

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

LAURINDA HAFNER, et al.

Case No. 2022-014370-CA-43

Plaintiffs,

CONSOLIDATED

-against-

THE STATE OF FLORIDA, et al.,

Defendants.

AMENDED VERIFIED COMPLAINT

For their Amended Verified Complaint against Katherine Fernandez Rundle, sued in her official capacity, and Intervenor Attorney General for the State of Florida, Ashley Moody (“Intervenor”; collectively referred to herein as “Defendants”), Plaintiffs Reverend Laurinda Hafner, Rabbi Gayle Pomerantz, Rabbi Robyn Fisher, Rabbi Jason Rosenberg, Lama Karma Chotso, Reverend Tom Capo, and Reverend Wilifred Allen-Faiella (collectively referred to herein as “Plaintiffs”), by and through undersigned counsel, allege and aver as follows:

PRELIMINARY STATEMENT

1. This is a lawsuit brought by Plaintiffs, whose religious beliefs, speech, and conduct are severely burdened by the state of Florida’s criminalization of abortion in many circumstances where their faiths support the decision to have an abortion on religious grounds.

2. The lawsuit is seeking to invalidate House Bill 5, the Reducing Fetal and Infant Mortality Act (“HB 5”), and Senate Bill 300, the Heartbeat Protection Act (“SB 300”) (hereinafter referred to collectively as the “Acts”), because they violate: (1) the rights of Plaintiffs to liberty of speech and free exercise and enjoyment of religion, guaranteed by Article I, §§3, 4 of the Florida Constitution, (2) the Florida Religious Freedom Restoration Act, Fla. Stat. Ann. § 761.03

(“FRFRA”), and (3) Plaintiffs’ freedom of speech and free exercise of religion guaranteed by the First and Fourteenth Amendments to the United States Constitution. Under the Acts and Florida’s criminal law, Plaintiffs are at risk of prosecution for counseling, encouraging, assisting, facilitating, or advocating for women, girls, and families to obtain an abortion beyond the narrow bounds of the Acts as someone who aids and abets the crime. Under Florida’s aiding and abetting law, they commit the crime itself by counseling, encouraging, assisting, facilitating, or advocating in favor of it.

3. The relationship between clergy and their congregants has, until now, been protected, revered, and respected as sacrosanct and inviolable. Now, Defendants have inserted themselves into this alliance with God by imposing criminal penalties on those who counsel, aid and/or assist with an abortion beyond the narrow bounds of the Acts, neither of which provides for a religious accommodation.

4. Plaintiffs engage in religious counseling that honors their congregants’ and communities’ autonomy and freedom to choose when faced with an unwanted or at-risk pregnancy, guiding congregants to reach informed decisions about the termination of said pregnancy and to act upon those decisions.

5. In addition, Plaintiffs engage in religious and other conduct consistent with their religious beliefs. For example, Plaintiffs regularly assist individuals in their congregations and communities with healthcare-related needs including, among other things, providing financial support and assistance and, in certain situations, assisting with obtaining medical appointments and medication. With respect to a congregant or community member who required an abortion consistent with Plaintiffs’ respective religious beliefs, each Plaintiff would engage in similar

conduct consistent with their respective religious beliefs to aid their congregant or community member in need.

6. Plaintiffs would, absent the criminality of such speech and conduct, actively assist congregants or others in need of help in obtaining access to healthcare – including abortion care services – in a variety of manners including, but not limited to, providing or connecting access to funding, arranging travel and lodging, identifying healthcare providers, scheduling, and/or transporting congregants or others in need of help with regard to abortion procedures, in accordance with the tenets of Plaintiffs’ respective religions.

7. Plaintiffs would, absent the criminality of such speech and conduct, engage in religious advocacy that honors congregants’ and others right to bodily autonomy and integrity and to access comprehensive healthcare services including, but not limited to, speaking publicly about their religious beliefs as they relate to abortion, and encouraging others to do the same.

8. On March 3, 2022, the Florida Legislature passed HB 5, which bans abortions after fifteen weeks as dated from the first day of a woman’s last menstrual period (LMP) with two extremely limited exceptions. See Ch. 2022-69, §§ 3–4, Laws of Fla. (amending §§ 390.011, 390.0111, Fla. Stat.); Fla. Stat. § 390.0111(1)(a)–(b); § 390.011(6). There is no exception for incest, rape, trafficking, non-fatal fetal abnormalities, or psychological disease or impairment.

9. HB5 was signed into law by Governor Ron DeSantis on April 14, 2022, and it took effect on July 1, 2022.

10. On April 13, 2023, the Florida Legislature passed SB 300, which bans abortions after six weeks as dated from LMP with exceptions for fatal fetal abnormalities, provided the pregnancy has not progressed to the third trimester, and in cases of rape, incest, and human trafficking but only if documentary evidence such as a medical report, police report, or restraining

order is provided as proof of victimization. Fla. Stat. § 390.0111 (1)(c)-(d) (as amended). The bill also provides that a sum of \$25 million in recurring funds from the General Revenue Fund be appropriated to the Department of Health (the “Department”) for the purpose of implementing Fla. Stat. §381.96, which requires the Department to contract within the statewide alliance of pregnancy support organizations and that any subcontracts therein shall be with providers that “exclusively promote and support childbirth.” *See* Fla. Stat. §456.47, (8)(1)(b), 381.96 (1)(c), (3)(g).

11. SB 300 was signed into law by Governor Ron DeSantis on April 13, 2023, and it takes effect within 30 days of any of the following:

- a. A Florida Supreme Court decision holding that s. 23, Article I of the Florida State Constitution does not include a right to abortion;
- b. A Florida Supreme Court decision in *Planned Parenthood v. State*, SC2022-1050, permitting HB5 to remain in effect including a decision to discharge jurisdiction;
- c. An amendment to the Florida State Constitution clarifying that s. 23, Article I of the Florida State Constitution does not include a right to abortion; or
- d. A Florida Supreme Court decision after March 7, 2023, receding, in whole or in part, from *In re T.W.*, 551, So. 2d 1186 (Fla. 1989), *North Fla. Women’s Health v. State*, 866 So. 2d 612 (Fla. 2003), or *Gainesville Women Care, LLC v. State*, 210 So. 3d 1243 (Fla. 2017).

12. The Acts establish as the law of the State of Florida a pernicious elevation of the legal rights of fetuses while at the same time, it devalues the quality of life and the health of the woman or girl who is pregnant. The Acts also undermines the safety and well-being of young girls

who are victims of rape and incest as they will be unable to seek a judicial bypass with sufficient expediency to provide an effective opportunity for an abortion to be obtained within the timeframes imposed.

13. The Acts impose a minority religious view about when life begins that is in direct conflict with Plaintiffs' faith and clerical obligations, and thus they impose substantial burdens on their religious beliefs, speech, and conduct. They also impose severe burdens on the religious beliefs, speech, and conduct of their congregants and members of Plaintiffs' respective faiths.

14. The Acts violate the sacred trust between a clergy member and their congregants, and trample Plaintiffs' First Amendment and Florida constitutional rights to free speech and free exercise of religion, and their rights under FRFRA. They also violate the separation of church and state under the federal and Florida state constitutions.

15. Bedrock principles under the First Amendment invalidate the Acts, and Defendants' actions have caused, are causing, and will continue to cause irreparable injury to Plaintiffs' fundamental and cherished liberties.

16. The dramatic change in abortion rights in Florida has caused confusion and fear among clergy and pregnant girls and women particularly in light of the criminal penalties attached. Given their general duties and work as members of the clergy, Plaintiffs intend to engage in counseling regarding abortion beyond the narrow limits of the Acts and, therefore, risk incarceration and financial penalties.

17. Whereas here, fundamental rights like the freedom of speech and free exercise hang in the balance, plaintiffs are not required to expose themselves to actual arrest or prosecution before seeking relief. The Acts' criminal penalties produce a chilling effect on religious speech and expressive conduct which constitute a credible threat of prosecution on constitutional grounds.

18. HB 5 severely chills the speech of clergy members with their congregants and communities because it is unconstitutionally vague. The Act further provides no exceptions for the victims of incest, rape, or trafficking, non-fatal fetal abnormalities, or psychological disease or impairment, which are all circumstances in which Plaintiffs would support and/or counsel in favor of an individual's decision to have an abortion after fifteen weeks.

19. SB 300 further curtails Plaintiffs' constitutional and statutory rights, and severely chills the speech of clergy members with their congregants and communities because it is also unconstitutionally vague. SB 300 does include an exception for victims of incest, rape, or human trafficking within a limited timeframe, but requires the victim to provide evidence of such rape, incest, or human trafficking in the form of a restraining order, police report, medical record, or other court order or documentation prior to obtaining an abortion, and further requires all women 18 or older to report such rape, incest, or human trafficking and verify the same prior to obtaining an abortion. Plaintiffs would support, counsel, assist, or advocate for an individual's decision to have an abortion before or after six weeks without regard to these draconian documentary requirements.

20. Violations of the Acts constitute a third-degree felony; "any person" who "willfully performs" or "actively participates" in an abortion in violation of the law is subject to criminal penalties, including imprisonment of up to five years and monetary penalties up to \$5,000 for a first offense. §§ 390.0111(10)(a), 775.082(8)(e), 775.083(1)(c), Fla. Stat.

21. Under Florida law, counseling or encouraging a crime constitutes "aiding and abetting" that crime and is considered under the law someone who committed the crime. *See* Fla. Stat. § 777.011 ("Whoever commits any criminal offense against the state, whether felony or misdemeanor, or aids, abets, counsels, hires, or otherwise procures such offense to be committed

... is a principal in the first degree and may be charged, convicted, and punished as such, whether he or she is or is not actually or constructively present at the commission of such offense.”). Thus, counseling, encouraging, assisting, facilitating, or advocating for the obtaining of an abortion in violation of the Acts’ strictures appears likely to be a crime under the Acts.

