p> <p>3/28/11 – Motion to Dismiss for Lack of Jurisdiction filed by Defendants</p> <p>4/08/11 – Response in Opposition to Motion to Dismiss by Plaintiff</p> <p>4/19/11- Motion for Extension of Time to Reply to Motion Response</p> <p>4/20/11- Minute Order granting Defendant’s Motion for Extension of Time</p> <p>4/26/11- Reply in Support of Motion to Dismiss by Defendant</p> <p>9/22/11 – Def. Notice of Supp. Auth. (4th circuit decision)</p> <p>11/16/11 – Order to show cause why case should not be stayed pending SCOTUS review of Florida case</p> <p>11/17/11 - Response agreeing case should be stayed</p> <p>11/23/11 - Order Staying Case pending SCOTUS review in Florida case</p>
<p>Southern District of Mississippi</p> <p>Stayed, except privacy claims</p>	<p><i>Walters v. Holder</i>, No. 2:10-cv-76 – Judge Keith Starrett</p> <p>4/02/10 –Petition filed</p> <p>4/09/10 – Miss\First Am. Petition.pdf, adding Plaintiff Lt. Gov. Phil Bryant</p> <p>8/01/10 – Motion to Dismiss by Defendants</p> <p>11/15/10 –Opposition to Motion to Dismiss by Plaintiffs</p> <p>11/22/10 – Memorandum in Opposition filed separately by Phil Bryant</p> <p>1/21/11 – Reply in Support of Motion to Dismiss</p> <p>2/03/11 – Order dismissing First Amended Petition (with leave to refile w/i 30days); Order granting in part and denying in part Motion to Dismiss</p> <p>3/04/11 – Amended Complaint filed by Plaintiffs</p> <p>3/21/11 – Motion for Extension of Time to File Answer filed by Defendants</p> <p>3/21/11 – Order granting Defendants’ Motion to Extend time to Answer</p> <p>4/12/11- Motion to Dismiss and for Jurisdictional Discovery filed by Defendants</p> <p>5/20/11- Opposition of Motion to Dismiss and Jurisdictional Discovery</p> <p>5/31/11 –Order granting Defendant extension of time to reply to Motion to Dismiss</p> <p>7/05/11 – Defendants’ reply (rebuttal) to Motion to Dismiss</p> <p>8/16/11 – Supp. authority from Defendant (New Jersey Physicians, 3d Cir.)</p> <p>8/17/11 – Response to supp. authority and supp. authority from Plf. (Fla. ,11th Cir.)</p> <p>8/18/11 – Response to supp. authority from Def.</p> <p>8/29/11 - Order granting in part & denying in part Defendants’ motion to dismiss (and allowing plfs. to proceed with their individual mandate challenge)</p> <p>9/12/11 – Answer</p> <p>9/29/11 – Case management order re: discovery, briefing, June 2012 bench trial</p> <p>11/16/11 – Joint Mot. to Stay Proceedings pending SCOTUS review in Florida case</p> <p>11/23/11 – Stay pending SCOTUS review in Fla. case, EXCEPT privacy claims</p> <p>4/1/12 – Discovery due</p> <p>4/15/12 – Motions deadline</p> <p>8/06/12 – Bench trial</p>

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<p>District of Columbia</p> <p>Stayed</p>	<p><i>Ass'n of Am. Physicians & Surgeons v. Sebelius</i>, No. 1:10-cv-499 – Judge Amy Berman Jackson</p> <p>3/26/10 – DC\Complaint.pdf 5/12/10 – Response to Notice of Related Case 5/24/10 – Reply to Response to Notice of Related Case filed by Plaintiffs 6/07/10 – Defendants’ Reply re: Opposition to Related-Case Designation 6/11/10 – Order - Case Reassigned to Judge Richard J. Leon 7/29/10 – Motion to Dismiss Complaint Filed by Defendants 9/08/10 – Consent Motion to File Second Amended Complaint 9/13/10 – Second Amended Complaint Filed 11/12/10 – Motion to Dismiss filed by Defendants 11/22/10 – Motion to Stay Summary Judgment and Discovery filed by Defendants 12/09/10 – Opposition to Stay filed by Plaintiffs 12/20/10 – Reply to Memo opposing Motion to Stay filed by Defendants 12/24/10 – Order granting Defendants’ Motion to Stay Summary Judgment and Discovery 1/10/11 – Response to Motion to Dismiss filed by Plaintiffs 1/13/11 – Order denying Motion to Dismiss as moot 2/14/11 – Defendants’ Reply in Support of Motion to Dismiss Second Amended Complaint 3/30/11- Case reassigned to U.S. District Judge Amy Berman Jackson. Judge Richard J. Leon no longer assigned to the case. 4/8/11 - Notice of Supplemental Authority by Defendants (Hall decision) 10/07/11 – Geithner Motion to Stay pending decisions in SCOTUS & DC Cir cases 10/24/11 – Opp. to Mot. to Stay 11/08/11 – Order granting Stay</p> <p>1/06/12 - Joint Status Report due</p>
