



2022 Q2 LIFE LITIGATION REPORT

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Alabama

Federal Court of Appeals

- ***Reproductive Health Services v. Bailey*** (11th Cir. No. 17-13561) – Abortion parental consent case. The 11th Circuit panel affirmed the district court decision for Reproductive Health Services. The 11th Circuit granted the State’s petition for rehearing en banc Jan. 27, 2022 and held it pending *Dobbs*.

Federal District Court

- ***Robinson v. Marshall*** (M.D. Ala. No. 2:19-cv-365) – Abortion gestational limits case banning the practice with narrow exceptions. The district court granted a preliminary injunction. Parties briefed the district court’s order to clarify the remaining issues from July 6, 2020. No recent action on the case.

State Court

- ***Stone v. West Alabama Women’s Center, Inc.*** (Ala. Cir. Ct. No. 63-CV-2021-900997.00) – Medical malpractice case regarding abortion. Complaint filed Nov. 11, 2021. Awaiting answer as of June 13, 2022.
- ***Burdick-Aysenne v. The Center for Reproductive Medicine, P.C.*** (Ala. Cir. Ct. No. 02-CV-2021-901640.00) – Wrongful death case regarding the destruction of cryogenically frozen human embryos. Court granted the motion to dismiss regarding the wrongful death claim Apr. 12, 2022.

¹ Thank you to Michael D. Potter (George Mason University Antonin Scalia Law School ’23) for his research assistance in preparing this Report.

Alaska

State Court

- ***Planned Parenthood Great Northwest, Hawaii, Alabama, Indiana, Kentucky v. State of Alaska*** (Alaska Super. Ct. No. 3AN-19-11710CI) – Chemical abortion (physician-only rule) case. The court issued a preliminary injunction. Trial set for the week of July 25, 2022.

Arizona

Federal Court of Appeals

- ***Isacson v. Brnovich*** (9th Cir. Nos. 21-16645 (lead), 21-16711) – Abortion prenatal nondiscrimination (disability) case. Preliminary injunction granted in part (prenatal disability discrimination) and denied in part (prenatal rights). Cross-appealed. 9th Circuit denied the motion for a partial stay of the preliminary injunction. Briefed and set for oral argument on July 27, 2022.

Arkansas

U.S. Supreme Court

- ***Rutledge v. Little Rock Family Planning Services*** (No. 20-1434) – Abortion gestational limits (18-week), health and safety (physician-only rule), and prenatal nondiscrimination (Down syndrome) case. The 8th Circuit affirmed the preliminary injunction. State filed cert. petition on Down syndrome issue only. Distributed for conference Sept. 27, 2021. Apparently being held pending *Dobbs*. [Amicus curiae brief filed on behalf of Americans United for Life](#).

Federal Court of Appeals

- ***Hopkins v. Jegley*** (8th Cir. No. 21-1068) – Abortion gestational limits (dismemberment), fetal remains, and prenatal nondiscrimination (sex) case. Amended complaint filed. Preliminary injunction issued Jan. 5, 2021. Appealed to 8th Circuit and held in abeyance pending *Dobbs*. [Amicus curiae brief on behalf of Americans United for Life](#).
- ***Little Rock Family Planning Services v. Jegley*** (8th Cir. No. 21-2857) – Abortion gestational limits case regarding a ban with narrow exceptions. Preliminary injunction issued July 20, 2021. Appealed to 8th Circuit and held in abeyance pending *Dobbs*.

Federal District Court

- ***Planned Parenthood of Arkansas & Eastern Oklahoma, Inc. v. Gillespie*** (E.D. Ark. No. 4:15-cv-566) – Abortion funding (Medicaid) case. Preliminary injunction denied July 30, 2018. Proceedings currently stayed due to COVID-19 pandemic. Joint update due May 20, 2022.

