



FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FEB 28 2021

RICK WARREN  
COURT CLERK

- (1) SOUTH WIND WOMEN'S CENTER )  
LLC, D/B/A TRUST WOMEN )  
OKLAHOMA CITY, on behalf of itself, its )  
clinicians and staff, and its patients; and )
- (2) COLLEEN MCNICHOLAS, D.O., on )  
behalf of herself and her patients, )

Case No. CV-2019-2506

Judge Natalie Mai

Plaintiffs,

v. )

- (1) MIKE HUNTER, in his official capacity as )  
Attorney General of Oklahoma; and )
- (2) DAVID PRATER, in his official capacity )  
as Oklahoma County District Attorney; and )
- (3) LYLE KELSEY, in his official capacity as )  
Executive Director of the Oklahoma State )  
Board of Medical Licensure and )  
Supervision; and )
- (4) MICHAEL T. LEAKE JR., in his official )  
capacity as Executive Director of the )  
Oklahoma State Board of Osteopathic )  
Examiners; and )
- (5) KIM GLAZIER, in her official capacity as )  
the Executive Director of the Oklahoma )  
Board of Nursing; and )
- (6) COL. LANCE FRYE, in his official )  
capacity as Interim Oklahoma )  
Commissioner of Health, )

Defendants.

**PLAINTIFFS' NOTICE OF CORRECTION**

Plaintiffs filed this challenge to Oklahoma's physician-only law and telemedicine ban in November 2019. While Plaintiffs remain steadfast in their opposition to these laws, due to the COVID-19 pandemic and other unforeseen circumstances, Plaintiffs have decided not to proceed with this case at this time. Accordingly, Plaintiffs are filing today a Notice of Voluntary Dismissal pursuant to 12 O.S. §§ 683(1) & 684(A), which is effective upon filing.

Notwithstanding Plaintiffs' voluntary dismissal of this action, Julie Burkhart, Founder and CEO of Plaintiff Trust Women Oklahoma City, wishes to amend a statement in her prior affidavit submitted in support of Plaintiffs' Motion for a Temporary Injunction. *See* Aff. of Julie Burkhart Supp. Pls.' Mot. for Temp. Inj., Ex. B, Pls.' Mot. for Temp. Inj. (Nov. 8, 2019). Accordingly, Plaintiffs are also filing today a Supplemental Affidavit of Julie Burkhart in Support of Plaintiffs' Motion for a Temporary Injunction.

Ms. Burkhart's original affidavit stated that none of the 664 patients who obtained a medication abortion in 2018 at Trust Women Oklahoma City experienced a reportable complication. *Id.* at ¶ 15. Since Ms. Burkhart submitted her affidavit, Trust Women Oklahoma City has reported four complications to the State related to the 664 patients who received medication abortions at its clinic in 2018. Ms. Burkhart cited this statistic in support of her averment that medication abortion is very safe, which was true at the time and remains true today.

Respectfully submitted this 23<sup>rd</sup> day of February 2021,



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*\*Out-of-State Attorney Applications  
Granted*

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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 23<sup>rd</sup> day of February 2021, a true and correct copy of the foregoing was served via email to the following:

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