

RICHARD B. KATSKEE*
AMERICANS UNITED FOR SEPARATION
OF CHURCH AND STATE
1310 L Street NW, Suite 200
Washington, DC 20005
Tel: (202) 466-3234; Fax: (202) 466-3234
katskee@au.org

GENEVIEVE SCOTT*
CENTER FOR REPRODUCTIVE RIGHTS
199 Water Street, 22nd Floor
New York, NY 10038
Tel: (917) 637-3605; Fax: (917) 637-3666
gscott@reprorights.org

JAMIE A. GLIKSBERG*
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
105 West Adams, 26th Floor
Chicago, IL 60603-6208
Tel: (312) 663-4413; Fax: (312) 663-4307
jgliksberg@lambdalegal.org

JAMES R. WILLIAMS (SBN 271253)
GRETA S. HANSEN (SBN 251471)
LAURA S. TRICE (SBN 284837)
MARY E. HANNA-WEIR (SBN 320011)
SUSAN P. GREENBERG (SBN 318055)
H. LUKE EDWARDS (SBN 313756)
OFFICE OF THE COUNTY COUNSEL,
COUNTY OF SANTA CLARA
70 West Hedding Street, East Wing, 9th Fl.
San José, CA 95110-1770
Tel: (408) 299-5900; Fax: (408) 292-7240
mary.hanna-weir@cco.sccgov.org

LEE H. RUBIN (SBN 141331)
MAYER BROWN LLP
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, CA 94306-2112
Tel: (650) 331-2000; Fax: (650) 331-2060
lrubin@mayerbrown.com

*Counsel for Plaintiffs in County of Santa
Clara et al. v. U.S. Department of Health
and Human Services, et al., No. 5:19-cv-
02916 (N.D. Cal.)*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CITY AND COUNTY OF SAN FRANCISCO,
Plaintiffs,

vs.

ALEX AZAR, in his OFFICIAL CAPACITY as
SECRETARY of the U.S. DEPARTMENT of
HEALTH & HUMAN SERVICES; ROGER
SEVERINO, Director, Office for Civil Rights,
Department of Health and Human Services; U.S.
DEPARTMENT of HEALTH & HUMAN
SERVICES; and DOES 1-25,

Defendants.

Case No. 3:19-cv-02405

**NOTICE OF AGREEMENT OF THE
PLAINTIFFS IN THE COUNTY OF
SANTA CLARA CASE TO
CALIFORNIA'S ADMINISTRATIVE
MOTION TO CONSIDER
WHETHER CASES SHOULD BE
RELATED**

Hearing Date: No hearing scheduled
Chief Magistrate Judge Joseph C. Spero

1 On June 3, 2019, the State of California filed its Administrative Motion To Consider
 2 Whether Cases Should Be Related (ECF No. 13), seeking an order to relate three cases recently
 3 filed in the Northern District of California—*City and County of San Francisco v. Azar, et al.*, Case
 4 No. 3:19-cv-02405 (“*City and County of San Francisco*”), *State of California v. Azar, et al.*, Case
 5 No. 4:19-cv-02769 (“*State of California*”), and *County of Santa Clara, et al. v. U.S. Department of*
 6 *Health and Human Services, et al.*, Case No. 5:19-cv-02916 (“*County of Santa Clara*”)—under
 7 Civil Local Rules 3-12 and 7-11. Plaintiffs in *County of Santa Clara*,¹ by and through their
 8 attorneys, hereby submit this Notice to advise the Court that they agree with California’s request
 9 that the *City and County of San Francisco*, *State of California*, and *County of Santa Clara* cases be
 10 treated as related because all three cases: (1) involve the same parties, property, transactions, or
 11 events; (2) call for determination of the same or substantially related questions of law; and (3)
 12 would entail substantial duplication of labor and the risk of inconsistent rulings if heard by different
 13 judges.

