

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF HEALTH AND HUMAN  
SERVICES, et al.,

Defendants.

19 Civ. 4676 (PAE) (lead)

19 Civ. 5433 (PAE) (consolidated)

19 Civ. 5435 (PAE) (consolidated)

**DECLARATION OF MATTHEW COLANGELO**

Matthew Colangelo, pursuant to penalty of perjury under 28 U.S.C. § 1746, does hereby state the following:

I am an attorney in the Office of the New York State Attorney General and counsel to Plaintiffs in this action. I submit this Declaration in support of Plaintiffs' motion for a preliminary injunction and cross-motion for summary judgment, and in opposition to Defendants' motion to dismiss and for summary judgment.

Attached to this Declaration are true and correct copies of the following numbered exhibits, including parts of the administrative record produced by Defendants in this action:

67. Complaints in the Administrative Record per excel list that Defendants provided to Plaintiffs on August 19, 2019 (AR 541798-546163; AR 548439-548443; 549903-549940).
68. Comment, N.Y. Dep't of Fin. Servs. (AR 52459)
69. Comment, Oregon Found. for Reprod. Health (AR 55622)
70. Comment, Am. Nurses Ass'n (AR 56915)
71. Comment, Raising Women's Voices (AR 66545)
72. Comment, State of Washington Dep't of Health (AR 67173)

73. Comment, Am. Hosp. Ass'n (AR 67413)
74. Comment, In Our Own Voice: Nat'l Black Women's Reprod. Justice Agenda (AR 67666)
75. Comment, Nat'l Ass'n of Councils on Developmental Disabilities (AR 68426)
76. Comment, Ass'n of Am. Med. Colls. (AR 71138)
77. Comment, Health Care for All (AR 71476)
78. Comment, Consumer Health First (AR 71569)
79. Comment, LHI-Houston (AR 71750)
80. Comment, Nat'l Ctr. For Lesbian Rights (AR 134728)
81. Comment, San Francisco Dep't of Pub. Health (AR 134791)
82. Comment, Kentucky Voices for Health (AR 135566)
83. Comment, Callen-Lorde Comm. Health Ctr. (AR 135824)
84. Comment, Ohio Hosp. Ass'n (AR 137611)
85. Comment, New Voices for Reprod. Justice (AR 137857)
86. Comment, Calif. Dep't of Justice (AR 137905)
87. Comment, Attorneys General of New York, et al. (AR 137920)
88. Comment, Community Catalyst (AR 138088)
89. Comment, Nat'l Family Planning & Reprod. Health Ass'n (AR 138102)
90. Comment, Boston Med. Ctr. (AR 139287)
91. Comment, Am. Med. Ass'n (AR 139587)
92. Comment, Kaiser Permanente (AR 139639)
93. Comment, Alameda County (AR 139746)
94. Comment, Am. Coll. Of Obstetricians & Gynecologists (AR 139749)
95. Comment, Nat'l Council of Jewish Women (AR 140183)
96. Comment, BlueCross BlueShield Ass'n (AR 140265)
97. Comment, Calif. Dep't of Insurance (AR 140350)

98. Comment, Am. Acad. of Pediatrics (AR 140460)
99. Comment, N.Y. City Comm'n on Human Rights, et al. (AR 140484)
100. Comment, American Civil Liberties Union (AR 147746)
101. Comment, Greater New York Hosp. Ass'n (AR 147824)
102. Comment, Massachusetts Health & Hosp. Ass'n (AR 147871)
103. Comment, Anne Arundel Med. Ctr. (AR 147890)
104. Comment, The Disability Coal. (AR 147952)
105. Comment, Ass'n of Women's Health, Obstetric & Neonatal Nurses (AR 147963)
106. Comment, Am. Coll. of Emergency Physicians (AR 147981)
107. Comment, Nat'l Immigration Law Ctr. (AR 148056)
108. Comment, N.Y. State LGBT Health & Hum. Servs. Network (AR 148072)
109. Comment, Nat'l Ctr. For Transgender Equality (AR 148096)
110. Comment, Nat'l Women's Law Ctr. (AR 149141)
111. Comment, California Med. Ass'n (AR 151666)
112. Comment, GLMA: Health Professionals Advancing LGBT Equality (AR 160566)
113. Comment, Planned Parenthood Fed. of Am. (AR 160751)
114. Comment, Ctr. for Reproductive Rights (AR 160801)
115. Comment, Medicare Rights Ctr. (AR 161033)
116. Comment, Inst. For Policy Integrity (AR 161178)
117. Comment, Lambda Legal (AR 161476)
118. Christian Medical Ass'n, Summary of Online Survey of Faith-Based Medical Professionals (AR 537609)
119. Closure Letter, Compl. 11-122388 (AR 541805)
120. Closure Letter and PIMS, Compl. 17-259696 (AR 541967)
121. Compl. 18-293704 (AR 542414)
122. Compl. 18-293773 (AR 542449)

123. Compl. 18-294058 (AR 542627)
124. Compl. 18-294456 (AR 543082)
125. Compl. 18-296732 (AR 543879)
126. Compl. 18-297792 (AR 544035)
127. Compl. 18-298614 (AR 544188)
128. Compl. 18-298848 (AR 544235)
129. Compl. 18-304776 (AR 544516)
130. Compl. 18-306427 (AR 544612)
131. Compl. 18-316861 (AR 544753)
132. Compl. 14-191081 (AR 545712)
133. Compl. 16-224756 (AR 545736)
134. Lori R. Freedman, *Where There's a Heartbeat: Miscarriage Management in Catholic-Owned Hospitals*, 98 Am. Journal of Pub. Health No. 10 (October 2008) (AR 548500)
135. Declaration of Kristen Miller and accompanying Exhibits A-H
136. Result of TAGGS, Recipient Search, <https://taggs.hhs.gov/SearchRecip> (visited and exported on Sept. 5, 2019), by filtering "Fiscal Year" to "2018," "Recipient Class" to "State Government," and "State" to each State Plaintiff represented in this lawsuit

Dated: September 5, 2019

/s/ Matthew Colangelo  
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