22. The Acts criminalize abortion after fifteen weeks and six weeks, respectively, from the LMP except in severely limited exceptions with, in the case of SB 300, arguably insurmountable documentary requirements. While it clearly regulates doctors and healthcare delivery centers, its criminal penalties for them can be interpreted to create criminal aiding and abetting liability for clergy who counsel a family or pregnant woman or girl to seek an abortion beyond the narrow confines the Acts permit. The Acts are so vague that they provide no reliable guidance regarding whether Plaintiff will violate the law when they affirmatively advise and support their believers to choose an abortion beyond the Acts’ extreme limitations. *See* Ch. 2022-69, §§ 3–4, Laws of Fla. The Acts leave Plaintiffs with no choice but to interpret them broadly due to their vagueness, or risk criminal penalties.

23. Since time immemorial, the questions of when a potential fetus or fetus becomes a life and how to value maternal life during a pregnancy have been answered according to religious beliefs and creeds. The Acts codify one of the possible religious viewpoints on the question, and in their operation impose severe burdens on other beliefs, including the clergy of Plaintiffs’ respective faiths.

24. The Acts severely burden Plaintiffs’ right to engage in religious speech regarding when their faith holds that life begins and the value placed on the mother’s life. They further burden the ability to speak freely and publicly about their religious beliefs and to provide religious

counseling, encouragement, assistance, facilitation, or advocacy consistent with those beliefs, in violation of Plaintiffs' free speech and religious liberty rights.

25. Thus, Plaintiffs seek preliminary and permanent injunctive relief against Defendants, enjoining the enforcement of the Acts, and a declaratory judgment declaring that the Acts, both on their faces and as applied, are unconstitutional violations of Article I, §§3, and 4 of the Florida Constitution, FRFRA, and the First and Fourteenth Amendment to the United States Constitution.

THE PARTIES, JURISDICTION, AND VENUE

A. Plaintiffs

26. Plaintiff Reverend Laurinda Hafner is the Senior Pastor of Coral Gables Congregational United Church of Christ operating in Miami-Dade County, Florida.

27. Plaintiff Rabbi Gayle Pomerantz is the senior rabbi in a Reform Jewish synagogue operating in Miami-Dade County, Florida.

28. Rabbi Robyn Fisher is a post-denominational rabbi who leads a Jewish synagogue operating in Miami-Dade County, Florida.

29. Rabbi Jason Rosenberg leads a Reform Jewish synagogue operating in Hillsborough County, Florida. Rabbi Rosenberg's rabbinic practice and religious speech and conduct span throughout South Florida, including Miami-Dade County.

30. Plaintiff Wilifred Allen-Faiella is a Priest of the Episcopal Church who resides in Miami-Dade County, Florida.

31. Plaintiff Lama Karma Chotso is a Tibetan Buddhist lama who previously served at Open Awareness Buddhist Center, a Tibetan Buddhist Temple operating in Miami-Dade County,

Florida. Plaintiff Lama Karma Chotso continues to provide religious guidance and engage in religious conduct in Miami-Dade County.

32. Reverend Tom Capo is a minister in a Unitarian Universalist congregation operating in Miami-Dade County, Florida.

33. Plaintiffs file this lawsuit because they are in danger of criminal penalty due to their sacred duty to advise and counsel the congregants, members, supporters, and families within their respective congregations and communities on the principles and ideologies of their faiths, particularly related to maternal health, abortion and related reproductive healthcare measures, as well as incest, rape, and trafficking.

B. Defendants

34. Defendant Katherine Fernandez-Rundle is the state attorney of the Eleventh Judicial Circuit of Florida. Defendant Fernandez-Rundle is authorized to initiate and prosecute alleged violations of the Acts. Fla. Stat. § 27.02(1). Defendant Fernandez-Rundle is sued in her official capacity, as are her agents and successors.

35. Intervenor Ashley Moody is the Attorney General for the State of Florida, an elected cabinet official and the chief legal officer in the State of Florida, responsible for the enforcement of the laws of Florida and obligated to offer her opinion if she concludes that a law, such as the Acts, is unconstitutional and unenforceable.

C. Jurisdiction and Venue

36. This Court has jurisdiction over this action pursuant to Article V, § 5(b) of the Florida Constitution and Sections 26.012(3) and 86.011, Florida Statutes.

37. This Court is authorized to grant declaratory judgment and a permanent injunction pursuant to Chapter 86 and Section 26.012(3), Florida Statutes, and Florida Rules of Civil Procedure Rule 1.610.

38. Venue is proper in this Court pursuant to Section 47.021, Florida Statutes, because at least one Defendant has a principal office in Miami-Dade County.

STATEMENT OF FACTS

I. Plaintiffs' Sincerely Held Religious Beliefs, Speech and Conduct

A. The United Church of Christ

39. Plaintiff Reverend Hafner is a Reverend of the United Church of Christ ("UCC").

40. The UCC came into being in 1957 with the union of two Protestant denominations: the Evangelical and Reformed Church and the Congregational Christian Churches. The Church's roots come from the great Reformation movement, as well as with the Pilgrims who came to the United States searching for religious freedom. Each congregation of the UCC is diverse and free to act in accordance with the collective decisions of its members, guided by the working of the Holy Spirit in light of the scriptures; however, it is also called to live in a covenantal relationship with other congregations for the sharing of insights and for cooperative action under the authority of Jesus Christ.

41. The relationship between a clergy member within the UCC and their congregants represents a sacred trust. Under the UCC principles, clergy have an obligation to guide congregants and members of their faith community to help discern and provide support, assistance, and advocacy for congregants in making life decisions within the context of the UCC's overarching beliefs in religious freedom and reverence for human life. This pastoral relationship is designed to

facilitate the foundational principle of all the UCC counseling: the congregant's right to dignity and self-determination.

42. Throughout its history, members of the UCC have sought counsel, guidance, resources, and assistance from their clergy on issues related to the spiritual, physiological, and psychological aspects of sex and sexuality including decisions related to pregnancy and childbirth, sexual education, family planning, and abortion. In return, the UCC clergy have provided counseling, encouragement, assistance, facilitation, and advocacy that aligns with their congregants' freedom to make their own decisions in their lives with the ever-present knowledge that God loves them no matter the circumstances.

43. Since 1971, the UCC has believed in the right of women and girls to have the freedom to make their own decisions concerning issues related to pregnancy and abortion procedures.

44. The UCC clergy teach that the decision by a member of the UCC to terminate a pregnancy for any reason should be based on a combination of diverse, complex, and interrelated factors that are often intimately tied to the individual woman or girl's religious values and beliefs.

45. Some women, girls, and others who may give birth, such as the members, congregants, and supporters of Plaintiff Reverend Hafner's Church, choose to have an abortion with the support of their clergy because it is consistent with the beliefs of their denomination, the UCC. Congregants of the UCC respect the reverence of human life in accordance with the principle of religious freedom. As such, the decision to bring new life into the world is not taken lightly and includes the value of life and well-being of the pregnant woman or girl.

46. The UCC recognizes the moral, legal, personal, and societal complexity of the issue, especially on behalf of disadvantaged and minority groups, and the faith requires great

pastoral sensitivity and openness to the needs of women, girls, and others who may birth, as well as all involved in decisions relating to abortion.

47. Since 1971, the UCC has preached reverence for human life, which has included a woman's and girl's freedom to choose to have an abortion. The UCC faith believes that all persons are called by their Lord Jesus Christ to "celebrate, nurture, and support life." United Church of Christ, *Freedom of Choice Concerning Abortion: A Proposal for Action* adopted by the Eighth General Synod (June 29, 1971). Since life is "less than perfect" and the choices that people must make are difficult, abortion may be considered.

48. While recognizing that a judgment will be made or assumed as to when personal human life begins and at what point society has an interest in it, the UCC stresses that theological and scientific views on when human life begins are so numerous and varied that "one particular view should not be forced on society through its legal system." United Church of Christ, *Freedom of Choice Concerning Abortion: A Proposal for Action* adopted by the Eighth General Synod (June 29, 1971). Laws prohibiting abortions are neither just nor enforceable, and compel women and girls to bear unwanted children or face medical hazards and suffering, like unsafe and illegal abortion procedures.

49. Therefore, "every woman and girl must have the freedom of choice to follow her personal, religious, and moral convictions concerning the completion or termination of her pregnancy." United Church of Christ, *The Thirteenth General Synod: Resolution on Freedom of Choice* (1981). Further, resolutions adopted by the General Synod of the UCC since 1971 emphasize that the faith community should provide counseling, encouragement, assistance, facilitation, or advocacy for services and support for those women or girls with wanted or unwanted pregnancies.

50. The General Synod of the UCC specifically calls for the pastors, members, and local churches to offer counseling opportunities and supporting fellowship for persons facing situations of unwanted pregnancies to assist them in making such difficult decisions and to help them find professional assistance if necessary. It also calls for urgency to actively oppose state and federal legislation and amendments which seek to revoke or limit access to safe and legal abortions. United Church of Christ, *The Sixteenth General Synod Resolution on “Sexuality and Abortion: A Faithful Response”* (1987).

51. Plaintiff Reverend Hafner firmly believes and supports the ideologies of the UCC faith set forth above that are related to reproductive health care and procedures, including abortions, and uses these beliefs in counseling and advising congregants and their broader communities.

