

*Florida Supreme Court Docket*

**Case Docket**

Case Number: SC04-2186 - Closed

STATE OF FLORIDA, ETC., ET AL. vs. PRESIDENTIAL WOMEN'S CENTER, ET AL.

Lower Tribunal Case(s):4D02-4485

10/29/2022 5:14:02  
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Doc.	Date Docketed	Case Type	Description	Filed by	Notes
	11/12/2004	Statutory or Constitutional Invalidity	NOTICE-APPEAL (STAT/CONST INVALID)	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	
	11/15/2004	Statutory or Constitutional Invalidity	No Fee - State		STATE AGENCY
	11/15/2004	Statutory or Constitutional Invalidity	MOTION-EXT OF TIME (INITIAL BRIEF-MERITS)	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	
	11/15/2004	Statutory or Constitutional Invalidity	MOTION-TOLL TIME	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	ON INITIAL BRIEF MERITS
	11/22/2004	Statutory or Constitutional Invalidity	ORDER-EXT OF TIME GR (INITIAL BRIEF-MERITS)		
	12/29/2004	Statutory or Constitutional Invalidity	INITIAL BRIEF-MERITS	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	O&7 W/APPENDIX AND DISKETTE
	12/29/2004	Statutory or Constitutional Invalidity	MOTION-AMICUS CURIAE	MA Christian Medical Association BY: MA Rena Mari-Anne Lindevaldsen 659045	OF CHRISTIAN MEDICAL ASSOCIATION AND CATHOLIC MEDICAL ASSOCIATION ON BEHALF OF APPELLANTS
	12/29/2004	Statutory or Constitutional Invalidity	AMICUS CURIAE INITIAL BRIEF-MERITS	MA Christian Medical Association BY: MA Rena Mari-Anne Lindevaldsen 659045	(O&7 W/DISKETTE) OF CHRISTIAN MEDICAL ASSOCIATION AND CATHOLIC MEDICAL ASSOCIATION
	12/29/2004	Statutory or Constitutional Invalidity	MOTION-COUNS PRO HAC VICE (FOREIGN COUNSEL)	MA Teresa S. Collett BY: MA Teresa S. Collett	ON BEHALF OF CHRISTIAN MEDICAL ASSOCIATION AND CATHOLIC MEDICAL ASSOCIATION: (REQ. AMENDED MOTION): AMENDED MOTION FILED 03/07/2005, O&7: SECOND AMENDED MOTION FILED 03/16/2005, O&9
	01/06/2005	Statutory or Constitutional Invalidity	MOTION-EXT OF TIME (ANSWER BRIEF-MERITS)	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	
	01/06/2005	Statutory or Constitutional Invalidity	MOTION-TOLL TIME	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	
	01/06/2005	Statutory or Constitutional Invalidity	MOTION-COUNS PRO HAC VICE (FOREIGN	AE Presidential Womens Center BY:	ON BEHALF OF CENTER FOR REPRODUCTIVE RIGHTS FOR