California

Federal Court of Appeals

- ***A.B. v. Chart, Inc.*** (9th Cir. No. 21-17016) – In vitro fertilization case. Judgment following jury verdict for plaintiffs against Chart Industries. Chart Industries appealed. Released from mediation program May 23, 2022. Currently in briefing.
- ***California v. Azar*** (9th Cir. Nos. 20-16045 (lead case), 20-15398, 20-15399) – Conscience rights case regarding HHS conscience protection rule. Held in abeyance pending HHS rulemaking. Status report due Apr. 1, 2022.
- ***National Abortion Federation v. Center for Medical Progress*** (Nos. 21-15953 (lead), 21-15955, 21-16983) – Free speech case regarding David Daleiden’s undercover videos. District court granted NAF’s motion for summary judgment and permanent injunction. CMP appealed to 9th Circuit. Currently in briefing. Oral argument set for Aug. 10, 2022.
- ***Planned Parenthood Federation of America v. Center for Medical Progress*** (9th Cir. Nos. 20-16068, 20-16070, 20-16773, 20-16820) – Free speech case regarding David Daleiden’s undercover videos. District court issued permanent injunction. 9th Circuit heard oral argument on Apr. 21, 2022. [Amicus curiae brief on behalf of Americans United for Life.](#)

Federal District Court

- ***California v. U.S. Department of Health and Human Services*** (N.D. Cal. No. 4:17-cv-5783) – Conscience rights case regarding Affordable Care Act’s contraception mandate. Stayed pending rulemaking. Case management conference held May 17, 2022.
- ***Christian Medical & Dental Associations v. Bonta*** (C.D. Cal. No. 5:22-cv-335) – Assisted suicide and rights of conscience case challenging the removal of conscience protections from the End of Life Option Act. Complaint filed Feb. 22, 2022. Hearing on motion for preliminary injunction reset for July 8, 2022. Hearing on motion to dismiss set for Sept. 16, 2022.
- ***Shavelson v. California Department of Health*** (N.D. Cal. No. 3:21-cv-6654) – Assisted suicide case challenging, under federal disability rights laws, to expand End of Life Option Act to active euthanasia of persons with disabilities. Amended complaint filed. Held hearing regarding motion to dismiss Apr. 14, 2022.
- ***Skyline Wesleyan Church v. California Department of Health*** (S.D. Cal. No. 3:16-cv-501) – Conscience rights case regarding California abortion insurance mandate. 9th Circuit reversed in part, vacated in part, and remanded Aug. 19, 2020. Awaiting decision on cross-motions for summary judgment.

Colorado

No cases reported

Connecticut

Federal District Court

- ***Pregnancy Support Ctr., Inc. v. Tong*** (D. Conn. No. 3:21-cv-1346) – Free speech case regarding anti-pregnancy center law. Complaint filed Oct. 12, 2021. Answer entered Dec. 7, 2021. Dispositive motions due May 19, 2023 (plaintiffs) and June 16, 2023 (defendant). Trial ready date is June 12, 2023, or within 30 days of filing the joint trial memorandum (due by April 28, 2023, or 30 days after the Court rules on any dispositive motion).

State Court

- ***Lafo v. Ward*** (Conn. Super. Ct. Nos. LLI-CV21-6029507-S, LLI-CV22-6029930-S) – Medical malpractice case against a certified nurse midwife for prescribing abortion inducing-drugs at 22 weeks gestation. Complaint filed Nov. 5, 2021. Ward filed a motion to dismiss Jan. 5, 2022. Planned Parenthood filed a motion to strike May 25, 2022. Scheduling order entered June 9, 2022: dispositive motions and their responses due Feb. 15 and April 15, 2024.

Delaware

State Court

- ***State of Delaware v. City of Seaford*** (Del. Ch. No. 2022-0030) – Fetal remains case concerning state preemption over a city ordinance. Complaint filed Jan. 11, 2022. Hearing held on cross-motions for summary judgment May 12, 2022.

District of Columbia

Federal Appeals Court

- ***State of Illinois v. Ferriero*** (D.C. Cir. No. 21-5096) – Equal Rights Amendment case with abortion policy implications. District court granted motion to dismiss Mar. 5, 2021. Briefed and awaiting oral argument schedule before the D.C. Circuit.
- ***Frederick Douglass Foundation, Inc. v. District of Columbia*** (D.C. Cir. No. 21-7108) – Free speech case alleging pro-life viewpoint discrimination. District court granted motion to dismiss Sept. 1, 2021. Appealed to the D.C. Circuit. Brief filed by D.C. May 20, 2022. [Amicus curiae brief on behalf of Americans United for Life.](#)

Federal District Court

- ***North Texas Equal Access Fund v. America First Legal Foundation*** (D.D.C. No. 1:22-cv-728) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Plaintiff filed motion for summary judgment April 15, 2022. Defendant filed motion to defer or summarily deny plaintiff's motion for summary judgment. Court permitted defendant not to respond further to motion for summary judgment until schedule is established. Defendant filed motion to dismiss for lack of jurisdiction April 22, 2022. Currently in briefing on motion to dismiss.