52. Since being ordained in 1979, Plaintiff Reverend Hafner has given sermons and counseled congregants and families on reproductive issues such as pregnancy and childbirth, family planning, and infertility and at-risk pregnancies. She has also counseled congregants on abortion care, including a pregnant 14-year-old girl who had been assaulted and a woman with severe pregnancy complications. In each instance, Plaintiff Reverend Hafner counseled her congregants in accordance with her religious values and beliefs as required and shaped by the UCC principles. Specifically, in counseling a pregnant adult or girl who is a victim of rape, incest, or trafficking, Plaintiff Reverend Hafner would emphasize that God’s love for the victim is unconditional and unwavering, and God wants the victim to have a peaceful, joyful, and loving life. Therefore, God and the Church family bless whatever decision she makes as a person of freewill, including if that decision is to receive an abortion.

53. As a result of the significant inconsistencies between the beliefs of the UCC and the Acts, it is inevitable that additional congregants will seek counsel on these issues.

54. Due to the possible criminal penalties under the Acts, Plaintiff Reverend Hafner and other local leaders of the UCC have held discussions related to potential restrictions in teaching and counseling under the UCC principles on reproductive care. These conversations will continue to occur both within the UCC community in Florida and on a national level.

55. In addition, Plaintiff Reverend Hafner views meeting with congregants and members of her community regarding reproductive justice and assisting with obtaining reproductive healthcare as both her religious responsibility and privilege. She participates in a collective of Pastors that would assist women in need of terminating a pregnancy with financial assistance and transportation.

56. Plaintiff Reverend Hafner has in the past served as an advocate for a minor who needed an abortion, but due to circumstances, could not obtain parental permission. SB 300 effectively eviscerates the judicial bypass process and places both the pregnant minor and the clergy on whom she is relying for support in an impossible position.

57. Plaintiff's beliefs are consistent with the UCC principles set forth above and, as a result, the Acts substantially burden the exercise of her religious faith because they hamper her ability to counsel congregants and speak freely on reproductive rights and issues, and burden her congregants' ability to seek counsel from their religious leader. In addition, the Acts substantially burden the exercise of her religious faith because they criminalize religious and other conduct consistent with her religious beliefs.

B. Judaism

58. Judaism is a several-thousands year-old ethno-religion. In modern times, the practice of Judaism is informed by multiple sacred texts, including the Torah, the primary sacred text often referred to as part of the “Old Testament” by non-Jews; and the Talmud, a body of religious law and theology, part of which dates back as early as the second century, C.E.

59. Under the faith, the decision to terminate a pregnancy for any reason is an extremely serious decision that requires significant deliberation. The decision must be motivated by a combination of diverse, complex, and interrelated factors that are often intimately tied to the individual woman or girl’s religious values and beliefs.

60. Jewish law, practice and core tenets are unequivocal that all human life is sacred. As such, the decision to bring new life into the world is a deeply religious one. While Judaism cherishes both actual and potential life, the physical and mental well-being of the mother always takes precedence over an unborn fetus. *See e.g.*, Rabbi Jacob Emden, Responsa She’elat Ya’vetz 1:43, 1739-1759, Germany.

61. The body of sacred and source texts that comprise Jewish ideology with respect to reproductive issues takes a layered and nuanced approach to determining whether abortion is permissible, discouraged, or, in certain limited cases, mandated.

62. Under Jewish law, existing life is always sacred and takes precedence of over a potential life. For example, Judaism’s oldest and most sacred text, the Torah, addresses the distinction between a fully realized human life, or “personhood,” and a fetus. *See, e.g.*, Exodus 21:22-25. In addition, the Talmud, the central text of Rabbinic Judaism and primary source of Jewish law and theology, provides that a fetus is part of the mother’s body, not a separate and independent person. *See, e.g.*, Tamlud: Gittin 23b. As a result, when a pregnant woman converts

to Judaism, the baby is born Jewish under Jewish law. Under certain Jewish texts, “personhood” is not achieved until the actual birth of the child.

63. In addition, certain religious texts dictate that a mother’s mental, psychological, and spiritual health are also valid considerations in determining whether to terminate a pregnancy. *See, e.g.,* Rabbi Jacob Emden, Responsa She’elat Ya’vetz 1:43, 1739-1759, Germany.

64. As Reform and post-denominational rabbis, Jewish laws inform Plaintiffs Rabbi Pomerantz, Rabbi Fisher, and Rabbi Rosenberg’s religious beliefs, practices, and congregational leadership, but do not dictate or mandate their practices. Each rely on the vast body of Jewish authority and law and life to inform their beliefs on how to live justly and counsel their congregants and communities on social justice and religious issues.

65. Based on these principles, Plaintiffs Rabbi Pomerantz, Rabbi Fisher, and Rabbi Rosenberg have provided guidance and counseling to women and girls of the congregations and broader communities that they have served throughout their years in the rabbinate.

66. Plaintiffs Rabbi Pomerantz, Rabbi Fisher, and Rabbi Rosenberg firmly believe and support the ideologies of the Jewish faith set forth above that are related to reproductive health care and procedures, including abortions, and use these principles in counseling and advising congregants and their broader communities.

i. Rabbi Pomerantz

67. Rabbi Pomerantz serves as the lead rabbi for a synagogue affiliated with the Reform Jewish movement and serves in leadership positions in multiple local and national organizations also affiliated with the Jewish faith.

68. Throughout her involvement in these organizations and her congregation, Rabbi Pomerantz particularly focuses on social justice initiatives important to and informed by her Jewish

faith. She regularly speaks to congregants and the broader community on social justice issues through the lens of her faith and view of Reform Jewish values. For example, prior to this action, on one of the holiest days of the Jewish faith, Rabbi Pomerantz announced to her congregation that she would teach a class regarding Jewish beliefs on reproductive rights and issues.

69. Throughout her time in the rabbinate, Rabbi Pomerantz has counseled congregants and families regarding life-cycle events, including reproductive issues. For example, one congregant learned she had breast cancer while pregnant. Other congregants had undergone in-vitro fertilization and were pregnant with multiple fetuses, but medically advised to reduce the number of fetuses due to medical and health concerns. Another congregant learned late in her pregnancy that she was carrying a fetus with a fatal abnormality. In each instance, Rabbi Pomerantz counseled her congregants in accordance with the context-dependent considerations required by Jewish law under the circumstances, with scrutiny toward the respect for life and the well-being of the pregnant women. As a result of the significant inconsistencies between Jewish and recently enacted Florida laws, it is inevitable that additional congregants will seek counsel on these issues.

70. In addition, in her rabbinic practice, Rabbi Pomerantz provides courses for teenagers and adults regarding Jewish teachings, values, and principles. For example, Rabbi Pomerantz co-teaches a Confirmation class for teenagers, which focuses on making choices and asking “big questions.” A central theme of the Confirmation course is the meaning of the dictate to “choose life” contained in the Book of Deuteronomy in the Torah as applied to various situations, including choosing the life of the mother in making reproductive decisions. *See* Deuteronomy 30:19.

71. Plaintiff Rabbi Pomerantz regularly actively assists individuals in her congregation and community with healthcare-related needs including, among other things, providing financial support and assistance, and, in certain situations, assisting with obtaining medical appointments and medication. For example, during the COVID-19 pandemic, Rabbi Pomerantz assisted congregants and members of the community at large in obtaining vaccination appointments and providing additional support.

72. Plaintiff Rabbi Pomerantz would assist a congregant or community member in need of abortion care services within the confines of Jewish beliefs regarding termination of pregnancy in a variety of manners including, but not limited to, providing or obtaining access to funding, assisting with travel and lodging, identifying and connecting that individual with healthcare providers, scheduling, and/or transporting congregants or others in need of help with regard to abortion procedures.

73. Rabbi Pomerantz's beliefs are consistent with the Jewish principles set forth above and, as a result, the Acts substantially burden the exercise of her religious faith because they hamper her ability to counsel congregants and speak freely on reproductive rights and issues, and burden her congregants' ability to seek counsel from their religious leader. In addition, the Acts substantially burden the exercise of her religious faith because they criminalize religious and other conduct consistent with her religious beliefs.

ii. Rabbi Robyn Fisher

74. Plaintiff Rabbi Fisher is a post-denominational rabbi who is the spiritual leader of a congregation and holds leadership roles within Miami's interfaith community.

75. As a post denominational Rabbi, Plaintiff Rabbi Fisher's vision is one that is steeped in Jewish tradition but one that is fluid in creating a relevant and meaningful interpretation

of ancient laws to create deeper meaning and inform our lives today. It is the mantra of her community to “make the old new and the new holy.” Plaintiff Rabbi Fisher believes that everything has the opportunity to be reimagined and reinterpreted for a new generation. A woman's right to make her own reproductive decisions is but one issue in which she is guided by Jewish tradition to interpret for the 21st century and remain morally responsive.

76. In addition to providing counsel to those in her congregation, Plaintiff Rabbi Fisher is also called upon to counsel others in the greater community outside of her congregation who may be seeking Jewish guidance and support. In her varied involvements in Jewish community, including as a member of the board of the Greater Miami Jewish Federation and the Executive Board of the Rabbinic Association of Greater Miami, Plaintiff Rabbi Fisher is often called upon to counsel Jewish people on matters of Jewish law and practice, and to guide people in preparation for marriage.

77. Plaintiff Rabbi Fisher speaks to congregants and the broader community on social justice issues that she views as part of her faith and obligation to comply with the Jewish concept of *tikkun olam*, a directive to repair, heal and improve the world. Further, the teachings of *tikkun olam* involve broad concepts of fighting injustice not only on behalf of Jewish people, but on behalf of anyone who is oppressed and powerless to combat such injustices.¹

78. For example, Plaintiff Rabbi Fisher gave a sermon informing congregants of the Jewish perspective on abortion and warning that if reproductive rights were eroded, it would conflict with the Jewish tradition and, encouraged them to use their voices to speak out against this injustice.