<p>District of Columbia</p> <p>Held: Mandate Constitutional</p> <p>Appealed & aff'd</p>	<p><i>Seven Sky, Mead et al. v. Holder</i>, No. 1:10-cv-950 – Judge Gladys Kessler</p> <p>6/09/10 – DC\HC-DCT-Complaint 20100609.pdf 7/02/10 – First Amended Complaint 8/11/10 – Motion for Summary Judgment by Plaintiffs 8/20/10 – Def. Motion to Dismiss and to Stay Summary Judgment Proceedings Pending Decision on Motion to Dismiss 8/27/10 – Plaintiffs’ Opposition to Stay 9/03/10 – Defendants’ Reply in Support of Stay 9/08/10 – Order – Granting Motion to Stay Summary Judgment Proceedings 9/10/10 – Memo in Opp. to Motion to Dismiss filed by Plaintiffs 9/24/10 – Defendant’s Reply in Support of their Motion to Dismiss 10/14/10 – Notice of Supplemental Authority filed by Plaintiffs (Fla. dec.) 10/19/10 – Response to the Plaintiff’s Notice of Supplemental Authority 11/29/10 – Notice of Supplemental Authority filed by Plaintiffs (Ohio dec.)</p>

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	<p>12/07/10 – Response to Plaintiffs’ Notice of Supplemental Authority filed by Defendants</p> <p>12/14/10 – Notice of Supplemental Authority filed by Plaintiffs (Lee, Mead, Rodriguez, Ruffo, Seven-Sky)</p> <p>12/20/10 – Response to Plaintiffs’ Notice of Supplemental Authority filed by Defendants</p> <p>1/31/11 – Hearing on Defendants’ Motion to Dismiss</p> <p>2/01/11- Notice of Supplemental Authority by Plaintiffs (Pa. dec.)</p> <p>2/02/11- Notice of Supplemental Authority by Plaintiffs (Fla. dec.)</p> <p>2/15/11 – Response to Notice of Supplemental Authority filed by Defendants</p> <p>2/22/11 – Order granting Defendants’ Motion to Dismiss</p> <p>2/25/11 – Notice of Appeal</p>
<p>D.C. Circuit Ct. of App.</p> <p>Held: Mandate Constitutional</p> <p>Pet. for Cert. pending</p>	<p><i>Seven Sky v. Holder</i>, No. 11-5047</p> <p>3/08/11 – Appeal docketed (from No. 1:10-cv-950, above)</p> <p>3/17/11 – Initial en banc review denied, briefing schedule expedited</p> <p>5/16/11 – Opening Brief filed by Appellant Seven Sky</p> <p>5/24/11 – Amici Briefs supporting Appellant filed by U.S. Chamber of Commerce; Mountain States Legal Found.; Caesar Rodney Instit.; Cato Inst.; state officials; Catholic Vote.org; Ass’n of Am. Physicians & Surgeons</p> <p>6/27/11 – Response Brief filed by Appellee AG Holder</p> <p>7/05-07/11 – Amici in support of Appellee filed by Change to Win, SEIU, AHA, Ass’n of Medical Colleges, Catholic Health Ass’n, Federation of Am. Hospitals, National Ass’n of Children’s Hospitals, National Ass’n of Public Hospitals & Health Systems, etc, and California, Connecticut, Delaware, Hawaii, Iowa, Maryland, New York, Oregon, Vermont and DC</p> <p>7/25/11 – Appellant Reply Brief</p> <p>8/31/11 – Per curium order for supplemental briefing on taxing power</p> <p>9/09/11 – Holder letter re: additional authorities (4th Circuit opinions)</p> <p>9/12/11 – Supplemental briefing</p> <p>9/23/11 – Oral argument (Judges Kavanaugh, Edwards, Silberman)</p> <p>11/08/11 – Opinion affirming dismissal</p> <p>12/09/11 – Notice that Writ of Certiorari filed</p>
<p>United States Supreme Court</p> <p>Pet. for Cert. pending</p>	<p><i>Seven Sky v. Holder</i>, No. 11-679</p> <p>11/30/11 – Petition for Certiorari</p> <p>1/03/12 – Response of Eric Holder</p> <p>1/10/12 – Reply</p> <p>1/18/12 – Distributed for Conference Feb. 17, 2012</p>

