

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

REPRODUCTIVE HEALTH SERVICES OF PLANNED
PARENTHOOD OF THE ST. LOUIS REGION, INC., on
behalf of itself, its physicians, its staff, and its patients, and
COLLEEN P. MCNICHOLAS, D.O., M.S.C.I.,
F.A.C.O.G., on behalf of herself and her patients,

Plaintiffs,

v.

MICHAEL L. PARSON, in his official capacity as
Governor of the State of Missouri; ERIC S. SCHMITT, in
his official capacity as Attorney General of the State of
Missouri; KIMBERLY M. GARDNER, in her official
capacity as the Circuit Attorney for the City of St. Louis;
JADE D. JAMES, M.D., in her official capacity as
President of the Missouri State Board of Registration for
the Healing Arts; SARAH MARTIN, PH.D., M.P.P.,
M.P.H., in her official capacity as Secretary of the
Missouri State Board of Registration for the Healing Arts;
SAMMY L. ALEXANDER, M.D., JAMES A. DIRENNA,
D.O., JEFFREY S. GLASER, M.D., F.A.C.S.,
KATHERINE J. MATHEWS, M.D., NAVEED
RAZZAQUE, M.D., DAVID E. TANNEHILL, D.O., and
MARC K. TAORMINA, M.D., F.A.C.P., in their official
capacities as Members of the Missouri State Board of
Registration for the Healing Arts; and RANDALL
WILLIAMS, M.D., in his official capacity as Director of
the Department of Health & Senior Services of the State of
Missouri,

Defendants.

CIVIL ACTION

CASE NO. 2:19-cv-4155

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND
EXPEDITED BRIEFING SCHEDULE OR, IN THE ALTERNATIVE, A
TEMPORARY RESTRAINING ORDER**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs respectfully move this Court to grant a preliminary injunction and expedited briefing schedule or, in the alternative, a temporary restraining order against Defendants, their employees, agents, and successors in office from enforcing the pre-viability bans on abortions pursuant to H.B. 126; specifically, Mo. Rev. Stat. §§ 188.056, 188.057, 188.058, 188.375, and 188.038. These bans take effect on August 28, 2019. Without immediate intervention by the Court, Plaintiffs will be prohibited from providing women with pre-viability abortion care in the State of Missouri, in direct contravention of well-settled and long-standing constitutional protections recognized by the U.S. Supreme Court in *Roe v. Wade*, 410 U.S. 113 (1973), *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992), and *Whole Woman's Health v. Hellerstedt*, 136 S. Ct. 2292 (2016), as revised (June 27, 2016).

In support of this Motion, Plaintiffs rely upon, and incorporate by reference, the arguments set forth in the accompanying Suggestions In Support Of Plaintiffs' Motion For A Preliminary Injunction And Expedited Briefing Schedule, Or, In The Alternative, A Temporary Restraining Order.

Dated: July 30, 2019

Respectfully submitted,

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CERTIFICATE OF NOTICE

I hereby certify that a copy of the above and foregoing was transmitted via electronic mail this 30th day of July, 2019, on:

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