14
 15 Dated: June 4, 2019

Respectfully Submitted,

16
 17 By: /s/ Richard B. Katskee

By: /s/ Mary E. Hanna-Weir

18 RICHARD B. KATSKEE*
 19 *katskee@au.org*
 20 KENNETH D. UPTON, JR.**
 21 *upton@au.org*
 22 AMERICANS UNITED FOR SEPARATION
 OF CHURCH AND STATE
 1310 L Street NW, Suite 200
 Washington, DC 20005
 Tel: (202) 466-3234

JAMES R. WILLIAMS (SBN 271253)
 GRETA S. HANSEN (SBN 251471)
 LAURA S. TRICE, (SBN 284837)
 MARY E. HANNA-WEIR (SBN 320011)
 SUSAN P. GREENBERG, (SBN 318055)
 H. LUKE EDWARDS (SBN 313756)
mary.hanna-weir@cco.sccgov.org
 OFFICE OF THE COUNTY COUNSEL,
 COUNTY OF SANTA CLARA
 70 West Hedding Street, East Wing, 9th Floor
 San José, California 95110-1770
 Tel: (408) 299-5900

23 *Counsel for Plaintiffs in the County of Santa*
 24 *Clara Case Other Than County of Santa Clara*

25 ¹ The Plaintiffs in *County of Santa Clara* are the County of Santa Clara, Trust Women Seattle,
 26 Los Angeles LGBT Center, Whitman-Walker Clinic, Inc. d/b/a Whitman-Walker Health,
 27 Bradbury-Sullivan LGBT Community Center, Center On Halsted, Hartford Gyn Center, Mazzone
 28 Center, Medical Students For Choice, AGLP: The Association Of LGBTQ+ Psychiatrists, GLMA:
 Health Professionals Advancing LGBTQ Equality, Colleen McNicholas, Robert Bolan, Ward
 Carpenter, Sarah Henn and Randy Pumphrey.

Counsel for Santa Clara County

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ Genevieve Scott

GENEVIEVE SCOTT*
gscott@reprorights.org
RABIA MUQADDAM*
rmuqaddam@reprorights.org
CHRISTINE PARKER*
cparker@reprorights.org
CENTER FOR REPRODUCTIVE RIGHTS
199 Water Street, 22nd Floor
New York, NY 10038
Tel: (917) 637-3605

Counsel for Plaintiffs in the County of Santa Clara Case Other Than County of Santa Clara

By: /s/ Jamie A. Gliksberg

JAMIE A. GLIKSBERG*
jgliksberg@lambdalegal.org
CAMILLA B. TAYLOR*
ctaylor@lambdalegal.org
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
105 West Adams, 26th Floor
Chicago, IL 60603-6208
Tel: (312) 663-4413

OMAR GONZALEZ-PAGAN*
ogonzalez-pagan@lambdalegal.org
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
120 Wall Street, 19th Floor
New York, NY 10005-3919
Tel: (212) 809-8585

Counsel for Plaintiffs in the County of Santa Clara Case Other Than County of Santa Clara

By: /s/ Lee H. Rubin

LEE H. RUBIN (SBN 141331)
lrubin@mayerbrown.com
MAYER BROWN LLP
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, California 94306-2112
Tel: (650) 331-2000

MIRIAM R. NEMETZ*
mnemetz@mayerbrown.com
NICOLE SAHARSKY*
nsaharsky@mayerbrown.com
MAYER BROWN LLP
1999 K Street, Northwest
Washington, DC 2006-1101
Tel: (202) 263-3000
Counsel for Plaintiffs in the County of Santa Clara Case

* Admitted pro hac vice
** Licensed in Oklahoma and Texas only.
Supervised by Richard B. Katskee, a member of the D.C. Bar. To be admitted pro hac vice

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Agreement Of the Plaintiffs In The *County of Santa Clara* Case To California’s Administrative Motion To Consider Whether Cases Should Be Related (“Notice”) was electronically filed with the Clerk of the Court for the United States District Court for the Northern District of California by using the ECF system on June 4, 2019. All participants in the case who are registered ECF users will be served by the ECF system.

Copies of this Notice were served on the following by U.S. Mail, and in addition, were sent by email where indicated:

KATHLEEN BOERGERS
Supervising Deputy Attorney General of California
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Telephone: 510-879-0011
Fax: 510-622-2270
E-mail: Kathleen.Boergers@doj.ca.gov

BRADLEY HUMPHREYS
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
E-mail: Bradley.Humphreys@usdoj.gov

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
200 Independence Avenue, S.W.
Washington, D.C. 20201

ALEX M. AZAR, II
Secretary of U.S. Department of Health & Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

ROGER SEVERINO
Director, Office for Civil Rights, Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

By: /s/ Lee H. Rubin