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<p>District of Columbia</p> <p>Stayed</p>	<p><i>Sissel v. U.S. Dep't of Health & Human Servs.</i>, No. 1:10-cv-01263 – Judge Beryl A. Howell</p> <p>7/26/10 – Complaint 7/26/10 – Notice of Related Case by Plaintiff Sissel 10/25/10 – Opp. to Notice of Related Case filed by Defendants 11/03/10 – Response in Support of Notice of Related Case 11/12/10 – Reply in Opposition to Plaintiff’s Response re Notice of Related Case 11/15/10 – Motion to Dismiss 12/16/10 – Response to Motion to Dismiss filed by Plaintiffs 1/05/11 – Order staying discovery pending resolution of Defendants’ Motion to Dismiss 1/18/11 – Reply to Plaintiffs’ Response to Motion to Dismiss filed by Defendants 2/28/11 – Notice of Supp. Authority by Defendants (Mead/Seven Sky, D.C.D.C. 8/09/11 – Case stayed pending D.C. Circuit decision in Mead/Seven Sky 11/30/11 – Joint Motion to Stay pending SCOTUS review in Florida case 12/01/11 – Order granting Stay</p>
<p>District of New Jersey</p> <p>Held: Dismissed for lack of standing</p> <p>Appealed & aff'd</p>	<p><i>New Jersey Physicians, Inc. v. Obama</i>, No. 2:10-cv-01489 – Judge Susan Wigenton</p> <p>3/24/10 – Complaint 3/30/10 – NJ\amended complaint.pdf 7/28/10 – Motion to Dismiss Filed by Defendants 8/23/10 – Response in Opposition to Motion to Dismiss 9/03/10 – Reply in Support of Motion to Dismiss 12/08/10 – NJ\New Jersey Physicians - opinion granting motion to dismiss.pdf 12/08/10 – Notice of Appeal filed by Plaintiffs 9/26/11 – Mandate issued</p>
<p>3^d Circuit Ct. of App.</p> <p>Case dismissed</p>	<p><i>New Jersey Physicians, Inc. v. Obama</i>, No. 10-4600</p> <p>12/14/10 - Case docketed (appeal from No. 2:10-cv-01489, above) 1/26/10 – Appellants N.J. Physicians’ Opening Brief 3/14/11 – Appellee Obama’s Response Brief 6/22/11 – Oral Argument (Chagares, Jordan, Greenaway) 6/29/11 – Letter from Appellant re: Thomas More Law Center) 7/01/11 – Response to Appellant’s Thomas More letter 8/03/11 – Precedential Opinion, Judgment affirmed dismissing case (653 F.3d 234) 9/26/11 – Mandate issued</p>
<p>District of New Jersey</p> <p>Case dismissed</p> <p>Appealed & aff'd</p>	<p><i>Purpura v. Sebelius</i>, No. 3:10-cv-04814 – Judge Freda L. Wolfson</p> <p>9/20/10 – NJ\PurpuraComplaint.pdf 10/19/10 – Order denying Motion to Show Cause for Immediate Restraining Order 12/09/10 – Motion for Summary Judgment filed by Plaintiffs 12/17/10 – Motion for Summary Judgment filed by Defendants 12/23/10 – Motion to Stay re: Summary Judgment filed by Defendants</p>

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	<p>1/03/11 – Reply in Opp. to Motion to Stay Summary Judgment 1/04/11 – Order denying Defendants’ Motion to Stay 1/10/11 – Reply in Opp. to the Defendants’ anticipated Motion to Dismiss filed by Plaintiffs 1/17/11 – Motion to Dismiss and Reply Opp. to Plaintiffs’ Motion for Summary Judgment filed by Defendants 1/18/11 – Docket entry setting motion for 2/22/11, to be decided w/o oral argument 2/07/11 – Letter to judge re: Motion for Summary Judgment from Nicholas E. Purpura and Donald R. Laster 2/07/11 – Response to Mot. for Summary Judgment filed by Plaintiffs 4/21/11- Order Granting Defendants’ Motion to Dismiss 5/12/11 - Notice of Appeal 11/21/11 – Mandate issued</p>
<p>3^d Circuit Ct. of App. Case dismissed</p>	<p><i>Purpura v. Sebelius</i>, No. 11-2303</p> <p>5/18/11 – Case docketed (appeal from No. 3:10-cv-04814, above) 6/30/11 – Pro se brief on behalf of Appellant Purpura 6/13/11 - Motion filed by Appellee for Extension to file Response on 8/10/2011 6/23/11 – Order granting Motion for Extension of Time 6/28/11 – Motion by Appellant Purpura for TRO and to vacate or modify order granting extension of time 7/01/11 – Response in opposition filed by Appellees 7/07/11 – Reply by Appellant 7/07/11 – Letter filed by Purpura under