¹ See <https://www.myjewishlearning.com/article/justice-justice-you-shall-pursue/amp/>

79. Now that there is a direct conflict between Jewish and State law on reproductive issues, speaking and counseling on reproductive issues is at the forefront for Plaintiff Rabbi Fisher and her congregation. For example, Plaintiff Rabbi Fisher spoke at a Bans Off Our Bodies rally in Miami, Florida regarding her perspective on reproductive justice issues, including access to healthcare.

80. When approached regarding an abortion for a woman or girl who is a victim of incest, rape or trafficking, or who discovers a fetal abnormality, Rabbi Fisher would counsel her in Jewish law, which would permit an abortion in such traumatic and disturbing situations. The Jewish tradition's sense of compassion and deference to the psychological and physical well-being of the woman is one that Rabbi Fisher would feel compelled to recommend.

81. In addition, Rabbi Fisher's synagogue has convened a group of congregants to formally consider how to best support and counsel congregants considering the inherent conflicts between the Acts and Jewish law.

82. Plaintiff Rabbi Fisher also assists individuals in her congregation and community with healthcare-related needs including, among other things, providing financial support and assistance if there is a *tzedakah*, or charitable, need.

83. Plaintiff Rabbi Fisher would assist a congregant or community member in need of abortion care services within the confines of Jewish beliefs regarding termination of pregnancy in a variety of manners including, but not limited to, providing or obtaining access to funding, assisting with travel and lodging, identifying and connecting that individual with healthcare providers, and/or transporting congregants or others in need of help with regard to abortion procedures.

84. Rabbi Fisher's beliefs are consistent with the Jewish principles set forth above and, as a result, the Acts substantially burden the exercise of her religious faith because they hamper her ability to counsel congregants and speak freely on reproductive rights and issues and burden her congregants' ability to seek counsel from their religious leader. In addition, the Acts substantially burden the exercise of her religious faith because they criminalize religious and other conduct consistent with her religious beliefs.

iii. Rabbi Jason Rosenberg

85. Plaintiff Rabbi Rosenberg leads a synagogue affiliated with the Reform Jewish movement. Rabbi Rosenberg's rabbinic philosophy is to create a congregation that strives to be holy and emphasizes teaching the ethical principles and moral values of the Reform Jewish tradition and the Jewish people.

86. In addition, Plaintiff Rabbi Rosenberg travels throughout South Florida to speak at conferences for religious and social issues, including reproductive issues, and provides religious counseling to individuals who seek it, including in Miami-Dade County.

87. Throughout his time in the rabbinate, Plaintiff Rabbi Rosenberg has counseled congregants and families regarding life-cycle events, including reproductive issues. In so doing he has counseled individual congregants, and sometimes their partners, to assist them in applying nuanced Jewish law and principles to reproductive issues in view of their specific set of circumstances. Accordingly, he advises on whether Jewish law and teaching would permit, require, or discourage an abortion in their specific situation. In addition, he helps individuals navigate the implications of their decision, irrespective of their ultimate choice, through Jewish guidance and teaching. As a result of the significant inconsistencies between Jewish and recently enacted Florida laws, it is inevitable that additional congregants will seek counsel on these issues.

88. In addition, Plaintiff Rabbi Rosenberg has led programming for teenage members of his synagogue regarding reproductive choice in which he teaches that while the decision should never be taken lightly and balances many factors, terminating a pregnancy is a valid choice.

89. Plaintiff Rabbi Rosenberg regularly actively assists individuals in his congregation and community with healthcare-related needs including, among other things, providing financial support and assistance, transportation, and, in certain situations, assisting with obtaining medical appointments and medication. For example, Plaintiff Rabbi Rosenberg assists individuals in certain situations with finding medical specialists and helping those individuals obtain appointments. Providing this type of assistance is a “semi-regular” part of his role in his congregation and community.

90. Plaintiff Rabbi Rosenberg would do anything he could to assist a congregant or community member in need of abortion care services within the confines of Jewish beliefs regarding termination of pregnancy including, but not limited to, providing or obtaining access to funding, assisting with travel and lodging, identifying and connecting that individual with healthcare providers, scheduling, and/or transporting congregants or others in need of help with regard to abortion procedures.

91. Plaintiff Rabbi Rosenberg’s beliefs are consistent with the Jewish principles set forth above and, as a result, the Acts substantially burden the exercise of his religious faith because they hamper his ability to counsel congregants and speak freely on reproductive rights and issues, and burden his congregants’ ability to seek counsel from their religious leader. In addition, the Acts substantially burden the exercise of his religious faith because they criminalize religious and other conduct consistent with his religious beliefs.

C. Unitarian Universalism

92. Plaintiff Reverend Tom Capo is a minister of Unitarian Universalism.

93. Congregants in the Unitarian Universalist faith seek counsel and guidance from their clergy on issues related to the spiritual, physiological, and psychological aspects of sex and sexuality, including decisions related to pregnancy and childbirth, family planning, and abortion. In return, Unitarian Universalist clergy have provided counseling that aligns with the Seven Principles of the Unitarian Universalist faith.

94. Unitarian Universalists believe that the inherent worth and dignity of every person, the right of individual conscience, and respect for human life are inalienable rights due to every person, and that the personal right to choose in regard to abortion, as well as to the safe access to abortion care, are important aspects of these rights.

95. Unitarian Universalist clergy teach that the decision by a member of the Unitarian Universalist faith to terminate a pregnancy for any reason should be based on a combination of diverse, complex, and interrelated factors that are intimately tied to an individual woman or girl's religious values and beliefs under the Unitarian Universalist faith.

96. Some women, girls, and others who give birth, such as the members, congregants, and supporters of Plaintiff Reverend Capo's congregation as well as members of the broader community who seek his counsel, have an abortion because it is required by their religious faith. For Unitarian Universalists, all human life is sacred, and thus the decision to bring new life into the world is not taken lightly and includes the value of life and well-being of the pregnant woman or girl. The Unitarian Universalist Association recognizes the moral, legal, personal, and societal complexity of the issue and the principles of the faith require great pastoral sensitivity to the needs of women, girls, and others who may birth, as well as all involved in decisions relating to abortion.

97. Unitarian Universalists believe that “the inherent worth and dignity of every person, the right of individual conscience, and respect for human life are inalienable rights due every person; and that the personal right to choose in regard to contraception and abortion is an important aspect of these rights.” Unitarian Universalist Association, *Right to Choose: 1987 General Resolution*, <https://www.uua.org/action/statements/right-choose>.

98. The Unitarian Universalist Association embraces the “reproductive justice framework, which espouses the human right to have children, not to have children, to parent the children one has in healthy environments and to safeguard bodily autonomy” and acknowledges that an individual’s reproductive choices “are influenced by social and political systems as well as by factors such as racial/cultural identity, economic status, immigration/citizenship status, relationship with the justice system, health status, and ability.” Unitarian Universalist Association, *Reproductive Justice: 2015 Statement of Conscience*, <https://www.uua.org/action/statements/reproductive-justice>.

99. The Unitarian Universalist faith believes that “[e]very person has the right to determine if, when, and how they want to have children. As people of faith, this commitment is part of our sincerest religious values: Unitarian Universalism proclaims that all individuals and communities have the right to self-determination, safety, and the resources that are necessary for health and sustainability Comprehensive reproductive care, including access to abortion, is essential to the health and well-being of women and pregnant people.” *UUs Remain Committed to Supporting Reproductive Justice, Will Continue to Fight for Abortion Access* (May 3, 2022), <https://www.uua.org/pressroom/press-releases/fight-abortion-access>.

100. Plaintiff Revered Capo firmly believes and supports the principles of the Unitarian Universalist faith set forth above related to reproductive health care and procedures, including

abortions, and uses these principles in counseling and advising congregants and their broader communities. He has given sermons on reproductive justice and believes his role in counseling and advising women and girls faced with these issues is to be a pillar of discernment and support as she makes her own decision.

101. Plaintiff Reverend Capo engages in religious counseling and conduct that honors the congregants and community members' inherent value, autonomy and right to self-determination, guiding congregants to reach informed decisions about the termination of pregnancy and to act upon them.

102. Plaintiff Reverend Capo has significant experience counseling pregnant individuals, and doing so is a part of the requirements of his position as a Unitarian Universalist minister.

103. In providing guidance to pregnant individuals, Plaintiff Reverend Capo, in accordance with the Unitarian Universalist faith, takes into account the physical, spiritual, and psychological effects resulting from the inception of the pregnancy, the state of being pregnant, and the potential outcome of the pregnancy. For example, in counseling a child who has been the victim of incest, rape and/or trafficking, as well as that child's parents, guardians, or family, Plaintiff Reverend Capo would not hesitate to present to the custodial adult the likely negative repercussions of such a pregnancy and discuss all options for health care, including abortion.

104. Similarly, in counseling a pregnant adult who has been victimized by incest, rape, and/or trafficking, Plaintiff Reverend Capo would seek to understand the state of mind and spirit of the pregnant adult, and work with the pregnant adult in accordance with the Unitarian Universalist faith to map a way forward to health and balance. Plaintiff Reverend Capo is required by the Unitarian Universalist faith to provide that person with the guidance, tools, and information

they need to decide whether to carry the pregnancy to term, exploring all options, including abortion.

105. In all cases, Plaintiff Reverend Capo's Unitarian Universalist faith calls him to validate the decision of the pregnant individual, including if the decision is to seek an abortion.

106. Plaintiff Reverend Capo has had conversations with other Unitarian Universalist congregations in states with restrictive abortion bans regarding assisting women to obtain reproductive healthcare, including, when necessary, abortions, out of state. Such assistance includes, among other things, providing transportation and funds.

107. Previously, Plaintiff Reverend Capo served on the Board of Directors of the Iowa Abortion Access Board in which capacity he raised funds and helped individuals in need obtain appointments for reproduction healthcare and to terminate pregnancies.

