

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

THE ROMAN CATHOLIC ARCHDIOCESE
OF NEW YORK, *et al.*,

Plaintiffs,

v.

KATHLEEN SEBELIUS, in her official
capacity as Secretary, United States
Department of Health and Human Services, *et
al.*

Defendants.

Case No. 1:12-cv-2542

DEFENDANTS' MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendants hereby move to dismiss this action. The grounds for this motion are set forth in the accompanying memorandum.

Respectfully submitted this 6th day of August, 2012,

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