the Freedom of Information Act 7/12/11 – Motion filed by Appellant for default and order for declaratory relief 7/15/11 – Motion filed by Appellant for recusal of Judges Greenway and Vanaskie 7/25/11 - Motion filed by Appellants for Entry of Default 7/28/11 – Order denying Motion for Recusal of Judge Vanaskie 8/01/11 - Order denying Appellant’s motions for injunction, to vacate order granting government extension of time to file response brief, and default 8/02/11 – Motion filed by Appellants to vacate Order of 7/28/11 8/04/11 – Motion filed by Appellants to vacate Order of 8/1/11 and request for En Banc review 8/08/11- Order denying Motions of 8/2/11 and 8/4/11 8/10/11 – Brief of Appellee Sebelius 8/15/11 – Reply Brief from Appellant 8/18/11- Order denying Appellant’s request for En Banc hearing 9/15/2011 – Oral argument (Judges Scirica, Smith, Vanaske) 9/29/11 – Per curium Opinion affirming district court dismissal 11/21/11 – Mandate issued</p>

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<p>Eastern District of Tennessee</p> <p>Case dismissed</p>	<p><i>Shreeve v. Obama</i>, No. 1:10-cv-71 – Judge Curtis L. Collier</p> <p>4/08/10 – Tenn\complaint.pdf</p> <p>7/19/10 – Amended Complaint</p> <p>7/19/10 – Motion for Preliminary Injunction by Plaintiff</p> <p>7/19/10 – Amended Complaint with 25,000+ Plaintiffs</p> <p>7/27/10 – Amended Complaint</p> <p>8/27/10 – Motion to Dismiss Filed by Defendants</p> <p>8/27/10 – Response Opposing Preliminary Injunction</p> <p>9/03/10 – Reply in Support of Motion for Preliminary Injunction</p> <p>9/17/10 – Response in Opposition to Motion to Dismiss</p> <p>9/24/10 – Reply in Support of Motion to Dismiss</p> <p>10/14/10 – Notice of Supplemental Authority by Def.</p> <p>10/19/10 – Notice by Anthony Shreeve re: Notice of Plaintiff’s Response to Defendants’ Rule 7.1(d) (supplemental brief)</p> <p>11/04/10 – Order granting Defendants’ Motion to Dismiss</p>
<p>Eastern District of Texas</p> <p>Case dismissed</p> <p>Appealed</p>	<p><i>Physician Hospitals of America v. Sebelius</i>, No. 6:10-cv-00277 - Judge Michael H. Schneider (focus on PPACA, § 6001, re: physician-owned hospital referrals)</p> <p>6/03/10 – Complaint</p> <p>6/07/10 – Motion for Preliminary Injunction filed by Plaintiffs</p> <p>8/7/10 – Motion to Dismiss, or, in the Alternative, for Summary Judgment and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction</p> <p>8/18/10 – Motion to Withdraw Motion for Preliminary Injunction filed by Plaintiffs</p> <p>8/23/10 – Order granting Motion to Withdraw Preliminary Injunction</p> <p>9/07/10 – Response in Opposition to Defendants’ Motion to Dismiss and Summary Judgment</p> <p>9/09-10/10 – Amici Briefs supporting Plaintiffs from Texas Medical Ass’n, Union Pines; RetireSafe</p> <p>9/17/10 – Reply in Support of Summary Judgment and Motion to Dismiss</p> <p>9/27/10 – Opposition to Amici Briefs</p> <p>9/29/10 – Hearing on Dispositive Motions</p> <p>10/11/10 – Defendant’s Mot. for Summ. J. re: Jurisdiction and Retroactivity</p> <p>10/11/10 – Defendant Mot. for Summ. J. re: Inappropriateness of Trial</p> <p>10/11/10 – Plaintiffs’ Responses in Opp. to Summ. J.</p> <p>11/24/10 – Notice of Forthcoming Opin. upholding ACA § 6001 and cancelling scheduled trial date</p> <p>12/22/10 – Amicus Brief support Plaintiffs filed by Gilbert Hospital, LLC</p> <p>1/14/11 – Response to Gilbert Hospital Amicus filed by Defendants</p> <p>2/01/11 – Notice of Supplemental Authority by Plaintiffs (Fla. dec.)</p> <p>2/15/11 – Motion for Summary Judgment filed by Plaintiffs</p> <p>2/17/11 – Opp. to Plaintiffs’ Motion for leave to file Motion for Summary Judgment</p> <p>2/18/11 – Order denying Defendants’ Motion to Dismiss</p>