Florida

State Court

- ***Gainesville Woman Care, LLC v. State of Florida*** (Fla. Cir. Ct. No. 2015-CA-1323) – Abortion informed consent (24-hour reflection period) case. Trial court granted State's motion for summary final judgment and denied abortion clinic's motion to stay Apr. 8, 2022. Final judgment entered in favor of the State on April 25, 2022.
- ***Planned Parenthood of Southwest and Central Florida v. State of Florida*** (Fla. Cir. Ct. No. 2022-CA-912) – Abortion gestational limits (15-week) case. Complaint filed June 1, 2022.

Georgia

Federal Appeals Court

- ***SisterSong Women of Color Reproductive Justice Collective v. Kemp*** (11th Cir. No. 20-13024) – Abortion gestational limits (heartbeat) case. District court issued permanent injunction. 11th Circuit oral argument held Sept. 24, 2021. Stayed pending *Dobbs*.

Guam

Federal Court of Appeals

- ***Raidoo v. Camacho*** (9th Cir. No. 21-16559) – Chemical abortion (telemedicine) case. District court granted preliminary injunction Sept. 7, 2021. Appealed and stayed pending *Dobbs*.

Hawaii

Federal District Court

- ***Chelius v. Becerra*** (D. Haw. No. 1:17-cv-493) – Chemical abortion case challenging Mifeprex REMS. Stayed pending agency rulemaking. Status report filed Nov. 3, 2021. No recent major action.

Idaho

Federal District Court

- ***Planned Parenthood of the Great Northwest & the Hawaiian Islands v. Wasden*** (D. Idaho No. 1:18-cv-555) – Abortion health and safety (physician-only rule) case. Denied State’s motions for reconsideration and summary judgment Sept. 30, 2021. Stayed pending *Dobbs*.

State Court

- ***Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, Kentucky v. State of Idaho*** (Idaho No. 49615-2022) – Petition for a writ of prohibition and application for declaratory judgment of a Texas S.B. 8-style heartbeat law (Idaho S.B. 1309) filed. Expedited briefing granted. Implementation of bill stayed pending further court action Apr. 8, 2022. Denied motion to vacate stay May 20, 2022.

Illinois

Federal District Court

- ***Braid v. Stilley*** (N.D. Ill. No. 1:21-cv-5283) – Abortion gestational limits case regarding Texas S.B. 8 heartbeat law. Complaint for interpleader and declaratory judgment filed. Granted interpleader. Certified constitutional challenge. Defendant Gomez appealed. Denied petition for a writ of mandamus, motion to stay appeal, and motion to voluntarily dismiss without prejudice Feb. 28, 2022. Appeal voluntarily dismissed. Currently in briefing before district court regarding Braid’s motion for summary judgment. District court granted Braid’s motion for a preliminary injunction and plaintiff’s motion for temporary restraining order on June 08, 2022.
- ***National Institute of Family and Life Advocates v. Rauner*** (N.D. Ill. No. 3:16-cv-50310) – Free speech case regarding anti-pregnancy center law. Denied plaintiffs’ motions to amend and to certify for interlocutory appeal the court’s order denying plaintiffs’ motion for summary judgment. Hearing on State’s motion for summary judgment held Mar. 18, 2022. Briefing schedule issued, requiring motions to be filed by July 11, 2022.
- ***North Texas Equal Access Fund v. Thomas More Society*** (N.D. Ill. No. 1:22-cv-1399) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Complaint filed Mar. 16, 2022. Defendant filed motion to dismiss for lack of jurisdiction April 28, 2022. Currently in briefing.

Indiana

U.S. Supreme Court

- ***Box v. Planned Parenthood of Indiana & Kentucky*** (No. 20-1375) – Abortion parental notice case regarding application of *Hellerstedt* standard. Cert. petition filed Mar. 29, 2021. Set for conference June 24, 2021. Apparently being held pending *Dobbs*. [Amicus curiae brief on behalf of Americans United for Life](#).

Federal Court of Appeals

- ***Whole Woman’s Health Alliance v. Rokita*** (7th Cir. Nos. 21-2573, 21-2480) – Omnibus abortion case regarding chemical abortion, hospital-only, telemedicine, facility health and safety, and informed consent provisions. District court permanently enjoined certain provisions. 7th Circuit granted stay pending appellate resolution. Oral argument held Jan. 12, 2022. Held in abeyance pending *Dobbs*.

Federal District Court

- ***All-Options, Inc. v. Attorney General of Indiana*** (S.D. Ind. No. 1:21-cv-1231) – Abortion health and safety (clinic licensing) case. Granted preliminary injunction June 30, 2021. Denied motion to stay proceedings pending *Dobbs* and *Whole Woman’s Health Alliance*, but essentially granted in part to the extent that the court *sua sponte* rescheduled discovery deadlines. Status conference set for Apr. 6, 2022. The court granted in part and denied in part plaintiffs’ motion for a protective order Apr. 20, 2022.
- ***Bernard v. Individual Members of the Indiana Medical Licensing Board*** (S.D. Ind. 1:19-cv-1660) – Abortion gestational limits (dismemberment) case. Granted plaintiffs’ motion to continue trial, denied plaintiffs’ motion to stay all proceedings Sept. 15, 2021. Joint status report due within two weeks of *Dobbs* decision.
- ***Irish 4 Reproductive Health v. U.S. Department of Health and Human Services*** (N.D. Ind. No. 3:18-cv-491) – Conscience rights case regarding pro-choice challenge to Notre Dame’s exception to contraception mandate. Stayed pending rulemaking. Status report filed Feb. 15, 2022.
- ***Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, Kentucky, Inc. v. Marion County Prosecutor*** (S.D. Ind. No. 1:18-cv-1219) – Abortion reporting case. 7th Circuit reversed summary judgment in favor of Planned Parenthood and remanded. Planned Parenthood’s petition for rehearing en banc denied. Planned Parenthood filed motion for preliminary injunction Nov. 1, 2021. Parties have briefed the motion for a preliminary injunction. Consolidated hearing on motion for preliminary injunction and trial on the merits reset to Sept. 08, 2022.

Iowa

State Court

- ***Planned Parenthood of the Heartland, Inc. v. Reynolds*** (Iowa No. 21-0856) – Abortion informed consent (24-hour reflection period) case. Trial court granted Planned Parenthood’s motion for summary judgment and permanently enjoined the law. Appealed to Iowa Supreme Court. Oral argument held Feb. 23, 2022.

Kansas

State Court

- ***Hodes & Nauser v. Schmidt*** (Kan. No. 124130) – Abortion gestational limits (dismemberment) case. Granted plaintiffs’ motion for summary judgment to permanently enjoin the law Apr. 7, 2021. Appealed to Kansas Supreme Court. Currently in briefing.
- ***Hodes & Nauser v. Stanek*** (Kan. No. 125051) – Health and safety (licensing) and chemical abortion (telemedicine) case. Trial court granted plaintiff’s motion for summary judgment. State appealed. State’s brief due June 30, 2022.
- ***Trust Women Foundation Inc. v. Bennett*** (Kan. Ct. App. No. 121693) – Chemical abortion (telemedicine) case. State court of appeals reversed denial of temporary injunction and held that Trust Women had standing to sue the Board of Healing Arts on May 20, 2022.

Kentucky

Federal Court of Appeals

- ***EMW Women’s Surgical Center, P.S.C. v. Friedlander*** (6th Cir. No. 19-5516) – Abortion gestational limits (dismemberment) case. Sixth Circuit affirmed permanent injunction. SCOTUS granted cert. and held the Sixth Circuit erred in denying the Kentucky Attorney General’s motion to intervene on the commonwealth’s behalf in litigation. State filed petition for rehearing en banc in the Sixth Circuit Apr. 4, 2022.
- ***Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, and Kentucky v. Cameron*** (6th Cir. No. 22-5451) – Omnibus abortion lawsuit challenging comprehensive abortion bill, Ky. H.B. 3. Complaint filed Apr. 14, 2022. Plaintiff filed motion for a temporary restraining order or preliminary injunction. Temporary restraining order issued. District court granted EMW’s motion to intervene for declaratory and injunction relief. Court granted preliminary injunction in part, enjoining defendants from enforcing H.B. 3 until the Cabinet creates a means for compliance and stayed litigation of the 15-week gestational limit pending *Dobbs* May 19, 2022. District court denied Cameron’s motion to stay pending appeal May 26, 2022. Cameron appealed. Appellant’s brief due July 18, 2022.

