

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA**

GRACE SCHOOLS and BIOLA)	
UNIVERSITY, INC.,)	
Plaintiffs,)	
v.)	
KATHLEEN SEBELIUS, in her official)	
capacity as Secretary, United States)	Case No. 3:12-cv-00459-JD-CAN
Department of Health and Human Services, <i>et</i>)	
<i>al.</i> ,)	
Defendants.)	
)	
)	
)	
)	
)	

**DEFENDANTS’ MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR
SUMMARY JUDGMENT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), defendants hereby move to dismiss this action. In the alternative, defendants move for summary judgment on all of plaintiffs’ claims pursuant to Rule 56. The grounds for these motions are set forth in the accompanying memorandum.

Respectfully submitted this 27th day of September, 2013,

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Assistant Attorney General

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United States Attorney

JENNIFER RICKETTS
Director

SHEILA M. LIEBER
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/s/ Michael C. Pollack

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CERTIFICATE OF SERVICE

I hereby certify that on September 27, 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/ Michael C. Pollack
MICHAEL C. POLLACK