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	<p>2/22/11 – Reply in support of Amicus Brief by Gilbert Hospital 3/07/11 – Sur-Reply supporting Summary Judgment filed by Defendants 3/31/11 - Order granting Defendants’ Motion for Summary Judgment 5/27/11- Notice of Appeal</p>
<p>5th Cir. Ct. of Appeals Pending</p>	<p><i>Physician Hospitals of America v. Sebelius</i>, No. 11-40631</p> <p>6/02/11 – Appeal docketed (from No. 6:10-cv-00277, above) 8/03/11 – Appellant’s Opening Brief 8/10/11- Amicus Brief on behalf of Appellant from Tex. Med. Ass’n and Physicians Foundation, Inc. 8/18/11 – Corrected Brief from Appellant 10/19/11 – Response Brief from Appellee Sebelius 11/23/11 – Reply Brief from Appellant 11/23/11 – Motion to Stay filed by Physician Hosps. (unopposed) 12/21/11 – Amicus Br. filed by Tex. Med. Ass’n for Physician Hosps. 1/05/12 – Motion to Stay denied w/o prejudice after calendaring 2/02/12 – Case calendared for argument during week of 4/2/12 2/13/12 – Unopposed Mot. to stay pending SCOTUS review 2/29/12 - Motion to Stay denied</p> <p>4/03/12 – Oral argument</p>
<p>Eastern District of Texas Case dismissed</p>	<p><i>Bellow v. Sebelius</i>, No. 1:10-cv-00165 – Judge Ron Clark</p> <p>3/24/10 – Complaint 11/29/10 – Def. Motion to Dismiss for Lack of Jurisdiction 12/10/10 – Response to Motion to Dismiss filed by Plaintiffs 12/20/10 – Defendants’ response in support of Mot. to Dismiss 12/20/10 – Motion for Summary Judgment filed by Plaintiffs 1/05/11 – Motion to Stay Proceedings on Plaintiff’s Motion for Summary Judgment filed by Def. 3/15/11 – Order granting Motion to Stay Proceedings on Plaintiff’s Motion for Summary Judgment until ruling on Defendants’ Motion to Dismiss for Lack of Subject Matter Jurisdiction 3/21/11 – Texas\Recommendation to Dismiss.pdf for lack of jurisdiction (signed by Magistrate Judge Keith F. Giblin) 3/23/11- Response to Order re stay of summary judgment briefing filed by Plaintiff 4/05/11- Objection to Magistrates Report and Recommendation by Plaintiff 4/25/11- Response to Plaintiff’s Objections filed by Defendant 5/09/11- Reply to Defendant’s Response filed by Plaintiff 6/20/11 – Order granting Motion to Dismiss</p>

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<p>Middle District of Pennsylvania</p> <p>Held: Mandate unconstitutional</p> <p>Appealed</p>	<p><i>Goudy-Bachman v. U.S. Dep't Health & Human Servs.</i>, No. 1:10-cv-00763 – Judge Christopher Conner</p> <p>4/12/10 – Complaint 6/14/10 – Motion to Dismiss filed by Defendants 7/13/10 – Order Holding Issuance of Pretrial/Trial Schedule in Abeyance, Pending Resolution of Defendants’ Motion to Dismiss 7/26/10 – Opposition to Defendants’ Motion to Dismiss Filed by Plaintiffs 8/03/10 – Plaintiffs’ Notice of Supplemental Authority (Va. v. Sebelius) 8/13/10 – Plaintiffs Supplemental Brief in Opposition to Defendants’ Motion to Dismiss 8/18/10 – Reply in Support of Motion to Dismiss 9/07/10 – Notice of Supplemental Authority by Def. (Baldwin) 10/21/10 – Notice of Supplemental Authority by Def. (Thomas More) 12/06/10 – Notice of Supplemental Authority by Def. (Geithner, Sebelius, U.S. Dep’t of Health and Human Services, U.S. Dep’t of Treasury) 1/24/11 – Order denying Defendants’ Motion to Dismiss 2/23/11 – Notice of Supplemental Authority filed by Defendants (DC dec.) 6/10/11 – Joint Stipulation for filing cross motions for summ. j. approved by court 6/21/11 – Motion for Summary Judgment in the Alternative filed by Defendants 7/06/11 - Motion for Summary Judgment filed by Plaintiffs 7/07/11 – Brief in Support of Summary Judgment filed by Plaintiffs 7/18/11 – Brief in Opposition of Motion for Summary Judgment 7/21/11 – Oral argument held before Judge Conner 8/01/11 – Reply Brief responding to Opposition of Motion for Summary Judgment 8/19/11 – Supp. Brief from Plaintiffs re: 11th Cir. decision 8/30/11 – Reply from Defendant re: 11th Cir. Decision 9/08/11 – Notice of subsequent authority from Geithner (4th Circuit opinions) 9/13/11 – Memorandum Opinion finding individual mandate unconstitutional 9/13/11 – Amended Memorandum Opinion 11/10/11 – Notice of Appeal</p>
