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9
 10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12

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 14 **STATE OF CALIFORNIA, by and through**
ATTORNEY GENERAL XAVIER
 15 **BECERRA,**

16 Plaintiff,

17 v.

18 **NORRIS COCHRAN¹, acting**
 19 **SECRETARY of the U.S. DEPARTMENT**
 20 **of HEALTH & HUMAN SERVICES; U.S.**
 21 **DEPARTMENT of HEALTH & HUMAN**
SERVICES,

22 Defendants.

Case Nos. 3:19-cv-01184-EMC;
 3:19-cv-01195-EMC

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 24 **STIPULATION AND [PROPOSED]**
ORDER TO CONTINUE MARCH 11
STATUS CONFERENCE

25 Dept: Courtroom 5, 17th floor
 26 Judge: Hon. Edward M. Chen
 Trial Date: TBD
 27 Action Filed: March, 2019

28 ¹ Acting Secretary Cochran has been substituted as defendant, in his official capacity, by operation of Federal Rule of Civil Procedure 25(d).

1 Plaintiffs the State of California, Essential Health Access, Inc., and Melissa Marshall,
2 M.D. (collectively, Plaintiffs) and Defendants Norris Cochran, in his official capacity as Acting
3 Secretary of the U.S. Department of Health & Human Services, and the U.S. Department of
4 Health and Human Services (collectively, Defendants), through their counsel of record, stipulate
5 as follows:

6 1. On January 28, 2021, the White House issued a presidential memorandum titled
7 “Memorandum on Protecting Women’s Health at Home and Abroad.”² The memorandum states

8 The Secretary of Health and Human Services shall review the Title X Rule and
9 any other regulations governing the Title X program that impose undue
10 restrictions on the use of Federal funds or women’s access to complete medical
11 information and shall consider, as soon as practicable, whether to suspend, revise,
12 or rescind, or publish for notice and comment proposed rules suspending,
13 revising, or rescinding, those regulations, consistent with applicable law,
14 including the Administrative Procedure Act.

15 2. On February 22, 2021, the United States Supreme Court granted the petitions for
16 certiorari in *Am. Med. Ass’n, et al. v. Cochran* (20-429), *Cochran v. Mayor and City Council of*
17 *Baltimore* (20-454), and *Oregon, et al. v. Cochran* (20-539).

18 3. Defendants’ review pursuant to the presidential memorandum and the Supreme
19 Court’s grant of petitions for certiorari may materially impact this case. It would therefore
20 conserve the resources of the Court and the parties to continue the status conference to May 6,
21 2021. The parties will file a joint status conference statement on April 29, 2021.

22 4. The parties further request that the case remain stayed until May 6, 2021.

23 **IT IS SO STIPULATED.**

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27 ² *Memorandum on Protecting Women’s Health at Home and Abroad*, The White House
28 (Jan. 28, 2021), available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/28/memorandum-on-protecting-womens-health-at-home-and-abroad/>

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Dated: March 4, 2021

Respectfully Submitted,

XAVIER BECERRA
Attorney General of California
KATHLEEN BOERGERS
Supervising Deputy Attorney General
ANNA RICH

KETAKEE KANE
Deputy Attorneys General
*Attorneys for Plaintiff the State of California**
*Under Local Rule 5-1(i)(3), the filer attests
that all signatories have concurred in the
filing of this document.

Dated: March 4, 2021

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Attorneys for Plaintiffs
ESSENTIAL ACCESS HEALTH, INC.
and MELISSA MARSHALL, M.D.

Dated: March 4, 2021

Respectfully Submitted,

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[PROPOSED] ORDER

The Court, having considered the parties' stipulation to continue the status conference, orders as follows:

1. The status conference is continued to May 6, 2021. The parties' joint status conference statement is due on April 29, 2021.
2. The case is stayed until May 6, 2021.

IT IS SO ORDERED.

Dated:

The Honorable Edward M. Chen
United States District Judge