

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 13-5069

September Term, 2013

FILED ON: AUGUST 8, 2014

FRANCIS A. GILARDI, ET AL.,
APPELLANTS

v.

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, ET AL.,
APPELLEES

On Remand from the Supreme Court of the United States

Before: BROWN, *Circuit Judge*, and EDWARDS and RANDOLPH, *Senior Circuit Judges*.

J U D G M E N T

This cause came to be heard on remand from the Supreme Court vacating this court's November 1, 2013 judgment, and remanding for further consideration in light of *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014). See *Gilardi v. Dep't of Health and Human Servs.*, 134 S. Ct. 2902 (2014). Upon consideration thereof, it is

ORDERED and ADJUDGED that the case be remanded to the district court with instructions to enter a preliminary injunction for the Freshway companies and to reconsider the denial of the preliminary injunction as to the individual owners in light of *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014).

The Clerk is directed to issue the mandate forthwith.

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Jennifer M. Clark
Deputy Clerk

Dated: August 8, 2014