

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PLANNED PARENTHOOD FEDERATION
OF AMERICA, INC.; and PLANNED
PARENTHOOD OF NORTHERN NEW
ENGLAND, INC.,

Plaintiffs,

v.

ALEX M. AZAR II, in his official capacity as
Secretary, United States Department of
Health and Human Services; UNITED
STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES; ROGER
SEVERINO, in his official capacity as
Director, Office for Civil Rights, United
States Department of Health and Human
Services; and OFFICE FOR CIVIL RIGHTS,
United States Department of Health and
Human Services,

Defendants.

NATIONAL FAMILY PLANNING AND
REPRODUCTIVE HEALTH
ASSOCIATION; and PUBLIC HEALTH
SOLUTIONS,

Plaintiffs,

v.

ALEX M. AZAR II, in his official capacity as
Secretary of the U.S. Department of Health
and Human Services; U.S. DEPARTMENT
OF HEALTH AND HUMAN SERVICES;
ROGER SEVERINO, in his official capacity
as Director of the Office for Civil Rights of
the U.S. Department of Health and Human
Services; OFFICE FOR CIVIL RIGHTS of
the U.S. Department of Health and Human
Services,

Defendants.

Notice of Motion

Civil Action No. 1:19-cv-5433 (PAE)
(rel. 1:19-cv-4676; 1:19-cv-5435)

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Civil Action No. 1:19-cv-5435 (PAE)
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NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, attached declarations, and the complaints in these actions, Plaintiffs, by their undersigned counsel, will move this Court, before the Honorable Paul A. Engelmayer, United States District Court Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 1305, New York, New York, for an order pursuant to Rule 65(a) of the Federal Rules of Civil Procedure and 5 U.S.C. § 705 for a preliminary injunction barring Defendants from implementing and enforcing the regulation entitled Protecting Statutory Conscience Rights in Health Care, 84 Fed. Reg. 23,263 (May 21, 2019) (to be codified at 45 C.F.R. pt. 88), promulgated by Defendant the U.S. Department of Health and Human Services, and for such other and further relief as the Court deems just and proper.

Dated: June 17, 2019

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Respectfully submitted,

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* *Pro hac vice* motion forthcoming

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