

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CATHOLIC CHARITIES
WEST MICHIGAN,

Plaintiff,

v.

MICHIGAN DEPARTMENT
OF HEALTH AND HUMAN
SERVICES; ROBERT GORDON, in
his official capacity as Director
of the Michigan Department of
Health and Human Services;
MICHIGAN CHILDREN'S
SERVICES AGENCY; JENNIFER
WRAYNO, in her official capacity as
Acting Executive Director of
Michigan Children's Services Agency;
DANA NESSEL, in her official
capacity as Attorney General of
Michigan.

Defendants.

Case No.
2:19-CV-11661-DPH-DRG

HON. DENISE PAGE HOOD

MAG. DAVID R. GRAND

**STIPULATION EXTENDING
PRELIMINARY
INJUNCTION MOTION
BRIEFING DEADLINES AND
HEARING DATE**

/

James R. Wierenga (P48946)
Attorney for Plaintiff
David, Wierenga & Lauka, PC
99 Monroe Ave., NW
Ste. 1210
Grand Rapids, MI 49503
(616) 454-3883
jim@dwlawpc.com

David A. Cortman (GA Bar #188810)
Attorney for Plaintiff
Alliance Defending Freedom
1000 Hurricane Shoals Rd. NE
Ste. D-1100
Lawrenceville, GA 30043
(770) 339-0774
dcortman@ADFlegal.org

Roger Brooks (NC Bar #16317)*
Jeremiah Galus (AZ Bar #030469)
Attorneys for Plaintiff
Alliance Defending Freedom
15100 N. 90th Street
Scottsdale, AZ 85260
(480) 444-0020
rbrooks@ADFlegal.org
jgalus@ADFlegal.org

**Admission pending*

Toni L. Harris (P63111)
Joshua S. Smith (P63349)
Precious S. Boone (P81631)
Elizabeth R. Husa Briggs
(P73907)
Attorneys for Defendants
Michigan Department of
Attorney General
Health, Education & Family
Services Division
P.O. Box 30758
Lansing, MI 48909
(517) 335-7603
HarrisT19@michigan.gov
Smithj46@michigan.gov

**STIPULATION EXTENDING PRELIMINARY INJUNCTION
MOTION BRIEFING DEADLINES AND HEARING DATE**

Plaintiff Catholic Charities West Michigan, and Defendants

Michigan Department of Health and Human Services (DHHS), DHHS

Director Robert Gordon, Michigan Children’s Services Agency (CSA), and CSA Executive Director JooYeun Chang¹ (collectively “DHHS Defendants”), and Defendant Michigan Attorney General Dana Nessel, by and through respective counsel, stipulate as follows:

1. Plaintiff initiated this lawsuit by filing a Summons and Verified Complaint in the Court of Claims, Case No. 19-000072MM. (ECF No. 1-2, PageID.13, Ex. A to ECF No. 1.)
2. Plaintiff also filed a motion for preliminary injunction in the state court action. (ECF No. 1-3, PageID.207, Ex. B to ECF No. 1.)
3. On June 5, 2019, Defendants filed a Notice of Removal, removing the state court action to this Court. (ECF No. 1.)
4. On June 26, 2019, Plaintiff filed a motion for preliminary injunction in the instant case. (ECF No. 11.)
5. On July 2, 2019, this Court issued a Notice of Hearing, scheduling the preliminary injunction motion for hearing on August 7, 2019, at 3:45 p.m. (ECF No. 14.)

¹ Pursuant to Fed. R. Civ. P. 25(d), this stipulated order reflects the substitution of Children’s Services Agency Executive Director JooYeun Chang for Acting Children’s Services Agency Executive Director Jennifer Wrayno, who was named in her official capacity.

6. Due to Plaintiff counsel's scheduling conflicts with the August 7 hearing date and the July 31 deadline for filing a reply brief, Plaintiff proposed a two-week extension of the hearing date, or later depending on the court's schedule, and a one-week extension of the deadline to file a reply.

7. In light of Plaintiff's proposed extensions, Defendants requested, and Plaintiff agreed to, a one-week extension of Defendants' July 17 deadline to file a response to the motion for preliminary injunction, without changing the extended dates as proposed by Plaintiff.

8. Pursuant to the parties' stipulation:

- a. The August 7, 2019 hearing date on Plaintiff's motion for preliminary injunction is adjourned at least two weeks, to August 21, 2019, or a later date as determined by the Court;
- b. Defendants' July 17, 2019 deadline to file a brief in response to the motion for preliminary injunction is extended to July 24, 2019; and
- c. Plaintiff's July 31, 2019 deadline to file a brief in reply to Defendants' response to the preliminary injunction motion is extended to August 7, 2019.

/s/ James Wierenga
James Wierenga (P48946)
Attorney for Plaintiff
David, Wierenga & Lauka, PC
99 Monroe Ave., NW
Ste. 1210
Grand Rapids, MI 49503
(616) 454-3883
jim@dwlawpc.com

Date: July 9, 2019

/s/ Jeremiah Galus
Jeremiah Galus (AZ Bar #030469)
Attorney for Plaintiff
Alliance Defending Freedom
15100 N. 90th Street
Scottsdale, AZ 85260
(480) 444-0020
jgalus@ADFlegal.org

Date: July 9, 2019

/s/ Toni L. Harris
Toni L. Harris (P63111)
Michigan Department of Attorney
General
Attorney for Defendants
Health, Education & Family
Services Division
P.O. Box 30758
Lansing, MI 48909
(517) 335-7603
HarrisT19@michigan.gov

Date: July 9, 2019

**ORDER EXTENDING PRELIMINARY INJUNCTION MOTION
BRIEFING DEADLINES AND HEARING DATE**

Upon consideration of the stipulation filed by the parties, it is

ORDERED that:

- a. The August 7, 2019 hearing date on Plaintiff's Motion for Preliminary Injunction (ECF No. 11) is adjourned at least two weeks, to August 21, 2019 at 3:00 p. m.
- b. Defendants' response to Plaintiff's Motion for Preliminary Injunction shall be due on or before July 24, 2019; and
- c. Plaintiff's reply to Defendants' response to Plaintiff's Motion for Preliminary Injunction shall be due on or before August 7, 2019.

IT IS SO ORDERED.

Dated: July 16, 2019

s/Denise Page Hood

HON. DENISE PAGE HOOD
United States District Judge