		Invalidity	COUNSEL)	AE Bebe J. Anderson	APPELLEES PRESIDENTIAL WOMEN'S CENTER AND MICHAEL BENJAMIN, M.D.
	01/07/2005	Statutory or Constitutional Invalidity	ORDER-EXT OF TIME GR (ANSWER BRIEF-MERITS)		Appellees Presidential Women's Center and Michael Benjamin M.D.'s motion for extension of time is granted and appellees are allowed to and including February 23, 2005, in which to serve the answer brief on the merits. NO FURTHER EXTENSIONS OF TIME WILL BE GRANTED TO APPELLEES FOR THE FILING OF THE ANSWER BRIEF ON THE MERITS. All other times will be extended accordingly.
	01/10/2005	Statutory or Constitutional Invalidity	ORDER-COUNSEL PRO HAC VICE GR (FOREIGN COUNSEL)		The motion to appear pro hac vice filed in the above cause by Bebe J. Anderson, on behalf of appellees Presidential Women's Center and Michael Benjamin, M.D., is hereby granted contingent upon counsel's payment of the \$100.00 fee required by section 25.241(3), Florida Statutes (2004), within ten (10) days from the date of this order. FAILURE TO TIMELY COMPLY WITH THE PAYMENT REQUIREMENT COULD RESULT IN THIS ORDER BEING VACATED AND THE MOTION BEING DENIED.
	01/14/2005	Statutory or Constitutional Invalidity	REQUEST-ORAL ARGUMENT	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	
	01/18/2005	Statutory or Constitutional Invalidity	LETTER	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	REQUESTING REMOVAL OF LOUIS M. SILBER FROM CERTIFICATE OF SERVICE LIST
	01/18/2005	Statutory or Constitutional Invalidity	MOTION-EXT OF TIME (ANSWER BRIEF-MERITS)	AE North Florida Womens Health And Counseling Services BY: AE Barry M. Silver 382108	
	01/19/2005	Statutory or Constitutional Invalidity	FEE PAID-PRO HAC VICE		AE Presidential Womens Center BY: AE Bebe J. Anderson R2005-1001293
	01/19/2005	Statutory or Constitutional Invalidity	Pro Hac Vice	2005 - 1001293 Amount: \$100	CENTER FOR REPRODUCTIVE RIGHTS, INC.
	01/19/2005	Statutory or Constitutional Invalidity	LETTER	AE Presidential Womens Center BY: AE Bebe J. Anderson	DATED 01/14/2005, RE: TRANSMITTAL OF PRO HAC VICE FEE
	01/21/2005	Statutory or Constitutional Invalidity	ORDER-EXT OF TIME GR (ANSWER BRIEF-MERITS)		Appellees North Florida Women's Health and Counseling Services, Inc. motion for extension of time is granted and appellees are allowed to and including February 23, 2005, in which to serve the answer brief on

					the merits. NO FURTHER EXTENSIONS OF TIME WILL BE GRANTED TO APPELLEES FOR THE FILING OF THE ANSWER BRIEF ON THE MERITS. All other times will be extended accordingly.
	02/02/2005	Statutory or Constitutional Invalidity	LETTER	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	DATED 01/31/2005, REQUESTING REMOVAL OF LOUIS SILBER FROM CERTIFICATE OF SERVICE
	02/07/2005	Statutory or Constitutional Invalidity	MOTION-AMICUS CURIAE	ME American College Of Obstetricians And Gynecologists, Fl Section BY: ME Jo Ann Barone Kotzen 905259	
	02/09/2005	Statutory or Constitutional Invalidity	ORDER-AMICUS CURIAE GR		The motion for leave to file brief as amicus curiae filed by Florida Obstetrics and Gynecologic Society is hereby granted and they are allowed to file brief only in support of appellees. The brief by the above referenced amicus curiae shall be served pursuant to Florida Rule of Appellate Procedure 9.370(c).
	02/10/2005	Statutory or Constitutional Invalidity	NOTICE-ADDRESS CHANGE	ME American College Of Obstetricians And Gynecologists, Fl Section BY: ME Jo Ann Barone Kotzen 905259	
	02/14/2005	Statutory or Constitutional Invalidity	ORDER-AMICUS CURIAE GR		The motion for leave to file brief as amici curiae filed by Christian Medical Association and Catholic Medical Association is hereby granted and they are allowed to file brief only in support of appellants. The brief by the above referenced amici curiae was filed with this Court on December 29, 2005.
	02/14/2005	Statutory or Constitutional Invalidity	MOTION-AMICUS CURIAE	ME The Florida Assoc. Of Planned Parenthood Affiliates BY: ME Donna Lee	OF THE FLORIDA ASSOCIATION OF PLANNED PARENTHOOD AFFILIATES, THE FLORIDA-BASED AFFILIATES OF PLANNED PARENTHOOD FEDERATION OF AMERICA, THE AMERICAN CIVIL LIBERTIES UNION OF FLORIDA AND THE AMERICAN CIVIL LIBERTIES UNION REPRODUCTIVE FREEDOM PROJECT
	02/14/2005	Statutory or Constitutional Invalidity	MOTION-COUNS PRO HAC VICE (FOREIGN COUNSEL)	ME The Florida Assoc. Of Planned Parenthood Affiliates BY: ME Donna Lee	
	02/15/2005	Statutory or Constitutional Invalidity	Pro Hac Vice	2005 - 1001435 Amount: \$100	FOR DONNA LEE
	02/15/2005	Statutory or	ORDER-AMICUS		The motion for leave to file brief as

