

No. 14-20112

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

EAST TEXAS BAPTIST UNIVERSITY;
HOUSTON BAPTIST UNIVERSITY

Plaintiffs – Appellees

WESTMINSTER THEOLOGICAL SEMINARY,

Intervenor Plaintiff – Appellee

v.

SECRETARY KATHLEEN SEBELIUS; DEPARTMENT OF HEALTH
AND HUMAN SERVICES; DEPARTMENT OF LABOR;
DEPARTMENT OF TREASURY; SECRETARY OF LABOR THOMAS
PEREZ; SECRETARY JACOB LEW,

Defendants – Appellants

consol w/ 14-10241

UNIVERSITY OF DALLAS,

Plaintiff – Appellee

v.

KATHLEEN SEBELIUS, in her official capacity as Secretary of the
United States Department of Health and Human Services; THOMAS
PEREZ, in his official capacity as Secretary of the United States
Department of Treasury; JACOB J. LEW, in his official capacity as
Secretary of the United States Department of Labor; UNITED STATES
DEPARTMENT OF HEALTH AND HUMAN SERVICES; UNITED

STATES DEPARTMENT OF LABOR; UNITED STATES
DEPARTMENT OF TREASURY,

Defendants – Appellants

Consol w/ 14-40212

CATHOLIC DIOCESE OF BEAUMONT; CATHOLIC CHARITIES
OF SOUTHEAST TEXAS, INCORPORATED,

Plaintiffs – Appellees

v.

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

Defendants – Appellants

**APPELLEE/INTERVENOR’S OPPOSITION TO APPELLANTS’
MOTION FOR FURTHER BRIEFING DELAY**

Appellee/Intervenor Westminster Theological Seminary opposes the
government’s recently filed motion for yet another extension of their
deadline to file their Appellees’ Brief. Westminster predicted in its last

opposition that the government was heading for further delay, and now it is here. There is no reason to expect it will not continue.

Westminster consented to the first request for a month-long delay which was predicated on the government's counsel's purported vacation plans. Now it has become something more and different. Westminster respectfully submits there should be an end to such delays. The government has long known its briefing deadline was July 18. It should be held to that deadline which it long ago requested and to which it long ago agreed.

Dated: July 14, 2014

Respectfully submitted,

/s/ *Kenneth R. Wynne*
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CERTIFICATE OF SERVICE

I certify that on July 14, 2014, I caused the foregoing to be served electronically via the Court's electronic filing system on the following parties who are registered in the system:

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/s/ *Kenneth R. Wynne*

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