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

COUNTY OF SANTA CLARA, TRUST WOMEN
SEATTLE, LOS ANGELES LGBT CENTER,
WHITMAN-WALKER CLINIC, INC. d/b/a
WHITMAN-WALKER HEALTH, BRADBURY-
SULLIVAN LGBT COMMUNITY CENTER,
CENTER ON HALSTED, HARTFORD GYN
CENTER, MAZZONI CENTER, MEDICAL
STUDENTS FOR CHOICE, AGLP: THE
ASSOCIATION OF LGBTQ+ PSYCHIATRISTS,
AMERICAN ASSOCIATION OF PHYSICIANS
FOR HUMAN RIGHTS d/b/a GLMA: HEALTH
PROFESSIONALS ADVANCING LGBTQ
EQUALITY, COLLEEN MCNICHOLAS,
ROBERT BOLAN, WARD CARPENTER, SARAH
HENN, and RANDY PUMPHREY,

Plaintiffs,

vs.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES and ALEX M. AZAR, II, in
his official capacity as SECRETARY OF HEALTH
AND HUMAN SERVICES,

Defendants.

Case No. 3:19-cv-02916

**PLAINTIFFS' NOTICE OF FILING
IN STATE OF CALIFORNIA V.
AZAR, ET AL., NO. 3:19-CV-02769
(N.D. CAL.)**

Hon. William Alsup

NOTICE OF FILING

Plaintiffs respectfully notify the Court of the filing of Plaintiffs' Notice of Motion and Motion for Summary Judgment, with Memorandum of Points and Authorities; and Opposition to Defendants' Motion to Dismiss or, In the Alternative, For Summary Judgment, and related attachments, today in *State of California v. Azar, et al.*, No. 3:19-cv-02769 (N.D. Cal.) (*see* ECF Nos. 58-113), and the filing on that docket on September 9, 2019, of the Appendix in Support of Plaintiffs' Motion for Summary Judgment and in Opposition to Defendants' Motion to Dismiss or, In the Alternative, For Summary Judgment, and related attachments (*see* ECF No. 57). Pursuant to the joint proposal submitted in response to the Court's August 21, 2019 Order (*see* ECF No. 56 in *State of California v. Azar, et al.*), those filings apply in this case as well.

An index for the filings appears below.

ECF No.	DESCRIPTION OF FILING
57	Appendix in Support of Plaintiffs Motion for Summary Judgment and in Opposition to Defendants' Motion to Dismiss or, in the Alternative, For Summary Judgment
58	Declaration of David H. Aizuss, MD, President of the California Medical Association
59	Declaration of Lois Backus, M.P.H., Executive Director of Medical Students for Choice
60	Declaration of Elizabeth Barnes, President of the Women's Centers
61	Declaration of Robert Bolan, Chief Medical Officer and Director of Clinical Research for the Los Angeles LGBT Center
62	Declaration of Dr. Brad Buchman Chief Medical Officer for Student Health and Counseling and Chief Medical Officer for the Student Health Insurance Plan of UC Health, University of California
63	Declaration of Julie Burkhart, Founder and Chief Executive Officer of Trust Women

1	64	Declaration of Mari Cantwell, Medicaid Director for the State of California and Chief Deputy Director of Health Care Programs at the California Department of Health Care Services
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3	65	Declaration of Ward Carpenter, MD, Co-Director of the Health Services for the Los Angeles LGBT Center
4		
5	66	Declaration of Pete Cervinka, Chief Deputy Director of the California Department of Social Services
6		
7	67	Declaration of Randie C. Chance, Director of the new Department of Justice Research Center with the California Justice Information Services Division of the California Department of Justice
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9	68	Declaration of Wendy Chavkin, M.D., MPH, Columbia University
10		
11	69	Declaration of Dr. Alice Chen, Chief Medical Officer and Deputy Director for the San Francisco Health Network
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13	70	Declaration of Sara H. Cody, M.D., Director of Santa Clara County Public Health Department and Health Officer
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15	71	Declaration of Dr. Grant Colfax, Director of the San Francisco Department of Public Health
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17	72	Declaration of Dr. Christopher Colwell, Chief of Emergency Medicine at Zuckerberg San Francisco General Hospital and Trauma Center
18		
19	73	Declaration of Darrel Cummings, Chief of Staff of the Los Angeles LGBT Center
20		
21	74	Declaration of Dr. Eleanor Drey, Medical Director of the Zuckerberg San Francisco General Hospital Women's Options Center
22		
23	75	Declaration of Dr. Randi C. Ettner, Licensed Clinical and Forensic Psychologist
24		
25	76	Declaration of Mark Ghaly, Secretary of the California Health & Human Services Agency
26		
27	77	Declaration of Debra Halladay, Interim Chief Executive Officer of Valley Health Plan
28		
	78	Declaration of Mary E. Hanna-Weir, Deputy County Counsel for the County of Santa Clara
	79	Declaration of Roy Harker, Executive Director of The Association of LGBTQ+ Psychiatrists

