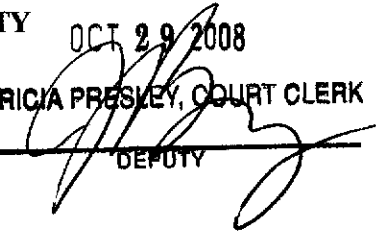




FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

OCT 29 2008

PATRICIA PRESLEY, COURT CLERK
by  DEPUTY

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

Plaintiff,

v.

Case No. CJ-2008-9119

Judge Vicki L. Robertson

- (1) BRAD HENRY, in his official capacity as Governor of Oklahoma;
- (2) W.A. DREW EDMONDSON, in his official capacity as Attorney General of Oklahoma;
- (3) TIM HARRIS, in his official capacity as Tulsa County District Attorney;
- (4) JAMES MICHAEL CRUTCHER, in his official capacity as Oklahoma Commissioner of Health;
- (5) LYLE KELSEY, in his official capacity as Executive Director of the Oklahoma State Board of Medical Licensure and Supervision;
- (6) CHERYL A. VAUGHT, in her official capacity as President of the Oklahoma State Board of Osteopathic Examiners,

Defendants.

**SCHEDULING ORDER
AND TEMPORARY INJUNCTION**

The Parties' Joint Motion for Scheduling Order and for Order Approving Agreed Temporary Injunction is now before the Court for consideration. In accordance with Rule 4(h) of the Rules for District Courts, the Court finds that a hearing would not materially assist the Court in ruling on the Motion which is jointly presented by all Parties. After reviewing the Motion and Brief in Support, the Court finds the Motion is supported by good cause and that the same should be granted.

IT THEREFORE ORDERED THAT:

1. Discovery may commence immediately.



2. This Order resolves Plaintiff's Motion for a Temporary Injunction and for Expedited Briefing and Hearing on that Motion or, Alternatively, for a Temporary Restraining Order Pending the Outcome of that Motion. Therefore, Defendants will not be required to respond to said Motion.
3. Defendants' shall respond to Plaintiff's Petition by way of answer or dispositive motion no later than January 19, 2009.
4. Plaintiff shall file a Motion for Preliminary Injunction, if at all, no later than December 22, 2008.
5. Plaintiff shall file and exchange witness and exhibit lists for purposes of the Preliminary Injunction hearing on or before January 12, 2009.
6. Defendants shall respond to Plaintiff's Motion for Preliminary Injunction no later than January 19, 2009.
7. Defendants shall file and exchange witness and exhibit lists for purposes of the Preliminary Injunction hearing on or before January 19, 2009.
8. Plaintiff shall reply to Defendants' Response to the Motion for Preliminary Injunction no later than February 2, 2009.
9. A hearing on Plaintiff's forthcoming Motion for Preliminary Injunction is set to begin on (SEE BELOW). The Parties may contact the Court to arrange a Pre-Hearing Conference if they believe such a conference would be of benefit to the Court.

→ CONTACT JUDGE'S OFFICE
to schedule Pre-Trial

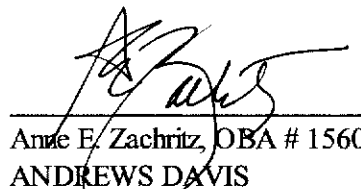
IT IS FURTHER ORDERED THAT:

Enrolled Senate Bill 1878, the Freedom of Conscience Act, is temporarily enjoined from taking effect on November 1, 2008, with such injunction remaining in effect until March 27, 2009, or when the Court issues a ruling on Plaintiff's forthcoming Motion for Preliminary Injunction - whichever comes first. Absent further action by this Court, this Temporary Injunction will, in all respects, expire March 27, 2009. Until such time as this Temporary Injunction expires or is otherwise superceded by further action of the Court, Enrolled Senate Bill 1878, the Freedom of Conscience Act, will be of no force or effect and the law relevant to the topics covered by the Freedom of Conscience Act, as it existed on October 31, 2008, will continue to serve as the operative law.



THE HONORABLE VICKI L. ROBERTSON
JUDGE OF THE DISTRICT COURT

Approved as to form and content:



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