

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, *et al.*, )  
 )  
Plaintiffs, )  
 )  
vs. ) No. 1:15-cv-220-TWP-MJD  
 )  
DR. JEROME M. ADAMS, in his official capacity )  
as Indiana State Health Commissioner, *et al.*, )  
 )  
Defendants. )

**DEFENDANTS’ MOTION TO WITHDRAW OBJECTION TO  
PLAINTIFFS’ MOTION TO CONSOLIDATE ACTIONS**

Dr. Jerome M. Adams (“State Defendant”), Pam Aaltonen, Dr. Jeremy P. Adler, Craig Rich, Glenda Robinette, Dr. Thomas C. Padgett, Karen Combs, Kate Nail, Dr. John Thomas, Hsin-Yi Weng, Thometra Foster (collectively “Tippecanoe County Defendants”), Dr. Virginia Caine, Darren Klingler, Dr. James Miner, Gregory S. Fehribach, Deborah J. Daniels, Lacy M. Johnson, Charles S. Eberhardt, II, Dr. David F. Canal, Joyce Q. Rodgers (collectively “Marion County Defendants”), Dr. Brian Niedbalski, Collis Mayfield, Beth Lewis, Dennis Stark, Dr. Michael Chadwick, Dr. Susan Sawin-Johnson, Michael Meyer, Dr. Charles Hatcher, Dr. Brooke F. Case, Cindy Boll, Jim Reed (collectively “Bartholomew County Defendants”), Dr. Darren Brucken, Joni Wise, Terri Manning, Jeffery DePasse, Dora Abel, Dr. Irving Haber, Brian Garcia, Michael Eldred, Dr. James Turner, and Dr. Robert Burkle (collectively “Vigo County Defendants”), (all collectively “County

Defendants”), by their respective counsel, hereby move to withdraw the State Defendant’s Memorandum in Opposition to Plaintiffs’ Motion to Consolidate Actions (ECF No. 88) and agree that, pursuant to parties’ Stipulated Agreement to Consolidate Actions, Withdraw Motion for Preliminary Injunction and Substitute Party (ECF No. 90), this case should be consolidated with *Allen v. Adams*, No. 1:15-cv-1929-TWP-MJD.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of February, 2016, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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SOUTHERN DISTRICT OF INDIANA  
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as Indiana State Health Commissioner, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER GRANTING DEFENDANTS' MOTION TO WITHDRAW  
OBJECTION TO PLAINTIFFS' MOTION TO CONSOLIDATE ACTIONS**

All Defendants, by counsel, moved to withdraw the State Defendant's Memorandum in Opposition to Plaintiffs' Motion to Consolidate Actions (ECF No. 88) pursuant to parties' Stipulated Agreement to Consolidate Actions, Withdraw Motion for Preliminary Injunction and Substitute Party (ECF No. 90).

And the Court, being duly advised, now FINDS and ORDERS that the Motion is GRANTED.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Hon. Mark J. Dinsmore  
Magistrate Judge  
United States District Court  
Southern District of Indiana

DISTRIBUTION:  
All counsel of record