

Complaint and to the extent that any remaining allegations in this paragraph are not addressed in the numbered paragraphs below, deny those allegations.

1. The allegations in this paragraph consist of a legal conclusion to which a response is not required.

2. The allegation in this paragraph consists of a legal conclusion to which a response is not required.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted.

7. This paragraph contains Plaintiffs' characterization of the Title X program, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny any characterization of the Title X statute, which speaks for itself, and respectfully refer the Court to the statute for a complete and accurate statement of its contents.

8. This paragraph contains Plaintiffs' characterization of the Title X program, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny any characterization of the Title X statute, which speaks for itself, and respectfully refer the Court to the statute for a complete and accurate statement of its contents.

9. Defendants admit the allegation in this paragraph, except to deny to the extent Plaintiffs allege that Obria Group Inc. receives Title X funding for programs in 50 clinics in seven states.

10. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in this paragraph, except to admit that Vita Nuova has never been a recipient of Title X funding.

11. This paragraph contains argument, conclusions of law, and Plaintiffs' characterization of 42 U.S.C. § 300a-7, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny any characterization of the cited statute, which speaks for itself, and respectfully refer the Court to the statute for a complete and accurate statement of its contents.

12. This paragraph contains argument, conclusions of law, and Plaintiffs' characterization of 42 U.S.C. § 300a-7, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny any characterization of the cited statute, which speaks for itself, and respectfully refer the Court to the statute for a complete and accurate statement of its contents.

13. This paragraph contains argument, conclusions of law, and Plaintiffs' characterization of 42 U.S.C. § 300a-7, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny any characterization of the cited statute, which speaks for itself, and respectfully refer the Court to the statute for a complete and accurate statement of its contents.

14. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in this paragraph.

15. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in this paragraph.

16. This paragraph contains only argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph, except to state that the Defendants lack sufficient knowledge or information to form a belief about the truth of the factual premise concerning Plaintiffs' religious beliefs.

17. This paragraph contains only argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph.

18. This paragraph contains only argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph.

19. This paragraph consists only of Plaintiffs' demand for relief, to which no response is required. To the extent a response is deemed necessary, Defendants deny the allegations contained in the demand for relief and further aver that Plaintiffs cannot establish that they are entitled to the requested relief or any other relief or that certification of the proposed class is appropriate.

20. This paragraph contains only Plaintiffs' characterization of this action, not allegations of fact, and thus no response is required.

21. This paragraph contains only Plaintiffs' description of their proffered class, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants admit that Plaintiffs have accurately described the scope of the class the Court certified in this case, but Defendants maintain that class certification was not proper under Rule 23 of the Federal Rules of Civil Procedure.

22. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph.

23. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph.

24. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph.

25. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph.

26. This paragraph contains argument and conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, Defendants deny the allegations in this paragraph.

27. This paragraph consists only of Plaintiffs' demand for relief, to which no response is required. To the extent a response is deemed necessary, Defendants deny the allegations contained in the demand for relief and further aver that Plaintiffs are not entitled to the requested relief or any other relief.

DEFENSES

1. This Court lacks subject matter jurisdiction over this action.

Defendants reserve the right to assert additional defenses during the pendency of this action.

Defendants hereby deny all allegations in Plaintiffs' Third Amended Complaint not expressly admitted.

Dated: January 4, 2021

Respectfully submitted,

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