

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

CATHOLIC DIOCESE OF BEAUMONT  
AND CATHOLIC CHARITIES OF  
SOUTHEAST TEXAS, INC.

*Plaintiffs,*

V.

KATHLEEN SEBELIUS, SECRETARY,  
U.S. DEPT. OF HEALTH AND HUMAN  
SERVICES, ET AL.

*Defendants.*

CIVIL ACTION No. 1:13-cv-709

JUDGE RON CLARK

## **FINAL JUDGMENT AND ORDER OF INJUNCTION**

The court's Memorandum and Order [Doc. # 33] stating the reasons for issuance of an injunction in this matter is incorporated herein. In compliance with Rule 65 the court enters this Final Judgment and Order of Injunction to specifically state the terms of the injunction and describe the acts restrained. It is hereby **ORDERED** that Defendant Secretary of the United States Department of Health and Human Services Kathleen Sebelius, Defendant Secretary of the United States Department of Labor Thomas Perez, and Defendant Secretary of the United States Department of Treasury Jacob Lew, and all agents, officers, servants, employees, and attorneys of each of their respective Departments, are **PERMANENTLY ENJOINED** from:

1. enforcing against Plaintiff Catholic Diocese of Beaumont, or Plaintiff Catholic Charities of Southeast Texas, Inc., or against either of their employee health plan insurers, health plan providers, or health plan third party administrators in the provision to either Plaintiff of health insurance, health plan coverage, or health plan services or administration, any requirement to provide any contraceptive services or methods, sterilization procedures, abortifacient methods, or patient education and counseling concerning such services, methods, or procedures, including

any such contraceptive services or methods, sterilization procedures, abortifacient methods, or patient education and counseling concerning such services, methods or procedures “supported by the Health Resources and Services Administration” as provided for in 42 U.S.C. §300gg-13(a)(4) or in any implementing regulation including 26 C.F.R. §54.9815-2713(a)(1)(iv), 29 C.F.R. §2590.715-2713A(a)(4), and 45 C.F.R. §147.130(a)(1)(iv);

2. enforcing against Plaintiffs Catholic Diocese of Beaumont, or Plaintiff Catholic Charities of Southeast Texas, Inc., any requirement to sign or provide, or against either of their employee health plan insurers, health plan providers, or health plan third party administrators in the provision to either Plaintiff of health insurance, health plan coverage, or health plan services or administration, any requirement to request or require from either Plaintiff, EBSA Form 700-Cerification or any self-certification form as described in 26 C.F.R. §54.9815-2713A(a)(4), 29 C.F.R. §2590.715-2713A(a)(4), and 45 C.F.R. §147.131(b)(4);

3. enforcing against Plaintiffs Catholic Diocese of Beaumont, or Plaintiff Catholic Charities of Southeast Texas, Inc., any prohibition on seeking to interfere with, or seeking to influence, one of its third party administrator’s arrangements or decisions concerning services, methods, procedures, education or counseling referred to in Section 1 of this Final Judgment and Order of Injunction or concerning contraceptive services as provided for in federal regulations including 26 C.F.R. §54.9815-2713A(b)(1)(iii) and 29 C.F.R. §2590.715-2713A(b)(1)(iii);

4. imposing any tax or penalty on, or bringing any civil suit or enforcement action against, Plaintiff Catholic Diocese of Beaumont, or Plaintiff Catholic Charities of Southeast Texas, Inc., for failing to provide services, methods, or procedures, as described in Section 1 of this Final Judgment and Order of Injunction, or for failing to provide contraceptive services, or for failing to sign or provide a self-certification form as described in Section 2 of this Final Judgment and Order of Injunction, or for any alleged attempt to interfere with, or influence, any of its third

party administrator's arrangements or decisions concerning contraceptive services or service, methods, procedures, education, or counseling referred to in Section 1 of this Final Judgment and Order of Injunction, including any tax, penalty, civil suit, or enforcement action authorized by 26 U.S.C. §§ 4980D & 4980H, 29 U.S.C. § 1132, or by any pertinent federal regulation; and from

5. imposing any tax or penalty on, or bringing any civil suit or enforcement action against, either of Plaintiff's employee health plan insurers, health plan providers, or health plan third party administrators for any failure to request or require a self-certification, or any failure to provide to Plaintiffs or to Plaintiff's employees any contraceptive services or methods, sterilization procedures, abortifacient methods, or patient education and counseling concerning such services or methods, which is not included in such plan with the agreement of Plaintiffs.

**IT IS FURTHER ORDERED** that all relief not specifically granted here is **DENIED**, and that all costs shall be borne by the party incurring the same. This is a **Final Judgment** disposing of the claims of all parties, and is appealable.

So **ORDERED** and **SIGNED** this **3** day of **January, 2014**.



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Ron Clark, United States District Judge