		Constitutional Invalidity	CURIAE GR		amici curiae filed by The Florida Association of Planned Parenthood Affiliates, Planned Parenthood of Southwest and Central Florida, Planned Parenthood of South Palm Beach and Broward Counties, Planned Parenthood of the Palm Beach and Treasure Coast Area, Planned Parenthood of Collier County, Planned Parenthood of North Central Florida, The American Civil Liberties Union of Florida and The American Civil Liberties Union Reproductive Freedom Project is hereby granted and they are allowed to file brief only in support of appellees. The brief by the above referenced amici curiae shall be served pursuant to Florida Rule of Appellate Procedure 9.370(c). (CORRECTED 02/28/2005, TO REFLECT NAMES OF PLANNED PARENTHOOD AFFILIATES)
	02/15/2005	Statutory or Constitutional Invalidity	ORDER-COUNSEL PRO HAC VICE GR (FOREIGN COUNSEL)		The motion to appear pro hac vice filed in the above cause by Donna Lee, on behalf of amici curiae, The Florida Association of Planned Parenthood Affiliates, Planned Parenthood of Southwest and Central Florida, Planned Parenthood of South Palm Beach and Broward Counties, Planned Parenthood of the Palm Beach and Treasure Coast Area, Planned Parenthood of Collier County, Planned Parenthood of North Central Florida, The American Civil Liberties Union of Florida and The American Civil Liberties Union Reproductive Freedom Project, is hereby granted. Counsel's payment of the \$100.00 fee required by section 25.241(3), Florida Statutes (2004), was filed with this Court on February 14, 2005. (CORRECTED 02/28/2005, TO LIST AFFILIATES OF PLANNED PARENTHOOD)
	02/15/2005	Statutory or Constitutional Invalidity	FEE PAID-PRO HAC VICE		ME The American Civil Liberties Union - Reproductive Freedom Project BY: ME Donna Lee (R2005-1001435)
	02/16/2005	Statutory or Constitutional Invalidity	MOTION-COUNS PRO HAC VICE (FOREIGN COUNSEL)	AE Nan E. Strauss BY: AE Nan E. Strauss	AMENDED MOTION FILED 02/24/2005
	02/24/2005	Statutory or Constitutional Invalidity	ANSWER BRIEF-MERITS	AE North Florida Womens Health And Counseling Services	O&7: REQ. DISKETTE AND AMD CERTIFICATE OF SERVICE: E-FILE 02/25/2005: (02/28/2005 AMD CERTIFICATE OF SERVICE

