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6 *(continued on next page)*

7  
8 **IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9  
10 THE STATE OF CALIFORNIA; THE STATE OF  
CONNECTICUT; THE STATE OF DELAWARE;  
11 THE DISTRICT OF COLUMBIA; THE STATE OF  
HAWAII; THE STATE OF ILLINOIS; THE  
STATE OF MARYLAND; THE STATE OF  
12 MINNESOTA, by and through its Department of  
Human Services; THE STATE OF NEW YORK;  
13 THE STATE OF NORTH CAROLINA; THE  
STATE OF RHODE ISLAND; THE STATE OF  
14 VERMONT; THE COMMONWEALTH OF  
VIRGINIA; and THE STATE OF WASHINGTON,

Plaintiffs,

15 THE STATE OF OREGON,

16 Intervenor-Plaintiff,

17 THE STATE OF COLORADO, THE STATE OF  
18 MICHIGAN and THE STATE OF NEVADA,

Proposed Intervenor-Plaintiffs,

19 v.

20 ALEX M. AZAR, II, in his Official Capacity as  
Secretary of the U.S. Department of Health &  
Human Services; U.S. DEPARTMENT OF  
21 HEALTH AND HUMAN SERVICES; R.  
ALEXANDER ACOSTA, in his Official Capacity  
as Secretary of the U.S. Department of Labor; U.S.  
22 DEPARTMENT OF LABOR; STEVEN  
MNUCHIN, in his Official Capacity as Secretary of  
23 the U.S. Department of the Treasury; and U.S.

Case No. 4:17-cv-05783-HSG

**DEFENDANT-INTERVENOR  
LITTLE SISTERS OF THE POOR,  
JEANNE JUGAN RESIDENCE'S  
NOTICE OF SUPPLEMENTAL  
AUTHORITY**

1 DEPARTMENT OF THE TREASURY;  
2 Defendants,  
3 and  
4 THE LITTLE SISTERS OF THE POOR, JEANNE  
JUGAN RESIDENCE; and MARCH FOR LIFE  
EDUCATION AND DEFENSE FUND,  
5 Defendant-Intervenors.

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10 *Little Sisters of the Poor*  
*Jeanne Jugan Residence*

11 On June 5, 2019, the district court in *DeOtte v. Azar* entered a class-wide injunction that bars the  
12 agency defendants in this case from enforcing the version of the contraceptive mandate the States have  
13 asked this Court to reinstate. *See Order, DeOtte v. Azar*, No. 4:18-cv-00825-O (N.D. Tex. June 5,  
14 2019), Dkt. No. 76, attached as Exhibit A. The *DeOtte* class includes all religious objectors,  
15 nationwide. *Id.* Proposed Intervenor State of Nevada is also a proposed intervenor in *DeOtte*.

16 While the parties will have ample opportunity to address the impact of *DeOtte* in the course of  
17 ongoing summary judgment briefing, we are bringing the case to the Court's attention now in  
18 connection with the pending motion to intervene by the States of Colorado, Michigan, and Nevada.  
19 Dkt. No. 293.

20 If the Court would like additional briefing on the impact of *DeOtte* on the pending motion, we  
21 would be happy to provide it at the Court's direction.

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23 Dated: June 10, 2019

Respectfully submitted,

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/s/ Mark L. Rienzi  
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