

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

_____	)	
EAST TEXAS BAPTIST UNIVERSITY,	)	
<i>et al.</i> ,	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 4:12-cv-03009
	)	
KATHLEEN SEBELIUS, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**STATUS REPORT**

At an initial conference held on December 20, 2012, the Court stayed this case and required the parties to submit status reports every 60 days. Pursuant to that order, the government respectfully advises the Court of the status of the ongoing rulemaking, in which defendants are amending the regulations at issue in this litigation.

As the Court is aware, a Notice of Proposed Rulemaking was published in the Federal Register on February 6, 2013. *See* 78 Fed. Reg. 8456 (Feb. 6, 2013). The comment period closed on April 8, 2013, and the Departments are currently reviewing the comments. As previously noted, the Departments intend to issue the new rules before August 1, 2013.

Respectfully submitted this 19th day of April, 2013,

STUART F. DELERY  
Principal Deputy Assistant Attorney General

IAN HEATH GERSHENGORN  
Deputy Assistant Attorney General

KENNETH MAGIDSON  
United States Attorney

JENNIFER RICKETTS  
Director, Federal Programs Branch

SHEILA M. LIEBER  
Deputy Director

DANIEL DAVID HU  
SDTX ID number: 7959  
Assistant U.S. Attorney  
1000 Louisiana, Suite 2300  
Houston, TX 77002  
(713) 567-9518  
[daniel.hu@usdoj.gov](mailto:daniel.hu@usdoj.gov)

/s/ Jacek Pruski  
JACEK PRUSKI  
California Bar No. 277211  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., NW  
Washington, D.C. 20530  
Tel: (202) 616-2035  
Fax: (202) 616-8470  
[jacek.pruski@usdoj.gov](mailto:jacek.pruski@usdoj.gov)

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 19, 2013, 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/ Jacek Pruski  
JACEK PRUSKI