

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

UNIVERSITY OF NOTRE DAME,

Plaintiff,

v.

KATHLEEN SEBELIUS, in her official capacity as Secretary of the U.S. Department of Health and Human Services; THOMAS PEREZ, in his official capacity as Secretary of the U.S. Department of Labor; JACOB J. LEW, in his official capacity as Secretary of the U.S. Department of the Treasury; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; U.S. DEPARTMENT OF LABOR; and U.S. DEPARTMENT OF THE TREASURY,

Defendants.

Civil Action No.: 3:13-cv-1276

Electronically Filed

**PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION AND REQUEST FOR ORAL ARGUMENT**

Pursuant to Federal Rule of Civil Procedure 65, Notre Dame hereby moves for preliminary injunctive relief, without bond, enjoining Defendants from continuing to require Notre Dame to provide coverage for contraceptives, abortion-inducing drugs, sterilization, and related counseling in its employee and student health plans.

A preliminary injunction is justified, as discussed in Notre Dame's accompanying Memorandum in Support, because (1) Notre Dame is reasonably likely to succeed on the merits of its claims; (2) Notre Dame is suffering a continuing, irreparable harm in the absence of preliminary relief that outweighs any harm the Government may suffer if the preliminary injunction is granted; (3) Notre Dame has no adequate remedy at law; and (4) an injunction

further the public interest. Accordingly, Notre Dame respectfully moves this Court to issue a preliminary injunction in the form of the Proposed Order that will be sent directly to chambers.

Notre Dame also requests oral argument on this motion, which involves important and complicated issues of constitutional and statutory law.

Dated: December 9, 2013

Respectfully submitted,

By: *s/ Matthew A. Kairis*

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2013, I electronically filed the foregoing with the Clerk of the United States District Court for the Northern District of Indiana using the CM/ECF system and mailed the foregoing by first class mail via the United States Postal Service to the following:

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