

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:13-cv-01318  
Internal Use Only**

Hotze et al v. Sebelius et al  
Assigned to: Judge Nancy F. Atlas  
Cause: 28:2201 Injunction

Date Filed: 05/07/2013  
Date Terminated: 01/10/2014  
Jury Demand: None  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Steven F. Hotze**  
*M.D.*

represented by **Andrew L Schlafly**  
Attorney at Law  
939 Old Chester Road  
Far Hills, NJ 07931  
908-719-8608  
Email: aschlaflly@aol.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Braidwood Management, Inc.**

represented by **Andrew L Schlafly**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Kathleen Sebelius**  
*U.S. Secretary of Health & Human Services*

represented by **Scott Risner**  
US Department of Justice  
Civil Division  
Federal Programs Branch  
20 Massachusetts Ave NW  
Washington, DC 20530  
202-514-2395  
Fax: 202-616-8470  
Email: scott.risner@usdoj.gov  
*TERMINATED: 11/15/2013*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Carol Federighi**  
US Dept of Justice  
Civil Div, Federal Programs Branch  
20 Massachusetts Ave NW  
Rm 7109  
Washington, DC 20530  
202-514-1903  
Email: carol.federighi@usdoj.gov

ATTORNEY TO BE NOTICED

**Defendant**

**Jacob J. Lew**

*U.S. Secretary of the Treasury*

represented by **Scott Risner**

(See above for address)

TERMINATED: 11/15/2013

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Carol Federighi**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/07/2013	<u>1 (p.5)</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0541-11384586) filed by Steven F. Hotze, Braidwood Management, Inc.. (Attachments: # <u>1 (p.17)</u> Civil Cover Sheet)(Schlafly, Andrew) (Entered: 05/07/2013)
05/08/2013	<u>2 (p.18)</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 8/26/2013 at 02:00 PM in Courtroom 9F before Judge Nancy F. Atlas(Signed by Judge Nancy F. Atlas) Parties notified.(rsmith) (Entered: 05/08/2013)
05/09/2013	<u>3 (p.20)</u>	Request for Issuance of Summons as to All Defendants, Kenneth Magidson, US Attorney, SD Texas, filed. (Attachments: # <u>1</u> summons, # <u>2</u> summons)(Schlafly, Andrew) (Entered: 05/09/2013)
05/10/2013		Summons Issued as to Jacob J. Lew, Kenneth Magidson, US Attorney, and Kathleen Sebelius, filed.(klinds, ) (Entered: 05/10/2013)
05/20/2013	<u>4 (p.26)</u>	CERTIFICATE OF INTERESTED PARTIES by Braidwood Management, Inc., Steven F. Hotze, filed.(Schlafly, Andrew) (Entered: 05/20/2013)
06/06/2013	<u>5 (p.29)</u>	RETURN of Service of SUMMONS Executed as to Kathleen Sebelius served on 5/29/2013, answer due 7/29/2013, filed.(Schlafly, Andrew) (Entered: 06/06/2013)
06/06/2013	<u>6 (p.32)</u>	RETURN of Service of SUMMONS Executed as to Jacob J. Lew served on 5/30/2013, answer due 7/29/2013, filed.(Schlafly, Andrew) (Entered: 06/06/2013)
06/06/2013	<u>7 (p.35)</u>	RETURN of Service Executed as to Kenneth Magidson, U.S. Attorney for S.D. Texas on 5/24/2013 re: Summons, Complaint, and Court documents, filed.(Schlafly, Andrew) (Entered: 06/06/2013)
06/06/2013	<u>8 (p.38)</u>	RETURN of Service Executed as to Hon. Eric H. Holder, Jr., Attorney General on 5/29/2013 re: Summons, Complaint, and Court documents, filed.(Schlafly, Andrew) (Entered: 06/06/2013)
07/12/2013	<u>9 (p.40)</u>	MOTION for Scott Risner to Appear Pro Hac Vice by Jacob J. Lew, Kathleen Sebelius, filed. Motion Docket Date 8/2/2013. (Risner, Scott) (Entered: 07/12/2013)
07/16/2013	<u>10 (p.41)</u>	ORDER granting <u>9 (p.40)</u> Motion to Appear Pro Hac Vice.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 07/16/2013)
07/19/2013	<u>11 (p.42)</u>	Unopposed MOTION for Extension of Time to Respond to Plaintiffs' Complaint by Jacob J. Lew, Kathleen Sebelius, filed. Motion Docket Date 8/9/2013. (Attachments: #