				BY: AE Barry M. Silver 382108	FILED WITH COPY OF BRIEF WHICH WAS REMOVED): NO SUMMARY OF ARGUMENT
	02/24/2005	Statutory or Constitutional Invalidity	REQUEST-ORAL ARGUMENT	AE North Florida Womens Health And Counseling Services BY: AE Barry M. Silver 382108	ZO&7: REQ. AMD CERTIFICATE OF SERVICE: (02/28/2005 AMD CERTIFICATE OF SERVICE FILED WITH COPY OF MOTION)
	02/24/2005	Statutory or Constitutional Invalidity	MOTION-ATTORNEYS FEES	AE North Florida Womens Health And Counseling Services BY: AE Barry M. Silver 382108	O&7: REQ AMD CERTIFICATE OF SERVICE: (02/28/2005 AMD CERTIFICATE OF SERVICE WAS FILED WITH COPY OF MOTION)
	02/24/2005	Statutory or Constitutional Invalidity	AMICUS CURIAE ANSWER BRIEF- MERITS	ME The Florida Assoc. Of Planned Parenthood Affiliates BY: ME Donna Lee	O&7 W/DISKETTE: (TOO LONG)
	02/25/2005	Statutory or Constitutional Invalidity	ANSWER BRIEF- MERITS	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	O&7 W/APPENDIX AND E-FILE: (APPENDIX DOES NOT CONTAIN DCA DECISION)
	02/25/2005	Statutory or Constitutional Invalidity	ORDER-BRIEF STRICKEN (NON- COMPLIANCE)		Appellee, North Florida Women's Health and Counseling Services, Inc.'s brief, which was filed with this Court on February 24, 2005, does not comply with Florida Rule of Appellate Procedure 9.210 and is hereby stricken. Appellee, North Florida Women's Health and Counseling Services, Inc. is hereby directed, on or before March 17, 2005, to serve an original and seven (7) copies of an amended answer brief on the merits which contains a Summary of Argument.
	02/25/2005	Statutory or Constitutional Invalidity	MOTION-ATTORNEYS FEES	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	O&7 W/ATTACHMENTS
	02/25/2005	Statutory or Constitutional Invalidity	MOTION-EXT OF TIME (AMICUS CURIAE BRIEF)	ME American College Of Obstetricians And Gynecologists, Fl Section BY: ME Jo Ann Barone Kotzen 905259	REQ AMD MOTION: (AMENDED MOTION FILED 03/01/2005)
	02/25/2005	Statutory or Constitutional Invalidity	MOTION-TOLL TIME	ME American College Of Obstetricians And Gynecologists, Fl Section BY: ME Jo Ann Barone Kotzen 905259	
	02/28/2005	Statutory or Constitutional Invalidity	ORDER- BRIEF/APPENDIX STRICKEN (NON- COMPLIANCE)		Appellees, Presidential Women's Center and Michael Benjamin, M.D.'s, answer brief on the merits with appendix, which was filed with this Court on February 25, 2005, does not comply with Florida Rules of Appellate Procedure 9.120(d), 9.210 and 9.220 and is hereby stricken. Appellees Presidential

					Women's Center and Michael Benjamin, M.D. are hereby directed, on or before March 21, 2005, to serve an original and seven (7) copies of an amended brief with appendix which contains at least a conformed copy of the decision of the district court of appeal.
	02/28/2005	Statutory or Constitutional Invalidity	ORDER-BRIEF STRICKEN (NON-COMPLIANCE)		The Florida Association of Planned Parenthood Affiliates, Planned Parenthood of Southwest and Central Florida, Planned Parenthood of South Palm Beach and Broward Counties, Planned Parenthood of the Palm Beach and Treasure Coast Area, Planned Parenthood of Collier County, Planned Parenthood of North Central Florida, The American Civil Liberties Union of Florida and The American Civil Liberties Union Reproductive Freedom Project's amici curiae brief on the merits in support of appellees, which was filed with this Court on February 24, 2005, does not comply with Florida Rules of Appellate Procedure 9.210 and 9.370 and is hereby stricken. The above referenced amici curiae are hereby directed, on or before March 21, 2005, to serve an original and seven (7) copies of an amended amici curiae brief which does not exceed twenty (20) pages in length with the Statement of Interest included in the page computation.
	03/04/2005	Statutory or Constitutional Invalidity	Pro Hac Vice	2005 - 1001528 Amount: \$100	CENTER FOR REPRODUCTIVE RIGHTS, INC. - FOR NAN STRAUSS
	03/04/2005	Statutory or Constitutional Invalidity	FEE PAID-PRO HAC VICE		AE Presidential Womens Center BY: AE Nan E. Strauss (R2005-1001528)
	03/07/2005	Statutory or Constitutional Invalidity	ORDER-EXT OF TIME GR (AMICUS CURIAE)		The motion for extension of time and amendment thereto filed in the above case by amicus curiae, American College of Obstetricians and Gynecologists, Florida Section, is granted and said amicus curiae is allowed to and including March 14, 2005, in which to serve the amicus curiae answer brief on the merits. NO FURTHER EXTENSIONS OF TIME WILL BE GRANTED FOR THE FILING OF THE ABOVE REFERENCED AMICUS CURIAE BRIEF ON THE MERITS. All other times will be extended accordingly.
	03/07/2005	Statutory or Constitutional Invalidity	ORDER-COUNSEL PRO HAC VICE GR		The motion to appear pro hac vice filed in the above cause by Nan E.