<p>3^d Circuit Court of Appeals</p> <p>Stayed</p>	<p><i>Goudy-Bachman v. U.S. Dep't Health & Human Servs</i> , No. 11-4160</p> <p>11/17/11 – Case docketed (appeal from, No. 1:10-cv-00763 above) 11/18/11 – Joint Mot. to Stay Proceedings pending SCOTUS review of Florida case 11/30/11 – Order granting Motion to Stay (status reports being filed)</p>

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<p style="text-align: center;">District of Arizona</p> <p style="text-align: center;">Case dismissed</p>	<p><i>Fountain Hills Tea Party Patriots, L.L.C. v. Sebelius</i>, No. 2:10-cv-00893 – Magistrate Judge David K. Duncan</p> <p>4/22/10 – Complaint</p> <p>5/04/10 – Order-Plaintiff to appear through counsel w/in 30 days or amend Complaint</p> <p>5/25/10 – Order that Plaintiffs show cause for failure to comply with Local Rule 3.8(a)</p> <p>6/02/10 – Plaintiffs’ Response re: Order to Show Cause</p> <p>6/17/10 – Case Dismissed</p>
<p style="text-align: center;">District of Arizona</p> <p style="text-align: center;">Stayed</p>	<p><i>Coons et al v. Geithner et al</i>, No. 2:10-cv-01714 – Judge G. Murray Snow</p> <p>8/12/10 – Arizona\Complaint.pdf</p> <p>11/15/10 – Motion for Preliminary Injunction filed by Plaintiffs</p> <p>11/16/10 – Amended Motion for Prelim. Inj. filed by Plaintiffs</p> <p>12/13/10 – Opposition to Amended Motion for Prelim. Inj. filed by Defendants</p> <p>1/11/11 – Reply to Response to Motion for Prelim. Inj.</p> <p>1/24/11 – Defendants’ Notice re: House Vote to Repeal ACA, including Plfs.’ Votes</p> <p>1/28/11 – Plaintiffs’ Motion to Strike Defs.’ Notice re: House Vote</p> <p>2/02/11 – Defendants’ Response to Motion to Strike</p> <p>3/08/11 – Motion to Withdraw Motion for Prelim. Inj. filed by Plaintiffs</p> <p>3/10/11 – Order granting Plaintiffs’ Motion to Withdraw Motion for Prelim. Inj.</p> <p>3/11/11 – Arizona\Coons.2Am. Complaint.pdf</p> <p>5/04/11 - Motion to Amend/Correct Amended Complaint by Plaintiffs</p> <p>5/09/11 - Plaintiffs granted leave to file Amended Complaint</p> <p>5/10/11 - Amended Complaint</p> <p>5/31/11 - Motion to Dismiss filed by Defendants</p> <p>6/20/11 – Plaintiff’s Motion for Partial Summary Judgment and to treat Defendants’ Motion to Dismiss as a Motion for Summary Judgment</p> <p>6/23/11 - Amicus Br. Supporting Plaintiffs from Pacific Legal Found.</p> <p>6/23/11 – Defendants’ Motion to Stay Plaintiffs’ Motion for Summ. J.</p> <p>7/05/11 – Defendants’ Reply in Support of Motion to Dismiss</p> <p>7/07/11 – Plaintiffs’ Response to Motion to Stay</p> <p>7/14/11 – Defendants’ Reply in Support of Motion to Stay</p> <p>7/25/11 - Order denying Defendants’ Motion to Stay</p> <p>8/10/11 - Defendants’ Motion for Summary Judgment</p> <p>8/29/11 – Plaintiffs’ Reply in Supp. of Summ. J. and against Def. Mot. for Summ. J.</p> <p>9/12/11 – Defendants’ Reply in Support of Summ. J.</p> <p>9/16/11 – Plaintiffs’ Motion to File Sur-Reply</p> <p>9/19/11 – Defendants’ Opp. To Plaintiffs’ Motion to File Sur-Reply</p> <p>11/29/11 – Defendants’ Motion to Stay pending SCOTUS review of Florida case</p> <p>12/13/11 – Plaintiffs’ Response Opposing Stay</p> <p>12/20/11 – Defendants’ Reply supporting Stay</p> <p>1/17/12 – Order granting Motion to Stay</p>

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<p>Eastern District of Arkansas</p> <p>Case dismissed</p>	<p><i>Burlsworth v. Holder</i>, No. 4:10-cv-00258 – Judge Susan Webber Wright</p> <p>4/27/10 – Class Action Complaint 6/09/10 – Initial Scheduling Order 8/03/10 – Motion to Dismiss Filed by Defendants 8/06/10 – Order granting Plaintiff extension of time to respond 9/02/10 - Notice of Supplemental Authority by Defendants 9/07/10 – Unopposed Motion to Dismiss without prejudice filed by Plaintiffs 9/08/10 – Order Granting Plaintiff’s Unopposed Motion to Dismiss</p>
<p>Southern District of California</p> <p>Complaint dismissed Appealed & aff’d</p> <p>1st Am. Complaint dismissed</p>	<p><i>Baldwin v. Sebelius</i>, No. 3:10-cv-01033 – Judge Dana M. Sabraw</p> <p>5/14/10 – Complaint 5/17/10 – Emergency Motion for Temporary Restraining Order filed by Plaintiffs 5/19/10 – Motion for Preliminary Injunction and Memorandum in Support 6/04/10 – Response in Opposition to Emergency Motion for TRO 6/10/10 – Order denying Temporary Restraining Order 6/25/10 – Motion to Dismiss filed by Defendants 6/25/10 – Resp. in Opp. to Motion for Preliminary Injunction 7/02/10 – Reply in Support of Preliminary Injunction filed by Pacific J. Instit. 7/09/10 – Reply to Response to Motion to Dismiss 7/13/10 – Order Granting Stipulation to Submit w/o Oral Argument 8/02/10 – Supplemental Brief Filed by Plaintiffs 8/04/10 – Response to Supplement Brief Filed by Defendants 8/27/10 – CA\Dismissal order.pdf granting Defendants’ Motion to Dismiss 8/28/10 – Motion by Plaintiffs for publication of dismissal order 8/30/10 – Notice of Appeal 9/07/10 – Order denying motion to publish decision 10/5/11 – Plf. Ex parte Motion to File 1st Amended Complaint 10/17/11 – Order granting Motion to File 1st Amended Complaint 10/25/11 – Def. Motion to Reconsider allowing 1st Amended Complaint 10/31/11 – First Amended Complaint 11/07/11 – Opp. to Def. Mot. to Reconsider 11/07/11 – Plaintiffs’ Ex parte Motion to Deny Def. Mot. to Reconsider 11/07/11 – Ex parte Motion Denied 1/06/12 – Def. Reply on Mot. to Reconsider allowing 1st Am. Compl. 1/31/12 - Order granting Def. Mot. to Reconsider; finding 1st Am. Compl. untimely filed and granting Defendants’ motion to dismiss for lack of Art. III standing</p>

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<p>9th Circuit Ct. of App.</p> <p>Affirmed Dismissal of First Complaint Pet. for cert. denied</p>	<p><i>Baldwin v. Sebelius</i>, No. 10-56374</p> <p>9/01/10 – Appeal docketed (from No. 3:10-cv-01033, see above) 11/24/10 – Opening Brief filed Plaintiff-Appellant Baldwin 1/26/11 – Answer Brief for Appellee 2/07/11 – Reply Brief by Appellant 2/07/11 – Petition for initial en banc review filed by Appellant Baldwin 4/14/11 – En banc review denied 6/23&29/11 – Appellants citations to suppl. authorities 6/30/11 – Appellee citation to supp. authority (Thomas More, 6th Cir.) 7/13/11 – Case argued (10 min./side) & submitted (Fernandez, Rymer, Tallman) 8/18/11 – Opinion affirming district court (653 F.3d 877) 10/04/11 – Mandate issued</p>
<p>United States Supreme Court</p> <p>Pet. for cert. denied</p>	<p><i>Baldwin and Pacific Justice Institute v. Sebelius</i>, No. 10-369 (from No. 10-56374)</p> <p>9/15/10 – Petition for Writ of Certiorari 9/28/10 – Consent for filing amicus briefs rec'd from Petitioners Baldwin and PJI 10/8/10 – Supplemental brief from petitioners 10/18/10 – Sebelius waives right to respond 11/08/10 – Certiorari denied (with no Justice recusals): 131 S.Ct. 573</p>
<p>Eastern District of Missouri</p> <p>Case dismissed</p> <p>Appealed</p>	<p><i>Kinder v. Geithner</i>, No. 1:10-cv-00101 – Judge Rodney W. Sippel</p> <p>7/07/10 – Complaint.pdf 7/09/10 – Motion to Intervene by Missouri Attorney General 8/18/10 – Amended Complaint 8/20/10 – Motion to Withdraw Motion to Intervene filed by Missouri AG 8/23/10 – Order granting AG's motion to withdraw 1/18/11 – Motion to Dismiss filed by Defendants 1/25/11 – Opposition to Motion to Dismiss filed by Plaintiffs 2/04/11 – Reply supporting Motion to Dismiss filed by Defendants 2/04/11 – Notice of Supp. Authority by Plaintiffs (Fla. dec.) 4/26/11 - Order granting Defendant's Motion to Dismiss (also admitting supplementary memo from Defendants) 4/29/11 – Notice of Appeal</p>