		<u>1</u> Proposed Order)(Risner, Scott) (Entered: 07/19/2013)
07/19/2013	<u>12</u> (p.47)	ORDER granting <u>11</u> (p.42) Motion for Extension of Time; Answer due for All Defendants no later than August 6, 2013..(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 07/19/2013)
08/06/2013	<u>13</u> (p.48)	Unopposed MOTION for Leave to File Excess Pages by Jacob J. Lew, Kathleen Sebelius, filed. Motion Docket Date 8/27/2013. (Attachments: # <u>1</u> Proposed Order)(Risner, Scott) (Entered: 08/06/2013)
08/06/2013	<u>14</u> (p.53)	MOTION to Dismiss <u>1</u> (p.5) Complaint by Jacob J. Lew, Kathleen Sebelius, filed. Motion Docket Date 8/27/2013. (Attachments: # <u>1</u> Proposed Order)(Risner, Scott) (Entered: 08/06/2013)
08/08/2013	<u>15</u> (p.94)	ORDER granting <u>13</u> (p.48) Motion for Leave to File Excess Pages.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/08/2013)
08/13/2013	<u>16</u> (p.95)	CERTIFICATE OF INTERESTED PARTIES by Jacob J. Lew, Kathleen Sebelius, filed.(Risner, Scott) (Entered: 08/13/2013)
08/15/2013	<u>17</u> (p.98)	Agreed JOINT DISCOVERY/CASE MANAGEMENT PLAN by Braidwood Management, Inc., Steven F. Hotze, filed.(Schlafly, Andrew) (Entered: 08/15/2013)
08/21/2013	<u>18</u> (p.105)	NOTICE of Resetting. Parties notified. Initial Conference set for 8/26/2013 at 03:30 PM in Courtroom 9F before Judge Nancy F. Atlas, filed. (sashabranner, ) (Entered: 08/21/2013)
08/26/2013	<u>19</u> (p.106)	MINUTE ENTRY ORDER: Telephone conference held Appearances: Andrew L Schlafly, Scott Risner. Ct Reporter: ERO. (Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/27/2013)
08/27/2013	<u>20</u> (p.107)	RESPONSE in Opposition to <u>14</u> (p.53) MOTION to Dismiss <u>1</u> (p.5) Complaint , filed by Braidwood Management, Inc., Steven F. Hotze. (Attachments: # <u>1</u> Proposed Order)(Schlafly, Andrew) (Entered: 08/27/2013)
08/29/2013	<u>21</u> (p.140)	Unopposed MOTION for Extension of Time to File Reply Memorandum by Jacob J. Lew, Kathleen Sebelius, filed. Motion Docket Date 9/19/2013. (Attachments: # <u>1</u> Proposed Order)(Risner, Scott) (Entered: 08/29/2013)
08/29/2013	<u>22</u> (p.145)	ORDER GRANTED <u>21</u> (p.140) Unopposed MOTION for Extension of Time to File Reply Memorandum ; Motion-related deadline set re: <u>14</u> (p.53) MOTION to Dismiss <u>1</u> (p.5) Complaint ( Replies due by 9/17/2013)(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, ) (Entered: 08/29/2013)
09/11/2013	<u>23</u> (p.146)	Unopposed MOTION for Extension of Time to File Reply Memorandum by Jacob J. Lew, Kathleen Sebelius, filed. Motion Docket Date 10/2/2013. (Attachments: # <u>1</u> Proposed Order)(Risner, Scott) (Entered: 09/11/2013)
09/12/2013	<u>24</u> (p.151)	ORDER granting <u>23</u> (p.146) Motion for Extension of Time.Defendants shall file ltheir reply memorandum in support of their motion to dismiss Plaintiffs' complaint no later than September 24, 2013.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, 4) (Entered: 09/12/2013)
09/24/2013	<u>25</u> (p.152)	REPLY to Response to <u>14</u> (p.53) MOTION to Dismiss <u>1</u> (p.5) Complaint , filed by Jacob J. Lew, Kathleen Sebelius. (Attachments: # <u>1</u> Exhibit 1)(Risner, Scott) (Entered: 09/24/2013)
11/05/2013		

	<u>26</u> (p.189)	MOTION for Carol Federighi to Appear Pro Hac Vice by Kathleen Sebelius, filed. Motion Docket Date 11/26/2013. (mmapps, 4) (Entered: 11/07/2013)
11/15/2013	<u>27</u> (p.190)	Unopposed MOTION for Scott Risner to Withdraw as Attorney by Jacob J. Lew, Kathleen Sebelius, filed. Motion Docket Date 12/6/2013. (Attachments: # <u>1</u> Proposed Order)(Risner, Scott) (Entered: 11/15/2013)
11/15/2013	<u>28</u> (p.194)	ORDER granting <u>26</u> (p.189) Motion to Appear Pro Hac Vice.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, 4) (Entered: 11/15/2013)
11/15/2013	<u>29</u> (p.195)	ORDER granting <u>27</u> (p.190) Motion to Withdraw as Attorney. Attorney Scott Risner terminated.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner, 4) (Entered: 11/15/2013)
01/10/2014	<u>30</u> (p.196)	MEMORANDUM AND ORDER Granting <u>14</u> (p.53) MOTION to Dismiss <u>1</u> (p.5) Complaint . This case is DISMISSED WITH PREJUDICE. (Signed by Judge Nancy F. Atlas) Parties notified.(gkelner, 4) (Entered: 01/10/2014)
01/10/2014	<u>31</u> (p.232)	FINAL ORDER OF DISMISSAL. Case terminated on 01/10/2014(Signed by Judge Nancy F. Atlas) Parties notified.(gkelner, 4) (Entered: 01/10/2014)
01/10/2014	<u>32</u> (p.233)	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <u>31</u> (p.232) Order of Dismissal by Braidwood Management, Inc., Steven F. Hotze (Filing fee \$ 505, receipt number 0541-12589289), filed.(Schlafly, Andrew) (Entered: 01/10/2014)
01/17/2014		Notice of Assignment of USCA No. 14-20039 re: <u>32</u> (p.233) Notice of Appeal, filed.(hler, 4) (Entered: 01/17/2014)
01/29/2014	<u>33</u> (p.235)	Notice of the Filing of an Appeal. DKT13 transcript order form was mailed to appellant (1 copy needed). Fee status: Paid. The following Notice of Appeal and related motions are pending in the District Court: <u>32</u> (p.233) Notice of Appeal, filed. (Attachments: # <u>1</u> NOA, # <u>2</u> Memorandum, # <u>3</u> Order, # <u>4</u> Docket sheet, # <u>5</u> DKT13 form)(smurdock, 4) (Entered: 01/29/2014)