

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

_____)	
Christian Employers Alliance,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No. 1:21-cv-195-DMT-CRH
)	
United States Equal Employment)	
Opportunity Commission, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
_____)	

NOTICE

Defendants hereby submit this notice concerning proceedings in the Eighth Circuit in *Religious Sisters of Mercy v. Azar*, No. 21-1890 (8th Cir.) (“*Religious Sisters*”), which are relevant to a pending motion that Defendants filed to stay this action. *See* ECF No. 50 (stay motion); ECF No. 51 (supporting memorandum). On March 21, 2023, the Eighth Circuit entered an order denying all petitions for panel rehearing or rehearing en banc in *Religious Sisters*. That order is attached as Exhibit 1.

Dated: March 22, 2023

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney
General

MICHELLE R. BENNETT
Assistant Branch Director

/s/ Jeremy S.B. Newman
Jeremy S.B. Newman
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
Tel: (202) 532-3114
Email: jeremy.s.newman@usdoj.gov
Counsel for Defendants

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 21-1890

The Religious Sisters of Mercy, et al.

Appellees

State of North Dakota

v.

Xavier Becerra, Secretary of the United States Department of Human Services, et al.

Appellants

Appeal from U.S. District Court for the District of North Dakota - Eastern
(3:16-cv-00386-PDW)
(3:16-cv-00432-PDW)

ORDER

The panel petitions for rehearing have been considered, and they are hereby denied.

Appellee Catholic Benefits Association's motion for leave to file a reply in support of its petition for rehearing or rehearing en banc is denied. The petitions for rehearing en banc are also denied.

Judge Erickson did not participate in the consideration or decision of this matter.

March 21, 2023

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans