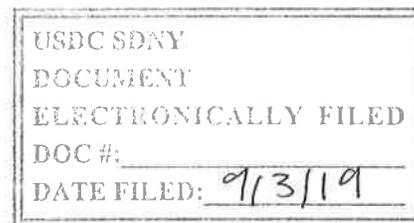


August 30, 2019

The Honorable Paul A. Engelmayer
United States District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 2201
New York, NY 10007



RE: Plaintiffs' joint unopposed letter-motion to exceed page limit in *State of New York v. U.S. Dep't of Health & Human Servs.*, 19 Civ. 4676 (PAE) (consolidated with 19 Civ. 5433 (PAE) and 19 Civ. 5435 (PAE)).

Dear Judge Engelmayer,

Pursuant to Rule 3(I) of the Court's Individual Rules and Practices, Plaintiffs file this letter-motion to seek an extension of the page limit for their opening memorandum of law in support of their forthcoming motion for preliminary injunction in this action.

Plaintiffs the State of New York, on behalf of twenty-two other states and additional local governments ("Government Plaintiffs"); Planned Parenthood Federation of America, on behalf of its member-affiliates, including Plaintiff Planned Parenthood Northern New England; National Family Planning and Reproductive Health Association ("NFPRHA"); and Public Health Solutions ("Provider Plaintiffs") (collectively, "Plaintiffs"), respectfully request an extension of the page limit for their respective memoranda of law in support of their forthcoming Cross-Motions for Summary Judgment, in opposition to Defendants' Motion to Dismiss or for Summary Judgment, and in support of their Motions for Preliminary Injunction.

In its July 16 scheduling order, *see* Dkt. 121, this Court limited Government Plaintiffs' brief to 50 pages (19 Civ. 4676) and Provider Plaintiffs' brief to 50 pages (19 Civ. 5433 and 19 Civ. 5435). Because of the number of statutory and constitutional claims for relief and the complex factual and legal context for Plaintiffs' challenges, and in order to fully respond to Intervenors' arguments,¹ Plaintiffs request the Court's leave to file an extra 15 pages, to be split between the Government Plaintiffs' and Provider Plaintiffs' briefs as needed.

Counsel for Plaintiffs have conferred with counsel for Defendants, as well as counsel for Intervenors. Counsel for Intervenors consent to this request. Defendants have represented that they agree to Plaintiffs' request, assuming Plaintiffs would likewise agree that Defendants get an

¹ In its August 2 order granting intervention, the Court noted it would be "receptive to an application for enlargement of plaintiff's page limits." Dkt. 142 at 14.

additional 15 pages for their reply brief. Plaintiffs would consent to a corresponding increase in the page limit for Defendants' reply brief.

Respectfully submitted,

/s/ Sarah Mac Dougall

Diana Salgado (*pro hac vice*)
Planned Parenthood Federation of America, Inc.
1110 Vermont Ave., NW Ste. 300
Washington, D.C. 20005
Tel.: (202) 973-4800
Fax: (202) 296-3480
diana.salgado@ppfa.org

Hana Bajramovic
Planned Parenthood Federation of America, Inc.
123 William St., 9th Floor
New York, NY 10038
Tel.: (212) 541-7800
Fax: (212) 247-6811
hana.bajramovic@ppfa.org

Michelle Banker
Sunu Chandy
National Women's Law Center
11 Dupont Circle, NW #800
Washington DC 20036
Tel: (202) 588-5180
Fax: (202) 588-5185
mbanker@nwlc.org
schandy@nwlc.org

Robin F. Thurston*
Kristen P. Miller*
Democracy Forward Foundation
P.O. Box 34553
Washington, DC 20043
Tel: (202) 448-9090
rthurston@democracyforward.org
kmiller@democracyforward.org

* *Pro hac vice* motion forthcoming

Attorneys for the *PPFA* Plaintiffs

Sarah Mac Dougall
Cristina Alvarez*
Covington & Burling LLP
620 Eighth Avenue
New York, NY 10018-1405
Tel: (212) 841-1000
Fax: (212) 841-1010
smacdougall@cov.com
calvarez@cov.com

Kurt G. Calia (*pro hac vice*)
Marina Dalia-Hunt*
Covington & Burling LLP
3000 El Camino Real, 5 Palo Alto Square
Palo Alto, CA 94306-2112
Tel: (650) 632-4717
Fax: (650) 632-4800
kcalia@cov.com
mdaliahunt@cov.com

Ryan Weinstein*
Paulina Slagter*
Covington & Burling LLP
1999 Avenue of the Stars
Los Angeles, CA 90067-4643
Tel: (424) 332-4800
Fax: (424) 332-4749
rweinstein@cov.com
pslagter@cov.com

* *Pro hac vice* motion forthcoming

Attorneys for the *PPFA* Plaintiffs

Alexa Kolbi-Molinas
Lindsey Kaley
Brigitte Amiri
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
Phone: (212) 549-2633
Fax: (212) 549-2652
akolbi-molinas@aclu.org
lkaley@aclu.org
bamiri@aclu.org

Daniel Mach
American Civil Liberties Union Foundation
915 15th Street NW
Washington, DC 20005
Phone: (202) 675-2330
Fax: (202) 546-0738
dmach@aclu.org

**Pro hac vice* motion forthcoming

Attorneys for the *NFPRHA* Plaintiffs

Christopher Dunn
Erin Beth Harrist
Donna Lieberman
New York Civil Liberties Union
Foundation
125 Broad Street, 19th Floor
New York, NY 10004
Phone: (212) 607-2298
cdunn@nyclu.org
eharrist@nyclu.org
dlieberman@nyclu.org

Elizabeth O. Gill
American Civil Liberties Union
Foundation of Northern California, Inc.
39 Drumm Street
San Francisco, CA 94111
Phone: (415) 621-2493
Fax: (415) 255-8437
egill@aclunc.org

**Pro hac vice* motion forthcoming

Attorneys for the *NFPRHA* Plaintiffs

Letitia James, *Attorney General of the State of
New York*
Matthew Colangelo, *Chief Counsel for Federal
Initiatives*
Justin Deabler, *Assistant Attorney General*
Amanda Meyer, *Assistant Attorney General*
Office of the New York State Attorney General
28 Liberty Street, 19th Floor
New York, NY 10005
Phone: (212) 416-6057
matthew.colangelo@ag.ny.gov

Attorneys for the *State of New York* Plaintiffs

Granted.

SO ORDERED,

Paul A. Engelmayer

PAUL A. ENGELMAYER
United States District Judge