

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

MAYOR AND CITY COUNCIL OF
BALTIMORE,

Plaintiff,

v.

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

Defendants.

Civil Action No.: 1:19-cv-01672-GLR

Judge George L. Russell, III

NOTICE OF SUPPLEMENTAL AUTHORITY

On Thursday, November 7, 2019, the U.S. District Court for the Eastern District of Washington (Bastian, J.) vacated in full the rule promulgated by the United States Department of Health and Human Services entitled “Protecting Statutory Conscience Rights in Health Care; Delegations of Authority,” 84 Fed. Reg. 23,170 (May 21, 2019) (codified at 45 C.F.R. pt. 88). The Order reflecting the Court’s ruling from the bench and stating that a written decision will follow is attached as Exh. A (*Washington v. Azar*, 19 Civ. 0183, Dkt. 71 (E.D. Was. Nov. 7, 2019)). The Mayor and City Council of Baltimore will provide the Court with a transcript of the hearing as soon as one is available.

DATED: November 8, 2019

Respectfully submitted

By: /s/ Suzanne Sangree
Andre M Davis #00362
Baltimore City Solicitor
Suzanne Sangree #26130
Senior Public Safety Counsel and
Director of Affirmative Litigation
Jane Lewis #20981
Assistant Solicitor
BALTIMORE CITY
DEPARTMENT OF LAW
City Hall, Room 109
100 N. Holliday Street Baltimore, MD 21202
Tel: (443) 388-2190
andre.davis@baltimorecity.gov
suzanne.sangree2@baltimorecity.gov

Arun Subramanian (*admitted pro hac vice*)
Seth Ard (*admitted pro hac vice*)
Elisha Barron (*admitted pro hac vice*)
Ryan C. Kirkpatrick (*admitted pro hac vice*)
SUSMAN GODFREY L.L.P.
1301 Avenue of the Americas, 32nd Fl
New York, New York 10019
Tel.: (212) 336-8330
asubramanian@susmangodfrey.com
sard@susmangodfrey.com
ebarron@susmangodfrey.com
rkirkpatrick@susmangodfrey.com

Daniel J. Shih (*admitted pro hac vice*)
SUSMAN GODFREY L.L.P.
1201 Third Avenue, Suite 3800
Seattle, Washington 98101
Tel.: (206) 516-3880
dshih@susmangodfrey.com

Richard B. Katskee #27636
Kenneth D. Upton, Jr. (admitted pro hac vice)¹
AMERICANS UNITED FOR SEPARATION
OF CHURCH AND STATE
1310 L Street NW, Suite 200
Washington, DC 20005
Tel: (202) 466-3234
katskee@au.org
upton@au.org

ATTORNEYS FOR PLAINTIFF

¹ Admitted in Texas and Oklahoma only. Supervised by Richard B. Katskee, a member of the D.C. Bar.

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2019 the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

/s/ Elisha B. Barron

Elisha B. Barron

EXHIBIT A

**UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON,

 Plaintiff,

 -vs-

 ALEX M. AZAR, II, and UNITED STATES
 DEPARTMENT OF HEALTH AND HUMAN
 SERVICES,

 Defendants

**Case No. 2:19-CV-00183-SAB
 CIVIL MINUTES
 DATE: NOVEMBER 7, 2019
 LOCATION: SPOKANE
 MOTION HEARING**

Hon. STANLEY A. BASTIAN		
Courtney Piazza Courtroom Deputy	01 Law Clerk	Ronelle Corbey Court Reporter
Lauryn K. Fraas Paul M. Crisalli Jeffrey T. Sprung Plaintiff's Counsel	Rebecca Kopplin Ben Takemoto Defendants' Counsel	

Open Court **Chambers** **Telecon**

Court discusses SDNY Judge Engelmayer's 11/6/2019 ruling on a similar case.

Plaintiff's motions presented by Mr. Sprung and Ms. Fraas.

Defendants' motion presented by Ms. Kopplin and Mr. Takemoto.

Recess 10:58 a.m. -11:12 a.m.

Rebuttal by Ms. Fraas and Mr. Sprung.

No rebuttal by defendants.

Court GRANTED plaintiff's Motion for Summary Judgment and DENIED defendants' Motion for Summary Judgment.

A written decision will follow.

[X] ORDER FORTHCOMING

CONVENED: 9:59 A.M.	ADJOURNED: 11:20 A.M.	TIME: 1HR. 7 MINS.	CALENDARED [N/A]
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