- ***Sisters for Life, Inc. v. Louisville-Jefferson County, KY Metro Government*** (6th Circuit Nos. 22-5150 (lead), 22-5151) – Sidewalk counselors case challenging buffer zone law. Second amended complaint filed. Denied motion for preliminary injunction Feb. 25, 2022. Appealed to Sixth Circuit. Currently in briefing.

Federal District Court

- ***Clark v. Bendapudi*** (W.D. Ky. No. 3:21-cv-480) – Free speech case regarding pro-life viewpoint discrimination. Amended complaint filed. Motion to dismiss filed and parties briefed the motion. Matter referred to a magistrate judge April 01, 2022.
- ***EMW Women’s Surgical Center v. Friedlander*** (W.D. Ky. No. 3:17-cv-189) – Abortion health and safety (transfer agreement) case. Intervenor defendant’s motion for summary judgment filed July 30, 2021. Plaintiffs’ response brief held in abeyance pending court review of parties’ post-trial briefs. Intervenor-defendant’s motion for summary judgment administratively remanded, to be reinstated by subsequent order, on March 18, 2022.
- ***EMW Women’s Surgical Center v. Friedlander*** (W.D. Ky. No. 3:19-cv-178) – Abortion gestational limits (heartbeat), prenatal nondiscrimination (sex, race, color, national origin, disability) case, and omnibus challenge to comprehensive abortion bill (H.B. 3). Temporary injunction issued. Plaintiffs filed motion to stay proceedings Nov. 19, 2021. Intervenor Defendant’s motion to dissolve temporary restraining order filed Feb. 4, 2022. Intervenor Defendant filed emergency motion for a ruling and/or a hearing on motion to dissolve temporary restraining order Mar. 4, 2022. Proceedings partially stayed pending *Dobbs*. Abortion clinic filed motion to expedite leave to file a supplemental complaint, which will challenge Kentucky H.B. 3, and motion for temporary restraining order Apr. 14, 2022. Response to Motion to Dissolve Temp. Restraining Order filed on April 15, 2022. Reply made April 22, 2022.

Louisiana

Federal District Court

- ***Planned Parenthood Gulf Coast v. Phillips*** (MD. La. No. 3:18-cv-176) – Abortion health and safety (clinic licensing) case. 5th Circuit panel affirmed in part, reversed in part, and remanded regarding the district court’s denial of State’s motion to dismiss. 5th Circuit granted Planned Parenthood’s petition for rehearing en banc, denied plaintiffs’ motion to dismiss the interlocutory appeal, and remanded for further proceedings Jan. 20, 2022. District court stayed proceedings pending *Dobbs*.

- ***Planned Parenthood Gulf Coast v. Phillips*** (M.D. La. No. 3:15-cv-565) – Abortion funding (Medicaid) case. Stayed pending outcome of 5th Circuit rehearing en banc of *Planned Parenthood of Greater Texas Family Planning & Preventative Health Services, Inc. v. Smith* and the 5th Circuit appeal in *Planned Parenthood Gulf Coast, Inc. v. Gee*. Denied motion to vacate the preliminary injunction Apr. 7, 2021.

Maine

No cases reported

Maryland

No cases reported

Massachusetts

State Court

- ***Kligler v. Healey*** (Mass. No. SJC-13194) – Assisted suicide case regarding decriminalization for physicians. Trial court partially granted (free speech) and partially denied (equal protection) plaintiffs’ motion for summary judgment and partially granted (involuntary manslaughter) and partially denied (free speech) defendants’ motion for summary judgment. Supreme Judicial Court *sua sponte* accepted plaintiffs’ appeal. Oral argument held Mar. 9, 2022. [AUL’s amicus curiae brief on behalf of Christian Medical & Dental Associations](#).

Michigan

State Court

- ***Planned Parenthood of Michigan v. Attorney General of the State of Michigan*** (Mich. Ct. Cl. No. 22-000044-MM) – Abortion case challenging pre-*Roe* law. Complaint filed Apr. 7, 2022. Preliminary injunction issued May 17, 2022.
- ***Whitmer v. Linderman*** (Mich. Cir. Ct. No. 2022-193498-CZ) – Abortion case challenging pre-*Roe* law. Complaint filed Apr. 7, 2022.

Minnesota

Federal District Court

- ***Final Exit Network, Inc. v. Stuart*** (D. Minn. No. 0:21-cv-01235) – Assisted suicide case regarding free speech. Granted in part (void for vagueness and § 1983), denied in part (as-applied challenge) State’s motion to dismiss Feb. 3, 2022. Case stayed through Aug. 8, 2022, or until further order of the Court.