		Invalidity	(FOREIGN COUNSEL)		Strauss, on behalf of appellees Presidential Women's Center and Michael Benjamin, M.D., is hereby granted. Counsel's payment of the \$100.00 fee required by section 25.241(3), Florida Statutes (2004), was filed with this Court.
03/11/2005	Statutory or Constitutional Invalidity	AMICUS CURIAE ANSWER BRIEF-MERITS	ME American College Of Obstetricians And Gynecologists, Fl Section BY: ME Jo Ann Barone Kotzen 905259	(O&7) (NO DISKETTE) (REQUESTING A DISKETTE): DISKETTE FILED 03/17/2005	
03/15/2005	Statutory or Constitutional Invalidity	RESPONSE	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	IN OPPOSITION TO APPELLEES' MOTION FOR ATTORNEY'S FEES (O&7)	
03/15/2005	Statutory or Constitutional Invalidity	MOTION-ACCEPTANCE AS TIMELY FILED (RESPONSE/REPLY)	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	RESPONSE IN OPPOSITION TO APPELLEES' MOTIONS FOR ATTORNEY'S FEES (O&7)	
03/16/2005	Statutory or Constitutional Invalidity	ANSWER AMD BRIEF-MERITS	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	O&7 W/APPENDIX AND E-FILE	
03/16/2005	Statutory or Constitutional Invalidity	REQUEST-ORAL ARGUMENT	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	O&7	
03/17/2005	Statutory or Constitutional Invalidity	AMICUS CURIAE ANSWER AMD BRIEF-MERITS	ME The Florida Assoc. Of Planned Parenthood Affiliates BY: ME Donna Lee	O&7 W/DISKETTE	
03/18/2005	Statutory or Constitutional Invalidity	ANSWER AMD BRIEF-MERITS	AE North Florida Womens Health And Counseling Services BY: AE Barry M. Silver 382108	O&7 W/DISKETTE	
03/23/2005	Statutory or Constitutional Invalidity	LETTER	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	DATED 03/21/2005, RE: TRANSMITTAL OF ENVELOPE	
03/24/2005	Statutory or Constitutional Invalidity	ORDER-COUNSEL PRO HAC VICE GR (FOREIGN COUNSEL)		The motion to appear pro hac vice, and amendments thereto, filed in the above cause by Teresa S. Collett, on behalf of amici curiae Christian Medical Association and Catholic Medical Association, is hereby granted contingent upon counsel's payment of the \$100.00 fee required by section 25.241(3), Florida Statutes (2004), within ten (10) days from the date of this order. FAILURE TO TIMELY COMPLY WITH THE PAYMENT REQUIREMENT COULD RESULT IN THIS ORDER BEING VACATED AND THE MOTION BEING DENIED.	
03/24/2005	Statutory or	ORDER-ACCEPTANCE		Appellants State of Florida, et al.'s	

		Constitutional Invalidity	AS TIMELY FILED GR (RESP/REPLY)		motion to accept response to appellees' motions for attorneys fees as timely filed is granted and said response was filed with this Court on March 15, 2005.
04/08/2005		Statutory or Constitutional Invalidity	REPLY BRIEF-MERITS	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	O&7 & E-FILE
04/08/2005		Statutory or Constitutional Invalidity	NOTICE	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	OF UNAVAILABILITY (O&1)
04/08/2005		Statutory or Constitutional Invalidity	MOTION-BRIEF PAGE ENLARGEMENT	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	O&1
04/18/2005		Statutory or Constitutional Invalidity	ORDER-BRIEF PAGE ENLARGEMENT GR		Appellants' Motion to File Reply Brief in Excess of Page Limitations is hereby granted and said brief consisting of eighteen (18) pages was filed with this Court on April 8, 2005.
04/22/2005		Statutory or Constitutional Invalidity	RECORD/TRANSCRIPT	Hon. Marilyn Nemzura Beuttenmuller, Clerk BY: Hon. Marilyn Nemzura Beuttenmuller, Clerk	1 BOX CONSISTING OF 10 VOLUMES, 1 SUPPLEMENTAL VOLUME AND 2 ENVELOPES
06/22/2005		Statutory or Constitutional Invalidity	ORDER-OA SCHED		
06/22/2005		Statutory or Constitutional Invalidity	ORAL ARGUMENT CALENDAR		
09/29/2005		Statutory or Constitutional Invalidity	ORAL ARGUMENT HELD		
04/06/2006		Statutory or Constitutional Invalidity	DISP-REVERSED AND REMANDED		We conclude that section 390.0111(3)(a)(1) of the Florida Statutes is not unconstitutional. Accordingly, we reverse the Fourth District's decision in Presidential which affirmed the summary final judgment in favor of Presidential holding that the unconstitutionality of this subsection renders the Act facially unconstitutional and remand for further proceedings consistent with this opinion.
04/10/2006		Statutory or Constitutional Invalidity	NOTICE-ADDRESS CHANGE	MA Catholic Medical Association BY: MA Erik William Stanley 183504	
04/21/2006		Statutory or Constitutional Invalidity	MOTION-REHEARING	AE Presidential Womens Center BY: AE Marshall J. Osofsky 739730	O&7 (RC)
05/02/2006		Statutory or Constitutional Invalidity	RESPONSE	AA State Of Florida STATE1 BY: AA Louis F. Hubener, Iii 140084	(O&7) IN OPPOSITION TO APPELLEES' MOTION FOR

					REHEARING AND/OR CLARIFICATION
05/11/2006	Statutory or Constitutional Invalidity	Pro Hac Vice	2006 - 1004063 Amount: \$100		*For Appearance of TERESA COLLETT
05/11/2006	Statutory or Constitutional Invalidity	FEE PAID-PRO HAC VICE			By ERIK W. STANLEY for TERESA COLLETT (R2006-1004063)
05/11/2006	Statutory or Constitutional Invalidity	LETTER	MA Christian Medical Association BY: MA Erik William Stanley 183504		DATED 05/10/06, RE: TRANSMITTAL OF PRO HAC VICE FEE FOR TERESA COLLETT
08/10/2006	Statutory or Constitutional Invalidity	ORDER-ATTY FEES DY (J/M/O)			Appellees Presidential Women's Center and Michael J. Benjamin, M.D.'s "Motion to Tax Attorney's Fees" and Appellee North Florida Women's Health and Counseling Services "Motion for Costs and Attorney's Fees" are hereby denied.
08/10/2006	Statutory or Constitutional Invalidity	DISP-REHEARING DY			Appellee Presidential Women's Center and Michael Benjamin, M.D.'s Motion for Rehearing and/or Clarification is hereby denied. - RC
08/21/2006	Statutory or Constitutional Invalidity	MAIL RETURNED			for JO ANN BARONE KOTZEN (UNDELIVERABLE AS ADDRESSED) (08/10/2006 ORDER) (08/21/2006: FORWARDED TO CURRENT FLA BAR ADDRESS)
10/24/2006	Statutory or Constitutional Invalidity	MANDATE			CC: COUNSEL
10/24/2006	Statutory or Constitutional Invalidity	RECORD/TRANSCRIPT RETURNED	Hon. Marilyn Nemzura Beuttenmuller, Clerk BY: Hon. Marilyn Nemzura Beuttenmuller, Clerk		1 BOX CONSISTING OF 10 VOLUMES, 1 SUPPLEMENTAL VOLUME AND 2 ENVELOPES
12/04/2006	Statutory or Constitutional Invalidity	ARCHIVES			