

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ASHLEE and RUBY HENDERSON, a married)	
couple and L.W.C.H., by his parent and next)	
friend Ruby Henderson, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
vs.)	No. 1:15-cv-220-TWP-MJD
)	
DR. JEROME M. ADAMS, in his official capacity)	
as Indiana State Health Commissioner, <i>et al.</i> ,)	
)	
Defendants.)	

NOTICE OF SUPPLEMENTAL AUTHORITY

Come now Plaintiffs, by counsel, and hereby notify the Court of the following supplemental authority in support of their motion for summary judgment and in opposition to Defendants’ cross motion for summary judgment:

Varble v. Varble (In re A.C.), ___ N.E.3d ___, 2016 WL 3058340 (Ind. Ct. App. 2016)

(affirming trial court’s denial of putative biological father’s motion for relief from judgment, and holding that “the inquiry into whether a child is a child of the marriage is a determination by the dissolution court of who the child’s parents are”, noting further that “although the dissolution court does not identify the child’s biological father, the determination is a legal equivalent of a paternity determination”). This supplemental authority is offered in opposition to the State Defendants’ contention throughout its pleadings that biology always controls determinations of a child’s parents under Indiana law.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2016, a copy of the foregoing Plaintiffs' Notice of Supplemental Authority was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

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