

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ALL-OPTIONS, INC.,)
WHOLE WOMAN'S HEALTH ALLIANCE,)
ALISON CASE, M.D.,)
WOMEN'S MED GROUP PROFESSIONAL)
CORP.,)
WILLIAM MUDD MARTIN HASKELL,)
M.D.,)
PLANNED PARENTHOOD GREAT)
NORTHWEST, HAWAII, ALASKA,)
INDIANA, KENTUCKY, INC.,)

Plaintiffs,)

v.)

No. 1:21-cv-01231-JPH-MJD

ATTORNEY GENERAL OF INDIANA,)
COMMISSIONER OF THE INDIANA)
STATE DEPARTMENT OF HEALTH,)
MEMBERS OF THE MEDICAL)
LICENSING BOARD OF INDIANA,)
LAKE COUNTY PROSECUTOR,)
MARION COUNTY PROSECUTOR,)
MONROE COUNTY PROSECUTOR,)
ST. JOSEPH COUNTY PROSECUTOR,)
TIPPECANOE COUNTY PROSECUTOR,)

Defendants.)

ORDER

Plaintiffs have filed a motion for a preliminary injunction asking the Court to enjoin Defendants from enforcing three Indiana statutory provisions: (1) the "Abortion Reversal Disclosure Requirement," (2) the "Telehealth Bans" and (3) the "In-Person Dispensing and Consumption Requirement." Dkt. 5. The Court now **SCHEDULES** a hearing on Plaintiffs' motion for **June 21, 2021**

at 1:00 p.m. in Room 246, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana. To facilitate the hearing, the Court now **ORDERS** as follows:

Limited Issue at Hearing. Arguments and evidence presented at the hearing shall be limited to one issue, the "Abortion Reversal Disclosure Requirement."

Stipulated Facts. The parties shall meet and confer regarding undisputed facts and, by **June 17, 2021**, file a joint statement of stipulated facts.

Time Limits. Each side shall have two hours to present their case. Counsel may allocate their respective time between opening statement, presentation of evidence, and closing argument however they wish.

Witness and Exhibit Lists. The parties must file witness lists and a joint proposed exhibit list by **June 17, 2021**. The witness list shall include a summary of each witness' expected testimony. The joint exhibit list shall be in the format attached as Exhibit 1 and exhibits shall be identified and listed in a system that the parties have agreed to. The exhibit list may not describe exhibits by generic category, such as "all exhibits identified in discovery."

The parties shall prepare a binder containing the exhibits on the joint exhibit list and an index according to the agreed system. The parties shall provide three copies of that binder to the Court by **June 17, 2021**. Exhibits that are voluminous or otherwise more manageable in electronic format shall

be submitted to the Court by secure file transfer protocol to Ms. Pope (pam_pope@insd.uscourts.gov).

Before the evidentiary hearing, the parties must also review the Court's Practices and Procedures, available on the Court's website at <https://www.insd.uscourts.gov/content/judge-james-patrick-hanlon>.

Plaintiffs request that the Court defer ruling on the Telehealth Bans and In-Person Dispensing and Consumption Requirement issues until Judge Barker issues a decision in *Whole Woman's Health Alliance v. Rokita*, 1:18-CV-1904-SEB-MJB. Dkt. 5 at 1; *see* dkt. 9 (Notice of Related Action). That request is **GRANTED**. The parties shall inform the Court when a decision has been rendered in Case No. 1:18-CV-1904 and whether supplemental briefing on the Telehealth Bans and In-Person Dispensing and Consumption Requirement is appropriate.

SO ORDERED.

Date: 5/26/2021



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

All Electronically Registered Counsel