108. Plaintiff Reverend Capo's beliefs are consistent with Unitarian Universalist principles set forth above and, as a result, the Acts substantially burden the exercise of his religious faith because they hamper his ability to counsel congregants and speak freely on reproductive rights and issues, and burden his congregants' ability to seek counsel from their religious leader. In addition, the Acts substantially burden the exercise of his religious faith because they criminalize religious and other conduct consistent with his religious beliefs.

D. Buddhism

109. Lama Karma Chotso is a Tibetan Buddhist Lama.

110. The relationship between a Lama and her sangha represents a sacred trust as followers seek the path of Buddha.² Under Buddhism, Lamas are teachers and spiritual guides to

² In Buddhism, sangha refers to a community or congregation of disciples.

disciples seeking counseling on their path to enlightenment and understanding of Buddhist Dharma. Lamas are integral to providing clarity to their sangha regarding the karmic understanding of their actions in life.³ This spiritual relationship is designed to facilitate the foundational principle of religious counseling: the disciple's right to dignity and self-determination.

111. Tibetan Buddhism is not a dogmatic religion, but one that trains the mind through practices that can lead to enlightenment. Buddhism centers around moment-to-moment choices, each of which will reflect in the karma of the disciple. Thus, the teachings and practices of Buddhism (sometimes referred to as "Dharma") are highly individualized and weighed according to the particular circumstances and state of mind of a disciple.

112. Throughout its history, disciples of Buddhism have sought counseling and guidance from Lamas in moments of confusion, including on issues related to the spiritual, physiological, and psychological aspects of sex and sexuality, and decisions related to pregnancy and childbirth, family planning, and abortion. Indeed, these actions are closely tied to a disciple's karmic state and journey on the path of enlightenment. In return, Lamas have provided counseling that aligns with their disciples' rights to dignity and self-determination.

113. A core tenet of Buddhism is the sanctity of individual choices while on the path of Buddha. When Plaintiff Lama Karma Chotso counsels disciples who can bear children, she believes that their life and spiritual evolution is paramount. Pregnancy, childbirth, family planning, and abortion are extremely integral decisions in life. As a Lama, Plaintiff Lama Karma Chotso must consider the individual circumstances of each disciple, including their karmic effect and their

³ Karma is integral to the Tibetan Buddhist religion with disciples studying the meaning for the entirety of their lives. In the simplest terms, karma refers to both as one's actions and the consequences of those actions. Karma is both the initial action and the eventual result, and the whole process of cause and effect itself. Tibetan Buddhism values a long-term view of karma where all of one's actions will come back to them in the future.

place on the path to enlightenment. An inability to counsel and support a disciple's choices regarding abortion services and birth control prevents her from being an effective spiritual guide and is an anathema to the Buddhist path. Plaintiff Lama Karma Chotso believes that all Buddhists should be able to use self-determination to make choices to access abortion services and birth control with no restriction on movement, autonomy, type, or timing. Plaintiff Lama Karma Chotso also believes that all Lamas, including her, should be able to counsel their disciples accordingly.

114. Buddhist Lamas teach that the decision by a disciple of the Buddhist faith to terminate a pregnancy for any reason should be based on a combination of diverse, complex, and interrelated factors that are often intimately tied to the individual's karmic standing and path to Buddha.

115. For Buddhism, all human life is sacred and thus the decision to bring new life into the world is not taken lightly and includes the value of life and well-being of the pregnant women or girl. Buddhism recognizes the karmic, moral, legal, personal, and societal complexity of the issue and requires great sensitivity to the needs of women, girls, and others who may give birth, as well as all involved in decisions relating to abortion.

116. Plaintiff Lama Karma Chotso firmly believes and supports the ideologies of the Buddhist faith and the autonomy of individuals in finding their path to enlightenment, including in relation to reproductive health care and procedures. This specifically includes valuing the life of the individuals seeking reproductive health care, including abortions, and in providing clarity on a Buddhist disciple's choices and journey.

117. Buddhism trains the mind using Dharma, and supports an individual's karma and journey to enlightenment. As a Lama, Plaintiff Lama Karma Chotso must consider the individual

circumstances of each disciple and consider their karmic effect and their place on the path to enlightenment.

118. Based on the aforementioned principles, Plaintiff Lama Karma Chotso has provided guidance and counseling to disciples that she has served throughout the years as a Lama who had to make decisions relating to pregnancy and childbirth, family planning, and who faced infertility and at-risk pregnancies.

119. Buddhism does not see an embryo or fetus as equal to or usurping of the rights of pregnant individuals. Rather, the tenants of Buddhism require Lamas to guide their sangha based on the physical, mental, and spiritual life of the disciple. Lamas support their sangha by helping them understand how and if their mental, physical, and/or spiritual health, as well as their journey to enlightenment, would be disturbed absent an abortion. Some individuals who give birth, such as the disciples, members, sangha, and Plaintiff Lama Karma Chotso's community, seek abortions because it is required by their karmic needs and journey to enlightenment in Buddhism.⁴

120. Tibetan Buddhist Lamas have counseled and supported disciples that approached them about the complexity and karmic effects of an abortion. Indeed, Plaintiff Lama Karma Chotso has seen individuals reach heightened levels of enlightenment by receiving guidance from the sangha and ultimately choosing to go forward with abortions.

121. Plaintiff Lama Karma Chotso assists individuals in her sangha and community with healthcare-related needs including, among other things, providing financial support and transportation assistance. Plaintiff Lama Karma Chotso believes that assisting her community

⁴ Enlightenment is the goal of a Buddhist practitioner, *i.e.*, to become Buddha his/herself. Once this highest form of realization (or "being") has been attained, the Buddhist on the bodhisattva path may choose to be reborn again and again to lead others to the state beyond suffering they themselves have reached.

members with medical or financial assistance when needed is an essential part of her role as a Lama.

122. Plaintiff Lama Karma Chotso would do anything she could to assist a community member in need of abortion care services within the confines of her beliefs regarding termination of pregnancy including, but not limited to, providing or obtaining access to funding, arranging travel and lodging, identifying healthcare providers, scheduling, and/or transporting community members or others in need of help with regard to abortion procedures. She also is in the process of developing guidance for people in Florida seeking abortions, which will include information related to healthcare providers and other information regarding access to abortion-related healthcare services in Florida.

123. Plaintiff Lama Karma Chotso's beliefs are consistent with the Buddhist principles set forth above and, as a result, the Acts substantially burden the exercise of her religious faith because they hamper her ability to counsel religious students, seekers and the community, and speak freely on reproductive rights and issues, and burden her congregants' ability to seek counsel from their religious leader. In addition, the Acts substantially burden the exercise of her religious faith because they criminalize religious and other conduct consistent with her religious beliefs.

E. The Episcopal Church

124. Plaintiff Reverend Allen-Faiella is a priest of the Episcopal Church who is also involved in interfaith community issues.

125. Since 1967, the Episcopal Church, by and through its national governing body, has affirmed both the sanctity of all human life and a woman and girl's right to choose in decisions related to pregnancy and other reproductive healthcare measures, including abortion procedures. Under Episcopal principles, clergy have an obligation to help form the consciences of their

congregants and members of the faith community concerning the sacredness of all human life. This pastoral relationship is designed to facilitate the foundational principle of all Episcopal counseling: the congregant's right to "dignity and self-determination."

126. Throughout its history, members of the Episcopal Church have sought counsel and guidance from their clergy on issues related to the spiritual, physiological, and psychological aspects of sex and sexuality including decisions related to pregnancy and childbirth, family planning, and abortion. In return, Episcopal clergy provide counseling that aligns with their congregants' rights to dignity, self-determination, and the freedom to know and express God's love in all of its many forms.

127. The Episcopal Church believes that "access to abortion is a key element in preserving the health, independence, and autonomy of those who can bear children," and "all Episcopalians should be able to access abortion services and birth control with no restriction on movement, autonomy, type, or timing." *General Convention, D083 Addressing the erosion of reproductive rights and autonomy*, Journal of the General Convention of . . . The Episcopal Church (July 8-11, 2022). In fact, the Episcopal Church "understands that the protection of religious liberty extends to all Episcopalians who may need or desire to access, to utilize, to aid others in the procurement of, or to offer abortion services." *Id.*

128. Specifically, when approached regarding an abortion for a woman or girl who is a victim of incest, rape, or trafficking, Plaintiff Reverend Allen-Faiella would unequivocally counsel the congregant that abortion is an appropriate option pursuant to Episcopal beliefs and ideals. Plaintiff Reverend Allen-Faiella would further offer to accompany the victim to an abortion provider.

129. Plaintiff Reverend Allen-Faiella engages in religious counseling that honors the congregants' autonomy and freedom to choose when faced with an unwanted or at-risk pregnancy, guiding congregants to reach informed decisions about the termination of said pregnancy and to act upon such decisions.

130. Plaintiff Reverend Allen-Faiella regularly assists individuals with healthcare-related needs including, among other things, providing financial support and assistance, transportation, and, in certain situations, assisting with obtaining medical appointments and medication. With respect to an individual who required an abortion consistent with Plaintiff Reverend Allen-Faiella's religious beliefs, she would provide similar assistance.

131. Plaintiff Reverend Allen-Faiella's beliefs are consistent with the Episcopal principles set forth above and, as a result, the Acts substantially burden the exercise of her religious faith because they hamper her ability to counsel members of the community and those seeking religious guidance, and speak freely on reproductive rights and issues, and burden her community's ability to seek counsel from their religious leader. In addition, the Acts substantially burden the exercise of her religious faith because they criminalize religious and other conduct consistent with her religious beliefs.

