

1 Eric C. Rassbach – No. 288041
2 Mark Rienzi *pro hac vice*
3 Lori Windham *pro hac vice*
4 Diana Verm *pro hac vice*
5 The Becket Fund for Religious Liberty
6 1200 New Hampshire Ave. NW, Suite 700
7 Washington, DC 20036
8 Telephone: (202) 955-0095
9 Facsimile: (202) 955-0090
10 erassbach@becketlaw.org

11 (continued on next page)

12 **IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 THE STATE OF CALIFORNIA; THE STATE OF
15 CONNECTICUT; THE STATE OF DELAWARE;
16 THE DISTRICT OF COLUMBIA; THE STATE OF
17 HAWAII; THE STATE OF ILLINOIS; THE
18 STATE OF MARYLAND; THE STATE OF
19 MINNESOTA, by and through its Department of
20 Human Services; THE STATE OF NEW YORK;
21 THE STATE OF NORTH CAROLINA; THE
22 STATE OF RHODE ISLAND; THE STATE OF
23 VERMONT; THE COMMONWEALTH OF
24 VIRGINIA; and THE STATE OF WASHINGTON,

Plaintiffs,

THE STATE OF OREGON,

Intervenor-Plaintiff,

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

Proposed Intervenor-Plaintiffs,

v.

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

Defendants,

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

**DEFENDANT-INTERVENOR
LITTLE SISTERS OF THE POOR'S
NOTICE REGARDING SCHEDULED
HEARING ON INTERVENTION
MOTION**

1 and

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

6 John Charles Peiffer, II
7 The Busch Firm
8 860 Napa Valley Corporate Way
9 Suite O
10 Napa, CA 94458
11 Telephone: (707) 400-6243
12 Facsimile: (707) 260-6151
13 jpeiffer@buschfirm.com

14 *Counsel for Defendant-Intervenor*
15 *Little Sisters of the Poor*
16 *Jeanne Jugan Residence*

17 On June 6, 2019, the Court held a hearing on the motion to intervene by the States of Colorado,
18 Michigan, and Nevada [ECF 293]. Undersigned counsel for the Little Sisters neglected to calendar the
19 initially scheduled hearing date from proposed intervenors' motion. I apologize to the Court and to
20 counsel for my error. Had the hearing been calendared, we would have seen the conflict with the Ninth
21 Circuit oral argument on the preliminary injunction motion, which also occurred yesterday afternoon.
22 See *State of California v. Little Sisters of the Poor*, No. 19-15072, [ECF 166] (9th Cir. June 6, 2019).
23 We will confer with other counsel to find an alternative hearing date.

24 Dated: June 7, 2019

Respectfully submitted,

17 /s/ Mark L. Rienzi
18 Eric C. Rassbach – No. 288041
19 Mark L. Rienzi – *pro hac vice*
20 Lori H. Windham – *pro hac vice*
21 Diana M. Verm – *pro hac vice*
22 The Becket Fund for Religious Liberty
23 1200 New Hampshire Ave. NW, Suite 700
24 Washington, DC 20036
Telephone: (202) 955-0095

1 Facsimile: (202) 955-0090
2 erassbach@becketlaw.org

3 *Counsel for Defendant-Intervenor*
4 *Little Sisters of the Poor*
5 *Jeanne Jugan Residence*

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24