

No. 19-1836

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

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**FAMILY PLANNING ASSOCIATION OF MAINE, on behalf of itself, its staff, and its patients doing business as MAINE FAMILY PLANNING; J. DOE, DO, MPH, individually and on behalf of Dr. Doe's patients,**

*Plaintiffs-Appellants,*

**SUSAN B ANTHONY LIST,**

*Plaintiff,<sup>1</sup>*

v.

**UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; ALEX MICHAEL AZAR II, in his official capacity as Secretary of Health and Human Services; OFFICE OF POPULATION AFFAIRS; DIANE FOLEY, MD, in her official capacity as Deputy Assistant Secretary for Population Affairs,**

*Defendants-Appellees.*

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**STIPULATION OF VOLUNTARY DISMISSAL**

Pursuant to Federal Rule of Appellate Procedure 42(b) and Local Rule 42, the parties stipulate and agree that this appeal should be dismissed.

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<sup>1</sup> When this Court docketed the instant case, it incorrectly entered Susan B. Anthony List as a Plaintiff and included it in the case caption. Susan B. Anthony List is not a party in this case, but rather submitted an amicus brief in support of Defendants in the District Court litigation. The parties have included Susan B. Anthony List in the caption here only for consistency with the Court's docketing, but in no way intend to indicate that Susan B. Anthony List is a party to this lawsuit.

The dismissal of this appeal from the denial of a preliminary injunction does not affect the parties' rights to appeal any final judgment entered by the district court.

Each party shall bear its own costs associated with this appeal.

Dated: October 22, 2019

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Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of October, 2019, I filed a copy of the above Stipulation of Voluntary Dismissal with the Clerk of Court through the ECF system, which automatically sent a Notice of Electronic Filing to all counsel of record.

/s/ Emily Nestler

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