

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JACKSON WOMEN’S HEALTH  
ORGANIZATION & SACHEEN CARR-  
ELLIS, M.D., M.P.H.,  
*On Behalf of Themselves and Their Patients,***

**PLAINTIFFS**

**V.**

**CAUSE NO. 3:18-CV-171-CWR-FKB**

**MARY CURRIER,  
*State Health Officer of the Mississippi  
Department of Health,*  
ET AL.**

**DEFENDANTS**

**ORDER SEPARATING CLAIMS & EXTENDING TRO**

Originally, Plaintiffs in this case sought only to challenge Mississippi’s 15-week abortion ban, claiming it violated their Constitutional rights to due process and equal protection.<sup>1</sup>

Consequently, the Court entered a Temporary Restraining Order to prevent Defendants from enforcing the Ban.<sup>2</sup> Plaintiffs have since amended their complaint, dropping the equal protection challenge to the Ban and adding five separate challenges to Mississippi’s other abortion laws.<sup>3</sup>

Federal Rule of Civil Procedure 42 allows the Court to “order a separate trial of one or more separate issues [or] claims” for “convenience, to avoid prejudice, or to expedite and economize.” The Court will do so here, separating this case into two Parts. Part I will deal with the challenge to the Ban, and will proceed according to a discovery schedule the Court will adopt after the parties have fully briefed Plaintiffs’ pending discovery motion.<sup>4</sup> Part II will deal with the challenges to Mississippi’s other abortion laws, and will proceed according to a case management order the parties are to obtain from Magistrate Judge F. Keith Ball.

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<sup>1</sup> Complaint at Docket No. 1.

<sup>2</sup> Docket No. 9.

<sup>3</sup> Amended Complaint at Docket No. 23.

<sup>4</sup> Docket No. 16.

On September 24, 2018, the Court will hold a hearing on a preliminary injunction regarding the Ban. The Restraining Order is EXTENDED until 30 days after the conclusion of that hearing, pursuant to Defendants' consent and Federal Rule of Civil Procedure 65.

**SO ORDERED**, this the 11th day of April, 2018.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE