



IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY  
STATE OF OKLAHOMA

NOVA HEALTH SYSTEMS, D/B/A )  
REPRODUCTIVE SERVICES, on behalf of itself, )  
its staff, and its patients, )

Plaintiff, )

v. )

Case No. CJ-2008-9119

(1) W.A. DREW EDMONDSON, in his official )  
capacity as Attorney General of Oklahoma; )

Judge Vicki L. Robertson

(2) TIM HARRIS, in his official capacity as Tulsa )  
County District Attorney; )

(3) TERRY L. CLINE, in his official capacity as )  
Oklahoma Commissioner of Health; )

(4) LYLE KELSEY, in his official capacity as )  
Executive Director of the Oklahoma State Board )  
of Medical Licensure and Supervision; and )

(5) CHERYL A. VAUGHT, in her official )  
capacity as President of the Oklahoma State Board )  
of Osteopathic Examiners, )

Defendants. )

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

SEP - 8 2009

PATRICIA PRESLEY, COURT CLERK  
by L.V.S.  
DEPUTY

**ORDER GRANTING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY  
JUDGMENT AND DENYING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Plaintiff 's Motion for Partial Summary Judgment, Defendants' Motion for Summary Judgment, and Plaintiff's Motion to Strike Evidentiary Materials are now before the Court for consideration. After reviewing the Motions and supporting materials, and after hearing oral argument on August 18, 2009, the Court finds that Senate Bill 1878 violates Article V, Section 57 of the Oklahoma Constitution. As a result, the statute is void and of no effect. Because the Court finds that Senate Bill 1878 violates Article V, Section 57 of the Oklahoma Constitution, the Court declines to reach the other issues raised in the parties' motions.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

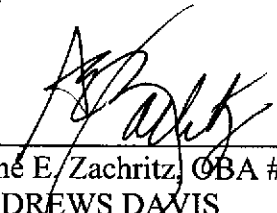
- (1) Plaintiff's Motion for Partial Summary Judgment is GRANTED to the extent that the Court finds S.B. 1878 to violate the single subject rule set forth in Article V, Section 57 of the Oklahoma Constitution;
- (2) Defendants' Motion for Summary Judgment is DENIED;
- (3) Senate Bill 1878 is found to violate Article V, Section 57 of the Oklahoma Constitution because it embraces more than one subject and is, therefore, found to be void and of no effect; and
- (4) A permanent injunction, without bond, is entered restraining Defendants and Defendants' employees, agents, and successors in office from enforcing Senate Bill 1878.



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THE HONORABLE VICKI L. ROBERTSON  
JUDGE OF THE DISTRICT COURT

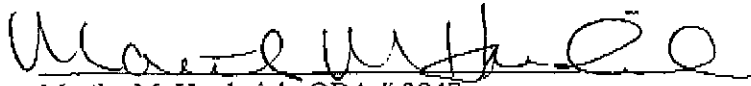
Approved as to form:



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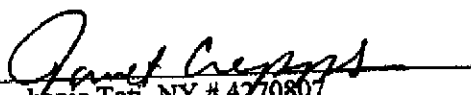
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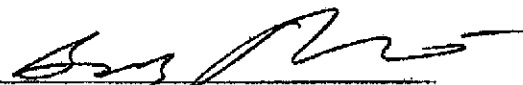
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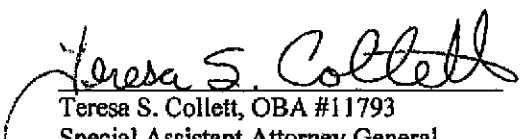
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