

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA, )  
 )  
 )  
 Plaintiff, )  
 v. )  
 )  
 DONALD J. TRUMP, in his official )  
 capacity as President of the United States; )  
 ALEX M. AZAR II, in his official )  
 capacity as Secretary of Health and )  
 Human Services; UNITED STATES )  
 DEPARTMENT OF HEALTH AND )  
 HUMAN SERVICES; STEVEN T. )  
 MNUCHIN, in his official capacity as )  
 Secretary of the Treasury; UNITED )  
 STATES DEPARTMENT OF THE )  
 TREASURY; RENE ALEXANDER )  
 ACOSTA, in his official capacity as )  
 Secretary of Labor; and UNITED STATES )  
 DEPARTMENT OF LABOR, )  
 )  
 Defendants. )

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Civil Action No. 2:17-cv-04540 (WB)

**FEDERAL DEFENDANTS’ UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF IN  
EXCESS OF PAGE LIMIT**

Federal Defendants hereby seek leave to file a brief, in opposition to Plaintiffs’ motion for preliminary injunction, in excess of the Court’s 30-page limit on briefs, Policies and Procedures, July 2016, Civil Cases, § IV.A. The reasons for this motion are provided below.

1. Plaintiffs have filed a motion for a preliminary injunction, in which they seek to enjoin two rules recently jointly issued by three federal agencies. *See* Mot. for Preliminary Injunction, Dec. 17, 2018, ECF No. 90; Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the ACA, 83 Fed. Reg. 57,536 (Nov. 15, 2018); Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the ACA, 83 Fed. Reg. 57,592 (Nov. 15, 2018).

2. Plaintiffs, with leave of the Court, filed a 45-page brief in support of their motion for a preliminary injunction. ECF No. 91-2.
3. To properly respond to Plaintiffs' preliminary injunction motion, Federal Defendants must discuss the years' long background of this litigation, threshold defenses, the merits of Plaintiffs' claims, and the equitable elements of the preliminary injunction analysis.
4. Federal Defendants have attached to this motion their brief in opposition to Plaintiffs' motion for a preliminary injunction. It runs 45 pages.
5. Plaintiffs and the Intervening Defendants have both represented that they do not oppose this motion.

WHEREFORE, Federal Defendants respectfully request that the Court grant this Motion, allow Federal Defendants to exceed the Court's 30-page limit, and accept as filed Federal Defendants' Memorandum in Opposition to Plaintiffs' Motion for Preliminary Injunction, attached hereto, as of this date.

DATED: January 3, 2019

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

JENNIFER D. RICKETTS  
Director, Federal Programs Branch

MICHELLE R. BENNETT  
Assistant Director, Federal Programs Branch

/s/ Justin M. Sandberg  
JUSTIN M. SANDBERG (Il. Bar No. 6278377)  
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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that, on January 3, 2019, a copy of the forgoing and attached documents were electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 3d day of January, 2019.

s/ Justin M. Sandberg  
JUSTIN M. SANDBERG  
Senior Trial Counsel  
United States Department of Justice