

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

MARTIN OZINGA III, MARTIN  
OZINGA IV, KARL OZINGA,  
JUSTIN OZINGA, AARON  
OZINGA, PAUL OZINGA,  
TIMOTHY OZINGA, JEFFREY  
OZINGA, and OZINGA BROS., INC,  
an Illinois corporation,

Plaintiffs,

vs.

No. 1:13-cv-03292

UNITED STATES DEPARTMENT  
OF HEALTH & HUMAN  
SERVICES; KATHLEEN  
SEBELIUS, in her official capacity as  
Secretary of the U.S. Department of  
Health & Human Services; UNITED  
STATES DEPARTMENT OF THE  
TREASURY; JACOB J. LEW, in his  
official capacity as the Secretary of the  
U.S. Department of the Treasury;  
UNITED STATES DEPARTMENT  
OF LABOR; and SETH D. HARRIS,  
Deputy Secretary of Labor, in his  
official capacity as Acting Secretary of  
the U.S. Department of Labor,

Defendants.

**MOTION FOR PRELIMINARY INJUNCTION**

1. NOW COME Plaintiffs MARTIN OZINGA III, MARTIN OZINGA IV, KARL OZINGA, JUSTIN OZINGA, AARON OZINGA, PAUL OZINGA, TIMOTHY OZINGA, JEFFREY OZINGA, and OZINGA BROS., INC, an Illinois Corporation, by and through their undersigned counsel, and hereby move this Court to enter an order of preliminary injunctive

relief, pursuant to Fed. R. Civ. P. 65(a), to prevent immediate irreparable injury to Plaintiffs' fundamental rights and interests. In support of their motion and accompanying proposed Order, Plaintiffs rely upon the pleadings and papers of record, including their accompanying memoranda in support of their motion for preliminary injunction and the declaration of Martin Ozinga III, Martin Ozinga IV, Karl Ozinga, Justin Ozinga, Aaron Ozinga, Paul Ozinga, Timothy Ozinga, and Jeffrey Ozinga.

2. For the reasons set forth in the underlying complaint, and more fully in the accompanying memoranda, Plaintiffs have requested that this court enjoin the enforcement of Defendants' Health and Human Services Mandate (hereinafter "HHS Mandate" or "Federal Mandate" or "the Mandate") which violates Plaintiffs' rights guaranteed by the First Amendment to the United States Constitution and the Religious Freedom Restoration Act of 1993, 107 Stat. 1488, as amended, 42 U.S.C. § 2000bb *et seq.*

3. Defendants are not opposing the entry of a preliminary injunction order herein.

### **CONCLUSION**

WHEREFORE Plaintiffs request that this court grant their motion for a preliminary injunction.

Respectfully submitted on this July 12, 2013

s/ Thomas Brejcha  
s/ Peter Breen  
s/ Sam Casey  
s/ Kevin Edward White

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**CERTIFICATE OF SERVICE**

The undersigned, one of plaintiffs' counsel, hereby certify that on July 12, 2013, a true and correct copy of the foregoing **Plaintiffs' Motion For Temporary Restraining Order Pending Ruling On Motion For Preliminary Injunction** was caused to be filed electronically with this Court through the CM/ECF filing system and on the counsel listed below for the Defendants, by e-mail as indicated:

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By:     /s/ Kevin Edward White    

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