

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**
Case No. 0:13-cv-00295-JRT-LIB

REV. MR. (DEACON) GREGORY E. HALL
and AMERICAN MFG COMPANY,

Plaintiffs,

v.

KATHLEEN SEBELIUS, in her official capacity
as Secretary of the United States Department of
Health and Human Services; SETH D. HARRIS,
in his official capacity as Acting Secretary of the
United States Department of Labor and his
successor; NEIL WOLIN, in his official capacity
as Acting Secretary of the United States
Department of the Treasury and his successor;
UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES; UNITED
STATES DEPARTMENT OF LABOR; and
UNITED STATES DEPARTMENT OF THE
TREASURY,

Defendants.

**MOTION FOR
PRELIMINARY
INJUNCTION/STAY**

MOTION

Plaintiffs Reverend Mr. (Deacon) Gregory E. Hall and American Mfg Company,
by and through their attorneys, move the Court for the following relief:

1. A preliminary injunction, in the form proposed in the accompanying
proposed order -- which includes a stay of proceedings until thirty days after the mandate
issues from the Eighth Circuit in *O'Brien v. U.S. Dep't of Health & Human Servs.*, No.
12-3357, or *Annex Medical, Inc. v. Sebelius*, No. 13-1118, whichever occurs first --

against the enforcement of 42 U.S.C. § 300gg-13(a)(4) (the “Mandate”) and each and every one of its implementing regulations, published at 76 Fed. Reg. 46621-46626 (August 3, 2011) (interim final rules with request for comments) and 77 Fed. Reg. 8725-8730 (Feb. 15, 2012) (final rules), against:

- a. these Plaintiffs;
- b. any health insurance issuer offering group health insurance to these Plaintiffs, which health insurance does not provide coverage for “All Food and Drug Administration approved contraceptive methods, sterilization procedures, and patient education and counseling for all women with reproductive capacity”; and
- c. any third-party administrator implementing any self-insured plan in favor of these Plaintiffs under the Employee Retirement Income Security Act of 1974 (ERISA) to which the Mandate and its implementing regulations would otherwise apply, which self-insured plan does not cover “All Food and Drug Administration approved contraceptive methods, sterilization procedures, and patient education and counseling for all women with reproductive capacity.”

It is not expected that this Motion will be opposed. In the event this Motion is opposed, the grounds for granting this Motion will be set forth in a memorandum of law and in arguments of counsel.

Dated: March 22, 2013.

MOHRMAN & KAARDAL, P.A.

s/Erick G. Kaardal

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*ATTORNEYS FOR PLAINTIFFS
REVEREND MR. (DEACON) GREGORY
E. HALL AND AMERICAN MFG
COMPANY*