II. The Acts Substantially Burden Plaintiffs' Religious Beliefs and Impermissibly Chill their Religious Speech and Conduct

132. As set forth above, HB5 took effect on July 1, 2022. As a result, Florida's law now bans abortions after fifteen weeks from the LMP with two extremely limited exceptions. See Ch. 2022-69, §§ 3–4, Laws of Fla. (amending §§ 390.011, 390.0111, Fla. Stat.); Fla. Stat. § 390.0111(1)(a)–(b); § 390.011(6). SB300, which bans abortions after six weeks from the LMP with exceptions for rape and incest provided the victim obtains an abortion within 15 weeks and meets onerous documentation requirements, was signed into law on April 13, 2023, and will take

effect upon some future date upon satisfaction of one of the enumerated conditions precedent. *See* Ch. 2023-21, § 9 Laws of Fla. (amending § 390.0111).

133. The Acts establish as the law of the State of Florida, a particular and narrow religious view about abortion and when “life” begins. This view is contrary to the religious beliefs of Plaintiffs and their congregants and communities, which do not necessarily make a claim regarding when “life” begins, but instead, center on religious principles regarding bodily autonomy and integrity.

134. As mentioned, violations of the Acts constitute a third-degree felony; “any person” who “actively participates” in an abortion in violation of the law is subject to criminal penalties, including imprisonment of up to five years and monetary penalties up to \$5,000 for a first offense. §§ 390.0111(10)(a), 775.082(8)(c), 775.083(1)(c), Fla. Stat. (emphasis added); *See* S.B. 300, 2023 Leg., Reg. Sess. (Fl. 2023), to be codified at Fla. Stat. § 390.0111(d)(2).

135. Counseling or encouraging a crime constitutes “aiding and abetting” a crime under Florida law. *See* Fla. Stat. § 777.011. Thus, counseling, encouraging, assisting, or facilitating, the obtaining of an abortion in violation of the Acts’ strictures appears likely to be a crime under the Acts.

136. The Acts criminalize abortion after fifteen or six weeks of gestation (except for severely limited exceptions) but are so vague that they provide no reliable guidance regarding whether clergy violate the law as aiders and abettors when they affirmatively advise and support their believers to choose an abortion beyond the Acts’ extreme limitations. *See* Ch. 2022-69, §§ 3–4, Laws of Fla.

137. The Acts’ vagueness and criminal penalties have chilled Plaintiffs’ ability to discuss and counsel a congregant or community member’s choices and considerations regarding

healthcare, including abortion services. Since passage of the Acts, Plaintiffs believe that they must proceed cautiously in advising and guiding congregants on reproductive healthcare rights and procedures, including abortion care, out of concern for the legal repercussions under the Acts. Further, because of the Acts, Plaintiffs believe their clerical role is increasingly complicated. They must both interpret the Acts to determine the legalities of their teachings and then balance those determinations with their own religious beliefs and duties as faith leaders.

138. The Acts prohibit Plaintiffs and similarly situated members of the clergy from practicing their faith and carrying out their duties as clergy members and faith leaders.

139. Instead, Plaintiffs face government intrusion, including possible criminal penalties, in violation of their First Amendment rights.

140. By impeding congregants and community members from receiving religious counsel on these intimate decisions about their families or when and under what circumstances to bear a child, the Acts not only threaten the clerical role of Plaintiffs but also the lives, dignity, and equality of women and girls in denying religious freedom to congregants and their families. Thus, the Acts effectively establish the religion of their State proponents and prohibit the free exercise of religion by prohibiting Plaintiffs' members, congregants, and supporters from exercising their religious beliefs in the most intimate decisions of their lives in consultation with their clergy, medical providers, and family.

141. Because of the Acts, Plaintiffs are restricted from engaging in constitutionally protected speech, including providing counseling services to willing disciples and members of the community consistent with their sincerely held religious beliefs.

142. Because of the Acts, Plaintiffs, as well as other members of their respective faith communities, have suffered, are suffering, and will continue to suffer ongoing, immediate, and irreparable injury to their free speech and religious liberty rights.

143. Plaintiffs have no adequate remedy at law to protect the ongoing, immediate, and irreparable injury to their constitutional rights.

144. The Acts serve no compelling, legitimate, or rational governmental interest and, in fact, are harmful to the interests of the people of Florida. Thus, the relief sought by Plaintiffs will serve the public interest.

COUNT I
VIOLATION OF FLORIDA RELIGIOUS FREEDOM RESTORATION ACT

145. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs as if fully set forth herein.

146. FRFRA prohibits the government from substantially burdening a person's exercise of religion even if the burden results from a law of general applicability, unless the government can demonstrate that application of the burden to the person: (1) furthers a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest. The Acts apply to any and all religious beliefs, speech, and conduct, not just those that are "central" to the faith. According to the Acts, "any person" who "actively participates" in an abortion in violation of the law is subject to criminal penalties. §§ 390.0111(10)(a), 775.082(8)(e), 775.083(1)(c), Fla. Stat.

147. Through the Acts, the government has placed a substantial burden on Plaintiffs' religious practices, which are motivated by their sincere religious beliefs.

148. The Acts substantially burden Plaintiffs, as well as the congregants and all members of their respective faiths, in the exercise of their beliefs and practices regarding abortion.

149. The Acts intentionally place a substantial burden on Plaintiffs' sincerely held religious beliefs by prohibiting the practice of their respective faith's ideals related to abortion. This practice includes providing religious services and counseling to their congregants and communities on the principles held by their respective religions that is required as a member of the clergy, and which appear to be, or are, criminalized by the Acts.

150. The right to receive and support quality reproductive healthcare for all members of the Jewish faith, the United Church of Christ, Tibetan Buddhists, Episcopalians, and Unitarian Universalists, including abortion procedures in certain circumstances, is a significant component of these respective faiths and FRFRA guarantees the right of Plaintiffs and their respective congregants and community members to exercise the freedom to engage in religious practices without governmental interference absent a compelling state interest that is achieved through the least restrictive means for Plaintiffs.

151. There is not a compelling state interest furthered by the Acts, which runs contrary to the economic, medical, psychological, and many other interests of the state.

152. The enactment of SB 300 one year following the enactment of HB 5 further evidences a lack of compelling state interest furthered by either law, in that it demonstrates the arbitrary nature of the timeframes and varying exceptions outlined within each. Further, the State's goal of elevating one belief over others – including over Plaintiffs' – is made clear by many factors surrounding the enactment of the Acts including, but not limited to, delayed enactment and triggering events, timing, circumstances of signing, and the varying timeframes, exceptions, and circumstances governed by each of the Acts.

153. Even if it were found that the Acts serve a compelling state interest, it is not the least restrictive means of furthering those interests. Plaintiffs are required by their respective faiths

to counsel believers that abortion decisions require consideration of many factors the Acts prohibit, and to advise in favor of terminating a pregnancy in numerous situations the Acts makes illegal.

154. Regarding HB 5, the State did not provide a religious exemption or provide exceptions in cases such as non-fatal fetal abnormalities, psychological disease or impairment, rape, incest, and/or trafficking, all of which would be considerations under the Plaintiffs' respective faiths. Instead, HB 5 prohibits abortions after fifteen weeks gestation with just two extremely narrow exceptions, which means there are many instances where HB 5 violates religious beliefs and conduct of Plaintiffs.

155. Nor did the State provide a religious exemption or provide exceptions such as in cases such as non-fatal fetal abnormalities, psychological disease or impairment in SB 300. The State did provide limited exceptions for rape, incest, and/or trafficking in SB 300, but those exceptions are intentionally impossible to meet given the insurmountable documentary evidence required within a short time frame. The tenants of Plaintiffs' respective faiths directly conflict with the extremely limited timeframes and onerous documentary requirements, which means there are many instances where SB 300 violates the religious beliefs and conduct of Plaintiffs.

156. The Acts' violation of Plaintiffs' rights under FRFRA is causing and will continue to cause Plaintiffs and their congregants and communities to suffer undue and actual hardship and irreparable injury.

157. Plaintiffs have no adequate remedy at law to correct the continuing deprivation of rights.

COUNT II
**VIOLATION OF RIGHT TO LIBERTY OF SPEECH UNDER ARTICLE 1, SECTION 4
OF THE FLORIDA CONSTITUTION**

158. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs as if fully set forth herein.

159. Article I, § 4 of the Constitution of the State of Florida provides, “Every person may speak, write and publish sentiments on all subjects but shall be responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press.”

160. The threat of criminal liability for violations of the Acts restrains Plaintiffs’ ability to speak freely about the fundamental tenets of their respective faiths and to counsel their congregants and communities on matters of family planning, pregnancy and childbirth, and abortion in accordance with Plaintiffs’ sincerely held religious beliefs and those of their congregants and communities.

161. The Acts vest unbridled discretion in government officials to apply or not apply the penalties in a manner that restricts free speech, and subject Plaintiffs to violations of the religious tenets of their respective religions.

162. There is no compelling, legitimate, significant, or even rational governmental interests to justify the Acts’ infringements of the right to free speech.

163. The Acts, on their faces and as applied, are not the least restrictive means to accomplish any permissible government purposes sought to be served by the law.

164. The Acts do not leave open ample alternative channels of communication for Plaintiffs.

165. The Acts, on their faces and as applied, are irrational and unreasonable and impose unjustifiable and unreasonable restrictions on constitutionally protected speech.

166. The Acts' violations of Plaintiffs' right of free speech have caused, are causing, and will continue to cause Plaintiffs and their congregants and communities to suffer undue and actual hardship and irreparable injury.

167. Plaintiffs have no adequate remedy at law to correct the continuing deprivation of their cherished constitutional liberties.

COUNT III
**VIOLATION OF RIGHT TO FREE EXERCISE AND ENJOYMENT OF RELIGION
UNDER ARTICLE I, SECTION 3 OF THE FLORIDA CONSTITUTION**

168. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs as if fully set forth herein.

169. Article I, § 3 of the Florida Constitution provides, "There shall be no law respecting the establishment of religion or prohibiting or penalizing the free exercise thereof."

170. The Florida Constitution goes beyond the United States Constitution in its protection of religious freedom in that it adds that the free exercise of religion may not be penalized. Claims under Florida's Free Exercise Clause are analyzed the same as claims under the First Amendment.

171. Plaintiffs and the members, congregants, and supporters of their respective religions rely on those principles and ideals regarding abortion, which differs from the requirements of the Acts. If Plaintiffs' congregants and supporters practice their religion regarding decisions related to abortion, they will be penalized by the State in violation of the Constitution.

172. The Acts, on their faces and as applied, target Plaintiffs' sincerely held religious beliefs regarding autonomy and the right to self-determination, reproductive health, and abortion which are informed by scripture, religious tradition, and reason as guided by their respective faiths. Plaintiffs also have sincerely held religious beliefs to provide spiritual counsel and assistance to

their congregants and communities who seek such counsel and to do so from a religious viewpoint that aligns with each faith's religious beliefs and those of the congregants.

173. The Acts, on their faces and as applied, violate the rights of Plaintiffs and congregants of their respective religions by unconstitutionally establishing religion in the context of decisions regarding abortion, and prohibiting and penalizing the practice of religious principles in matters of abortion.

174. Through the implementation of the Acts, Defendants are establishing their religious views on when life begins and foisting them upon Plaintiffs and their congregants and communities.

175. The Acts further prohibit and penalize Plaintiffs and members of their respective religions for practicing their beliefs and living in accordance with their faith.

176. The Acts thus place Plaintiffs and their congregants and communities in an irresolvable conflict between compliance with their religious beliefs and compliance with the Acts.

177. The Acts, on their faces and as applied, are neither neutral nor generally applicable, but rather specifically and discriminatorily target the religious viewpoints of Plaintiffs and their congregants and communities.

178. The Acts' purported interest in protecting life is unsubstantiated and thus does not constitute a compelling government interest.

179. No compelling government interests justify the burdens Defendants impose upon Plaintiffs, their congregants, and communities' rights to the free exercise of religion.

180. Even if the Acts were supported by compelling government interests, they are not the least restrictive means to accomplish any permissible government purpose, which the Acts seek to serve.

181. The Acts, both on their faces and as applied, have failed to accommodate Plaintiffs' sincerely held religious beliefs in the violation of their rights to free exercise of religion.

182. The Acts' violation of Plaintiffs' rights has caused, is causing, and will continue to cause Plaintiffs and their congregants and communities to suffer undue and actual hardship and irreparable injury.

183. Plaintiffs have no adequate remedy at law to correct the continuing deprivation of the most cherished constitutional liberties.

COUNT IV
VIOLATION OF FREE SPEECH UNDER THE FIRST AMENDMENT

184. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs as if fully set forth herein.

185. The Acts are unconstitutional on their face and as applied under the Free Speech Clause of the First Amendment.

186. The Free Speech Clause, which is applied to the states through incorporation into the Fourteenth Amendment, states that the government may not "abridge the freedom of speech." U.S. Const. amend. I. Religious speech is one of the most highly valued types of speech under First Amendment doctrine. The freedom of religious speech is infringed when the government chills religious speech due to vagueness or suppresses religious speech without a compelling interest or narrow tailoring.

187. The threat of criminal liability for violations of the Acts suppresses Plaintiffs' ability to speak freely about the fundamental tenets of their respective faiths and to counsel their congregants and communities on matters of family planning, pregnancy and childbirth, and abortion in accordance with their sincerely held religious beliefs and those of their respective faiths and congregants.

188. The Acts are not narrowly tailored and do not leave open ample alternative channels of communication for Plaintiffs.

189. The Acts, on their faces and as applied, are irrational and unreasonable and impose unjustifiable and unreasonable restrictions on constitutionally protected speech.

190. The Constitution also protects against overbroad laws that chill speech.

191. The Acts, on their faces and as applied, unconstitutionally chill and abridge the right of Plaintiffs to freely communicate the fundamental religious beliefs of their respective faiths pertaining to family planning, pregnancy and childbirth, and abortion. They serve no compelling interest and are not narrowly tailored.

192. The Acts vest unbridled discretion in government officials to make the choice in applying the penalties pursuant to the Acts such that they restrict free speech, and subject Plaintiffs to violations of state law and religious tenets of their respective religions.

193. The void-for-vagueness doctrine in the context of the First Amendment “requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory treatment.” The Acts fail this test.

194. The Acts are unconstitutional on their faces because they are void for vagueness by failing to specify the penalties for violation and by failing to identify who could be prosecuted under their vague terms.

195. The Acts fail to define the term “actively participates” and thus criminalize behavior about which those of ordinary intelligence and experience would have to guess if and/or when it applies to them.

196. The Acts fail to make clear if those who provide religious counseling, encouragement, assistance, facilitation, or advocacy regarding the permissibility of abortion under the principles of their respective faiths, or who support a woman or a girl's decision to terminate her pregnancy beyond the narrow parameters of the Acts, would be subject to prosecution for "actively" participating in an abortion.

197. By failing to specify the penalties for violation of the Acts, and who would be subject to such penalties, the Acts leave Plaintiffs and other members of the clergy in the dark as to the potential consequences that could befall them if and when they exercise their religious beliefs, which has a chilling effect upon the freedom of religion.

198. The Acts, on their faces and as applied, are impermissibly vague as they require those who could be subject to their penalties, as well as government and law enforcement officials tasked with enforcing their penalties, to guess at their meaning and differ as to their application, severely burdening and chilling the free speech of Plaintiffs and all clergy who share certain religious beliefs.

199. Defendants lack compelling, legitimate, significant, or even rational governmental interests to justify the Acts' infringement on the right to free speech.

200. The Acts, on their faces and as applied, neither serve a compelling interest nor are narrowly tailored. The determinations that a fetus becomes a human being after six or fifteen weeks from the LMP (upon showing of, inter alia, a restraining order or judicial finding of rape) are irrational, and there is nothing in either Act which explains why these various timeframes have been chosen to begin the imposition of harsh criminal penalties. Nor do the Acts provide for accommodation for the many clergy and believers who highly value the life and wellbeing of the

pregnant woman or girl and who do not believe that “life” begins at six (and sometimes fifteen) weeks.

201. The Acts’ violation of Plaintiffs’ right of religious speech have caused, are causing, and will continue to cause Plaintiffs to suffer undue and actual hardship and irreparable injury.

202. Plaintiffs have no adequate remedy at law to correct the continuing deprivation of their most cherished constitutional liberties.

COUNT V
VIOLATION OF THE FREE EXERCISE CLAUSE UNDER
THE FIRST AMENDMENT

203. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs as if fully set forth herein.

204. As described herein, and incorporated by reference, the Acts violate the right of Plaintiffs, as well as their respective congregants and supporters, their families, and members of their respective faiths, to exercise their rights to freedom of religion in the most intimate decisions of their lives. By harming and threatening their faiths, and the rights of women and girls within those faiths, the Acts do irreparable harm and burden Plaintiffs’ religious beliefs, speech, and conduct, as well as the members of those faiths.

205. The Free Exercise Clause of the First Amendment to the United States Constitution, as applied to the states by the Fourteenth Amendment, provides that governments may “make no law prohibiting the free exercise [of religion].” U.S. Const. amend. I.

206. Plaintiffs hold sincere religious beliefs to provide spiritual counsel and assistance to congregants and believers who seek such counsel.

207. Plaintiffs also have sincerely held religious beliefs to engage in counseling, encouraging, assisting, facilitating, or advocating for congregants’ autonomy and right to self-determination within the stricture of their respective faiths, which include the right to reach

informed decisions about the termination of pregnancy within the confines of their respective faiths and to act upon them beyond the narrow strictures of the Acts.

208. The Free Exercise Clause permits Plaintiffs to provide counseling and advice from a viewpoint that aligns with their sincerely held religious beliefs and those of the congregants and believers who seek their guidance.

209. The Acts, on their faces and as applied, target Plaintiffs' sincerely held religious beliefs regarding the value of the life of the mother, bodily autonomy, and the right to self-determination, reproductive health, and the termination of pregnancy.

210. With respect to Plaintiff Reverend Hafner, these sincerely held beliefs are informed by the United Church of Christ's interpretation of Biblical scripture, religious freedom, and the right to choose, which are central components of the faith and guide how decisions throughout one's life should be processed.

211. Plaintiff Reverend Capo's sincerely held beliefs are informed by the Unitarian Universalist principles, which value the life and well-being of the pregnant woman or girl and do not dictate that "life" begins at fifteen weeks.

212. Plaintiff Lama Karma Chotso's sincerely held religious beliefs are informed by the life of the individual, bodily autonomy, and the right to self determination, reproductive health, and abortion which are informed by one's own karmic path and considerations.

213. Plaintiff Reverend Allen-Faiella's sincerely held beliefs are informed by the Episcopal Church's interpretation of religious scripture, tradition, and God-given reason, which are central components of the faith and guide how decisions throughout one's life should be processed.

214. Plaintiff Rabbi Pomerantz, Plaintiff Rabbi Fisher and Plaintiff Rabbi Rosenberg's sincerely held beliefs are informed by the Jewish faith and principles which require that the life and general well-being of the mother be prioritized in all instances. In addition, Judaism requires that clergy and members of the faith engage in an inherently nuanced approach that balances multiple context-specific factors to determine if abortion is permissible, mandatory, or discouraged in a variety of situations.

215. The Acts cause a direct and immediate conflict with Plaintiffs' religious beliefs, speech, and conduct by prohibiting them from providing and receiving religious counseling, encouragement, assistance, facilitation, or advocacy that is consistent with their religious beliefs.