1	80	Declaration of Dr. Jeanne Harris-Caldwell, Executive board member for the Health Services Association, California Community College and the Dean of Wellness, Social Services, and Child Development at Saddleback College
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3	81	Declaration of Sarah Henn, MD, MPH, Chief Health officer of Whitman-Walker Clinic, Inc. dba Whitman-Walker Health
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5	82	Declaration of Bruce Hinze, Attorney with the California Department of Insurance Health Policy Approval Bureau
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7	83	Declaration of Kevin Kish, Director of the California Department of Fair Employment and Housing
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9	84	Declaration of Ricardo Lara, Insurance Commissioner of the State of California
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11	85	Declaration of Paul E. Lorenz, Chief Executive Officer of Santa Clara Valley Medical Center, O'Connor Hospital, and St. Louise Hospital
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13	86	Declaration of Alecia Manley, Interim Chief Operating Officer of the Mazzoni Center
14		
15	87	Declaration of Colleen P. McNicholas, D.O., M.S.C.I., F.A.C.O.G. Medical Director of Trust Women's clinics in Washington, Oklahoma, and Kansas. Chief Medical Officer of Planned Parenthood of the St. Louis Region and Southwest Missouri
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17	88	Declaration of Ken Miller, M.S., Ph.D., Medical Director for the County of Santa Clara's Emergency Medical Services Agency and the County's Emergency Medical Services System
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19	89	Declaration of Joseph Morris, Executive Officer of the Board of Registered Nursing
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21	90	Declaration of Brandon Nunes, Chief Deputy Director of Operations for the California Department of Public Health
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23	91	Declaration of Neli N. Palma, Deputy Attorney General for the Office of the California Attorney General
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25	92	Declaration of Seth Pardo, Epidemiologist for the Behavioral Health Branch of the San Francisco Health Network of San Francisco Department of Public Health
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27	93	Declaration of Frances Parmalee, Assistant Vice Chancellor of College Finance and Facilities Planning Division with the California Community Colleges

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1	94	Declaration of Rachael Phelps, M.D., Medical Director of Medical Students for Choice
2	95	Declaration of Denise Pines, President of the Medical Board of California
3	96	Declaration of Stirling Price, Chief Deputy Director, California Department of State Hospitals
4	97	Declaration of Randy Pumphrey, D.Min., LPC, BCC, Senior Director of Behavioral Health at Whitman-Walker Clinic, Inc., dba Whitman-Walker Health
5	98	Declaration of Ben Rosenfield, Controller for the City and County of San Francisco
6	99	Declaration of Naseema Shafi, Chief Executive Officer of Whitman-Walker Clinic, Inc. dba Whitman-Walker Health
7	100	Declaration of Adrian Shanker, Founder and Executive Director of the Bradbury-Sullivan Center
8	101	Declaration of Christine Siador, Deputy Director of the Population Health Division and the Director of the Office of Operations, Finance & Grant Management in the San Francisco Department of Public Health
9	102	Declaration of Narinder Singh, Pharm. D., Director of Pharmacy for Santa Clara County
10	103	Declaration of Jill Sproul, R.N., Chief Nursing Officer for Santa Clara Valley Medical Center, O'Connor Hospital, and St. Louise Hospital
11	104	Declaration of Jay Sturges, Associate Secretary, Fiscal Policy and Administration, for the California Labor and Workforce Development Agency
12	105	Declaration of Diana Toche, D.D.S., Undersecretary for Health Care Services, California Department of Corrections and Rehabilitation
13	106	Declaration of Toni Tullys, M.P.A., Director of the County's Behavioral Health Services Department
14	107	Declaration of Modesto Valle, Chief Executive Officer of Center on Halsted
15	108	Declaration of Hector Vargas, Executive Director of American Association of Physicians for Human Rights, Inc., d/b/a GLMA: Health Professionals Advancing LGBTQ Equality

1	109	Declaration of Greg Wagner, Chief Financial Officer for the San Francisco Department of Public 5 Health
2	110	Declaration of Ron Weigelt, Director of Human Resources for the San Francisco Public Health Department
3	111	Declaration of Christopher M. Zahn, MD, Vice President, Practice Activities at the American College of Obstetricians and Gynecologists
4	112	Declaration of Dr. Barry Zevin, Medical Director of Gender Health SF in the San Francisco Department of Public Health
5	113	Plaintiffs' Notice of Motion and Motion for Summary Judgment, with Memorandum of Points and Authorities; and Opposition to Defendants' Motion to Dismiss or, In the Alternative, For Summary Judgment
6	113-1	Request for Judicial Notice
7	113-2	Proposed Order Granting Plaintiffs' Joint Motion for Summary Judgment and Denying Defendants' Motion to Dismiss Or, In the Alternative, For Summary Judgment
8	113-3	Certificate Of Service
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18	Dated: September 12, 2019	Respectfully Submitted,
19	By: <u>/s/ Richard B. Katskee</u>	By: <u>/s/ Mary E. Hanna-Weir</u>
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CERTIFICATE OF SERVICE

I hereby certify that I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF system for filing, that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

By: /s/ Lee H. Rubin