UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION

GRACE SCHOOLS, et al.,)
Plaintiffs,)))
v.) Case No. 3:12-CV-459 JI
KATHLEEN SEBELIUS, in her official capacity as Secretary of the U.S. Department of Health and Human Services, <i>et al.</i> ,)))
Defendants.)

ORDER

On June 28, 2013, Defendants issued final regulations regarding coverage of certain preventive services, and in the final rule Defendants extended the temporary safe harbor that is currently set to expire on August 1, 2013 through the end of the year until January 1, 2014. *See* 78 Fed. Reg. 39,870, 39,889 (July 2, 2013). In addition, the final regulations simplify and clarify the religious employer exemption and establish accommodations with respect to the contraceptive coverage requirement for group health plans established or maintained by eligible organizations, as well as student health insurance coverage arranged by eligible organizations that are institutions of higher learning. *See* 78 Fed. Reg. at 39874-82. Thus, the Court will provide Plaintiffs time to consider the final regulations, as amended, and provide their intentions regarding the instant lawsuit. Thereafter, the Defendants will be given an opportunity to respond, if necessary, to Plaintiffs' stated intentions. Accordingly, the Plaintiffs have up to and including Friday, July 26, 2013 to file a notice with the Court stating their intentions relative to the instant lawsuit.

In light of the recently issued final regulations, and given the time and expense involved

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in such complex litigation, moving forward on the present case would be inefficient for all

involved and a brief stay pending the outcome of these matters is appropriate. See e.g., Landis v.

N. Am. Co., 299 U.S. 248, 254-55 (1936) (noting that the power to stay proceedings is incidental

to the power inherent in every court to control the disposition of the causes on its docket with

economy of time and effort for itself, for counsel, and for litigants; and, how this can best be

done calls for the exercise of judgment, which must weigh competing interests and maintain an

even balance). In the interest of justice, the Court ORDERS this case temporarily STAYED

until such time as the Court has had an opportunity to consider the parties' positions and issue a

subsequent order lifting the stay.

SO ORDERED.

ENTERED: July 11, 2013

/s/ JON E. DEGUILIO

Judge

United States District Court