

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

PLANNED PARENTHOOD FEDERATION  
OF AMERICA, INC.; and PLANNED  
PARENTHOOD OF NORTHERN NEW  
ENGLAND, INC.,

Plaintiffs,

v.

ALEX M. AZAR II, in his official capacity as  
Secretary, United States Department of  
Health and Human Services; UNITED  
STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES; ROGER  
SEVERINO, in his official capacity as  
Director, Office for Civil Rights, United  
States Department of Health and Human  
Services; and OFFICE FOR CIVIL RIGHTS,  
United States Department of Health and  
Human Services,

Defendants.

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NATIONAL FAMILY PLANNING AND  
REPRODUCTIVE HEALTH  
ASSOCIATION; and PUBLIC HEALTH  
SOLUTIONS,

Plaintiffs,

v.

ALEX M. AZAR II, in his official capacity as  
Secretary of the U.S. Department of Health  
and Human Services; U.S. DEPARTMENT  
OF HEALTH AND HUMAN SERVICES;  
ROGER SEVERINO, in his official capacity  
as Director of the Office for Civil Rights of  
the U.S. Department of Health and Human  
Services; OFFICE FOR CIVIL RIGHTS of  
the U.S. Department of Health and Human  
Services,

Defendants.

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**Notice of Motion**

Civil Action No. 1:19-cv-5433 (PAE)  
(rel. 1:19-cv-4676; 1:19-cv-5435)

**Notice of Motion**

Civil Action No. 1:19-cv-5435 (PAE)  
(rel. 1:19-cv-4676; 1:19-cv-5433)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, attached declarations, and the complaints in these actions, Plaintiffs, by their undersigned counsel, will move this Court, before the Honorable Paul A. Engelmayer, United States District Court Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 1305, New York, New York, for an order pursuant to Rule 65(a) of the Federal Rules of Civil Procedure and 5 U.S.C. § 705 for a preliminary injunction barring Defendants from implementing and enforcing the regulation entitled Protecting Statutory Conscience Rights in Health Care, 84 Fed. Reg. 23,263 (May 21, 2019) (to be codified at 45 C.F.R. pt. 88), promulgated by Defendant the U.S. Department of Health and Human Services, and for such other and further relief as the Court deems just and proper.

Dated: June 17, 2019

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\* *Pro hac vice* motion forthcoming

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\* Application for admission forthcoming

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