<p>8th Cir. Ct. of Appeal</p> <p>Pending</p>	<p><i>Kinder v. Geithner</i>, No. 11-1973</p> <p>5/04/11 – Appeal docketed (from No. 1:10-cv-00101, above) 6/14/11 – Appellant Kinder Opening Brief 7/18/11 – Amici Briefs for Kinder filed by AL, AK, AR, CO, FL, GA, ID, LA, ME, MI, NE, NV, ND, OH, PA, SC, SD, TX, UT, WA, WI; Exec. and Legis. Officials of States within 8th Circuit 8/12/11 – Appellee Geithner's Brief 8/17-19/11 – Amici Briefs for Geithner filed by CA, CT, DE, HI, IA, MD, NY, OR, VT, and DC and MA; AAPD, Families USA et al.; Economic Scholars; Am. Acad. of Ped. et al.; Law professors; SEIU</p>

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	<p>9/01/11 – Appellants’ Reply Brief 9/09/11 – Geithner citation to subsequent authority (4th Circuit opinions) 9/30/11 – Geithner citation to subsequent activity (Pet. For Cert. from 11th Cir.) 10/20/11 – Oral Argument (Judges Bye, Smith, Colloton) 11/09/11 – DOJ Notice of Subsequent Auth. (DC Cir. Seven Sky) 11/16/11 – DOJ Notice of Subsequent Auth. (SCOTUS grant in Florida case)</p>
<p>District of Nevada Case dismissed</p>	<p><i>Indep. Am. Party of Nev. v. Obama</i>, No. 2:10-cv-01477 – Judge George W. Foley, Jr.</p> <p>8/31/10 – Complaint 1/26/11 – Notice of intent to dismiss– no proper service 3/07/11 – Order Dismissing Case without prejudice</p>
<p>District of New Hampshire Case dismissed</p>	<p><i>Peterson v. Obama</i>, No. 1:10-cv-00170 – Judge Joseph N. Laplante</p> <p>5/04/10 – Complaint 8/16/10 – Motion to Dismiss filed by Defendants 9/31/10 – Motion to Amend Complaint and add Party Def. Sebelius 10/13/10 –Opp. to Motion to Dismiss filed by Plaintiff 10/29/10 – Response in Support of Motion to Dismiss 11/02/10 – Motion to Stay Proceedings pending ruling on Motion to Dismiss filed by Defendants 11/03/10 – Order granting Motion to Stay Proceedings 11/08/10 – Reply to Defendants’ Response in Support of Motion to Dismiss 12/20/10 – Order granting Motion to Amend Complaint to add Defendant Sebelius 12/20/10 – Amended Complaint 1/03/11 – Notification of health care related investments and asking parties to seek relief, if any, prior to the hearing 3/10/11 – Hearing on Motion to Dismiss 3/11/11 – Order for Plaintiff to show cause why 3 claims should not be dismissed (re: interstate privileges & immunities, presentment clause, presidential oath) 3/25/11 – Plaintiffs’ Response to order to show cause 3/29/11 – Defendants’ Response to Plaintiffs’ Response to order to show cause 3/30/11 – Order granting Motion to Dismiss. for lack of subject matter jurisdiction</p>
<p>Middle District of North Carolina Case dismissed</p>	<p><i>Van Tassel v. U.S.</i>, No. 1:10-cv-00310 – Judge Thomas D. Schroeder</p> <p>4/22/10 – Complaint 7/26/10 – Motion to Dismiss for Lack of Jurisdiction Over the Subject Matter filed by Defendants 12/16/10 – Order granting Motion to Dismiss for Lack of Jurisdiction</p>

National Health Law Program

Contact: Jane Perkins
UPDATED: 3/13/2012

<p>Eastern District of New York</p> <p>Stayed</p>	<p><i>Butler v. Obama</i>, No. 2:10-cv-05025 – Judge Joseph F. Bianco</p> <p>11/01/10 – Complaint 2/04/11 – Motion to Dismiss for Lack of Standing 3/07/11 – Opposition to Motion to Dismiss 3/18/11 – Reply in Support of Motion to Dismiss 9/30/11 – Opinion granting Motion to Dismiss for Lack of Jurisdiction 10/31/11 – Plf. Request to Re-plead Complaint 11/18/11 – Def. Opp. to re-plead & alternatively to stay proceedings pending SCOTUS review in Florida case 12/01/11 – Order grant Stay pending SCOTUS decision in Florida case</p>
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