216. The Acts, on their faces and as applied, impermissibly burden Plaintiffs' sincerely held religious beliefs, speech, and conduct. The Acts have also forced Plaintiffs to choose between the fundamental teachings of their sincerely held religious beliefs and criminal penalties.

217. The Acts place Plaintiffs in an irresolvable conflict between compliance with their sincerely held religious beliefs and conduct and compliance with the Acts.

218. The Acts, on their faces and as applied, are neither neutral nor generally applicable, but rather specifically and discriminatorily target the religious speech, beliefs, and viewpoint of Plaintiffs and those who share their beliefs.

COUNT VI
VIOLATION OF THE ESTABLISHMENT CLAUSE UNDER
THE FIRST AMENDMENT

219. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs as if fully set forth herein.

220. The Establishment Clause under the First Amendment provides, in relevant part, that "Congress shall make no law respecting an establishment of religion." U.S. Const. amend. I.

221. The prohibition on abortions after fifteen (and sometimes six) weeks gestation has no secular basis and is harmful to the interests of a wide variety of believers and citizens in Florida, including Plaintiffs.

222. Women, girls, and others who terminate their pregnancy after either six or fifteen weeks from the LMP often do so because they have health conditions that are caused or exacerbated by pregnancy or receive a diagnosis of a serious fetal condition or a serious medical condition of their own which makes carrying a fetus to term risky and medically inadvisable. Many fetal conditions are not able to be identified until after fifteen weeks LMP. Even fewer serious fetal conditions can be identified prior to six weeks LMP, but these conditions are not accommodated by the Acts' very limited exceptions.

223. The Acts further do not recognize maternal well-being or psychological injury to the pregnant woman or girl as a factor to be considered prior to terminating a pregnancy, in violation of Plaintiffs' respect faiths and many other faiths. Nor do they provide for exceptions for incest, rape, or trafficking beyond 15 weeks LMP, again in conflict with many faiths including Plaintiffs'. Rather, the Acts reflect the views of a minority of Americans, whose faith rejects abortion and who seek, through legislation, to deny religious freedom on the issue of abortion to all others, under the notion that only they are capable of understanding God's law and judgments and the religious views of all others are wrong and thus not entitled to respect or constitutional protections.

224. The Acts codify the narrow religious views of few as the law of the State of Florida, which results in irreparable harm to Plaintiffs and all others who espouse a different religious view.

225. Evidence of the Florida lawmakers' intent to impose a religion on the State is their failure to even consider their obligations under the Florida Religious Freedom Restoration Act --

and with respect to SB300 outright rejection of those obligations -- which requires the state to accommodate religious believers and institutions from Florida laws that substantially burden their religious belief, speech, and conduct. There is no question that the Acts substantially burden Plaintiffs' religious belief, speech, and conduct. The failure to include accommodation for the religious believers whose faiths are suppressed by the Acts is indicative of the State's illicit intent to impose a single faith perspective on the citizens of Florida.

226. Members and supporters of the Jewish, Buddhist, UCC, Episcopal, and Unitarian Universalist faiths have also been among those who strongly believe in the principle of the separation of Church and State, which is violated by the Acts.

227. Plaintiffs' religious beliefs, as well as those of many congregants, supporters, and families of their respective faiths, directly conflict with the religious views imposed by the Acts about when life begins in the context of receiving reproductive healthcare procedures such as abortions.

228. Furthermore, congregants, supporters, and families of Plaintiffs' respective faiths do not require others to impose their religious views about when life begins and the sanctity of life in order to supplant and replace by judicial fiat, and the power of the State, their respective view of when life begins and the sanctity of life.

229. The Acts, as written and applied, establish a religion in the context of decisions regarding abortion and pregnant women and girls' well-being.

230. The Acts are not justified by any compelling, legitimate, or rational justification. The purported "protection of life" with its thumb heavily on the side of the fetus over the pregnant woman or girl and both the 6-week and the 15-week cutoff are devoid of economic, scientific, or medical merit.

231. The Acts impose on Florida the danger of the unity of the State with a singular minority religion, which the First Amendment's Establishment Clause was intended to deter. As the First Amendment's drafter, James Madison, put it: "Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects?" *See* James Madison, *Memorial and Remonstrance Against Religious Assessments* (June 20, 1785), in 5 *The Founders' Constitution* 82 (P. Kurland & R. Lerner eds. 1986). Plaintiffs bring this lawsuit to ensure that religious diversity and mutual respect are restored to the State regarding when and how life is valued and begins.

232. Florida lawmakers and the Governor, through the Acts, have imposed on the State the narrow views of a minority of believers without accommodation for any other religious believer.

233. The Acts' violation of the separation of Church and State has caused, is causing, and will continue to cause Plaintiffs to suffer undue and actual hardship and irreparable injury.

234. An injunction of the Act is required to avoid the Acts' violation of the Establishment Clause of the United States Constitution.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for relief as follows:

A. Issue preliminary and permanent injunctive relief restraining the enforcement, operation and/or execution of HB 5 and SB 300 by enjoining Defendants, their officers, agents, servants and successors, from enforcing, threatening to enforce or otherwise applying the provisions of the Acts in Florida due to its violation of FRFRA.

B. Issue temporary and permanent injunctive relief restraining the enforcement, operation and/or execution of HB 5 and SB 300 by enjoining Defendants, their officers, agents, servants, employees, appointees, or successors, as well as those in active concert or participation with any of them, from enforcing, threatening to enforce, or otherwise applying the provisions of the Acts in Florida due to their violation of the rights of Plaintiffs as provided in the First and Fourteenth Amendments of the United States Constitution and Article I, sections 3 and 4 of the Florida Constitution

C. That this Court render a declaratory judgment declaring that:

i. HB 5 and SB 300 violate FRFRA and therefore are invalid, unconstitutional, and of no legal force and effect.

ii. HB 5 and SB 300 violate the rights of Plaintiffs and their congregants, communities and supporters and their families, as well as all others to be free to exercise their religious, spiritual and/or ethical values and beliefs, free from government intrusion; and to find that the Acts violate the establishment and the free exercise clauses of the Florida Constitution as expressed in Article I, sections 3 and 4 of the Florida Constitution and are therefore void, unenforceable, invalid and of no legal effect.

iii. The Acts are invalid on their faces under the United States Constitution's First Amendment and permanently enjoin HB 5 and SB 300.

iv. The Acts violate the constitutional and statutory rights of Plaintiffs as members of the clergy within their respective religions regarding abortion beliefs and Plaintiffs' ability to advise and counsel women, girls, and other individuals within their congregations and communities on their respective religions' teachings in violation of the Free Speech and Free Exercise Clauses under the First Amendment of the United States Constitution.

v. The Acts violate the Establishment Clause under the First Amendment of the United States Constitution and are therefore void, unenforceable, invalid and of no legal effect.

vi. The Acts violate the Establishment Clause of the United States Constitution by discriminating against Plaintiffs and their religious beliefs on abortion under their respective faiths and are therefore void, unenforceable, invalid, and of no legal effect.

D. Grant Plaintiffs' costs and attorney's fees.

E. Grant such other and further relief as this Court deems just and proper.

Dated: April 27, 2023

Respectfully submitted,

By: /s/ Danielle Moriber

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been furnished to all counsel of record via transmission of Notice of Service of Court Documents E-Service generated by Florida Courts E-Filing Portal on this 27th day of April, 2023.

/s/ Danielle Moriber

VERIFICATION

I, Laurinda Hafner, am over the age of 18 and a Plaintiff in the above-captioned action. Unless otherwise indicated, I have personal knowledge of the facts set forth in Section I(A), the statements and allegations about me or which I make in this Amended Verified Complaint are true and correct, and if called upon to testify, I would and could do so competently.

Pursuant to 27 U.S.C. § 1746, I declare and verify under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct to the best of my knowledge.

Executed this 27 day of April, 2023.

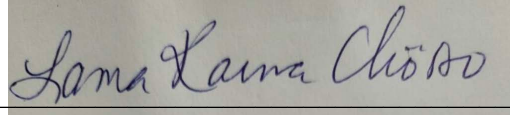

Laurinda Hafner

VERIFICATION

I, Lama Karma Chotso, am over the age of 18 and a Plaintiff in the above-captioned action. Unless otherwise indicated, I have personal knowledge of the facts set forth in Section I (D), the statements and allegations about me or which I make in this Amended Verified Complaint are true and correct, and if called upon to testify, I would and could do so competently.

Pursuant to 27 U.S.C. § 1746, I declare and verify under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct to the best of my knowledge.

Executed this 27 day of April, 2023.

A handwritten signature in blue ink, reading "Lama Karma Chotso", is written over a horizontal line. The signature is cursive and fluid.

Lama Karma Chatso

VERIFICATION

I, Jason Rosenberg, am over the age of 18 and a Plaintiff in the above-captioned action. Unless otherwise indicated, I have personal knowledge of the facts set forth in Section I(B) and Section I(B)(iii), the statements and allegations about me or which I make in this Amended Verified Complaint are true and correct, and if called upon to testify, I would and could do so competently.

Pursuant to 27 U.S.C. § 1746, I declare and verify under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct to the best of my knowledge.

Executed this 26 day of April, 2023.



Jason Rosenberg

VERIFICATION

I, Tom Capo, am over the age of 18 and a Plaintiff in the above-captioned action. Unless otherwise indicated, I have personal knowledge of the facts set forth in Section I(C), the statements and allegations about me or which I make in this Amended Verified Complaint are true and correct, and if called upon to testify, I would and could do so competently.

Pursuant to 27 U.S.C. § 1746, I declare and verify under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct to the best of my knowledge.

Executed this 26 day of April, 2023.



Tom Capo