State Court

- ***Doe v. State of Minnesota*** (Minn. Dist. Ct. No. A22-0073) – Omnibus abortion case regarding health and safety, reporting, informed consent, fetal remains, and parental notification provisions. Partially granted (dismissal of State and church’s challenge to advertising law) and partially denied (remaining motion) State officials’ motion for summary judgment Nov. 22, 2021. Trial set for June 27, 2022.

Mississippi

U.S. Supreme Court

- ***Dobbs v. Jackson Women's Health Organization*** (No. 19-1392) – Abortion gestational limits (15-week) case. SCOTUS oral argument held Dec. 1, 2021. [Amicus curiae brief on behalf of Americans United for Life](#). [AUL’s amicus curiae brief on behalf of 228 members of Congress](#).

Federal District Court

- ***GenBioPro, Inc. v. Dobbs*** (S.D. Miss. No. 3:20-cv-652) – Chemical abortion case regarding a generic Mifepristone manufacturer alleging preemption and Commerce Clause violations. Hearing on motion to dismiss for lack of jurisdiction June 8, 2022.
- ***Jackson Women’s Health Org. v. Dobbs*** (S.D. Miss. No. 3:18-cv-171) – Abortion omnibus challenge regarding gestational limits, informed consent, and health and safety provisions. Granted preliminary injunction. Stayed pending *Dobbs*.

Missouri

Federal Court of Appeals

- ***Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc. v. Parson*** (8th Cir. Nos. 19-2882, 19-3134) – Gestational limits (8-week, 14-week, 18-week, 20-week) and prenatal nondiscrimination (Down syndrome, sex, race) case. District court partially granted [gestational limits] and partially denied [prenatal nondiscrimination provisions] preliminary injunction for Reproductive Health Services. District court granted motion for reconsideration and modified preliminary injunction to include Down syndrome provision. 8th Cir. en banc oral argument held Sept. 21, 2021. Awaiting decision. [Amicus curiae brief on behalf of Americans United for Life](#).

Montana

State Court

- ***Planned Parenthood of Mont. v. Montana*** (Mont. No. DA 21-0521) – Abortion “minibus” case regarding 20-week limit, chemical abortion, ultrasound viewing, and fetal heart tone provisions. Granted preliminary injunction Oct. 7, 2021. The Montana Supreme Court currently is considering the appeal on submission of the briefs.
- ***Weems v. Montana*** (Mont. No. DA 22-0207) – Abortion challenge to expand health and safety law to include APRNs as abortion providers. Trial court issued a permanent injunction, permitting APRNs to provide abortions Feb. 25, 2022. State appealed to Montana Supreme Court Apr. 25, 2022.
- ***Planned Parenthood of Mont. v. Montana*** (Mont. Dist. Ct. No. DDV-2013-407) – Abortion challenge to parental consent law. Trial court preliminarily enjoined law June 28, 2013. Case stalled with little action. Attorney General issued an advisory clarifying state of parental involvement laws Jan. 28, 2022. Trial court issued order denying to lift the preliminary injunction Apr. 28, 2022

Nebraska

No cases reported

Nevada

State Court

- ***Howell v. Frazier*** (Nev. No. 83224) – Raising the issue of the constitutionality of a pre-*Roe* abortion statute that criminalizes self-induced abortion following 24-weeks gestation. A judge granted relief in finding that the woman’s guilty plea was entered in violation of her Sixth and Fourteenth Amendment rights. Nevada Supreme Court accepted case and permitted constitutional challenge. Currently in briefing.

New Hampshire

No cases reported

New Jersey

State Court

- ***Petro v. Grewal*** (N.J. Superior Ct. App. Div. No. A-003837-19) – Assisted suicide case regarding pro-life challenge to N.J. Medical Aid in Dying Law for the Terminally Ill Act. Trial court granted State’s motion to dismiss for lack of standing and failure to state a claim upon which relief may be granted Apr. 1, 2020. On appeal in the appellate division. No recent action reported.

New Mexico

No cases reported

New York

Federal Court of Appeals

- ***CompassCare, First Bible Baptist Church and NIFLA v. Cuomo*** (2d Cir. Nos. 22-951 [lead], 22-1076) – Conscience rights case regarding the abortion-related “Boss Bill.” Cross-motions for summary judgment filed May 21, 2021. Briefed cross-motions. Granted plaintiffs’ motion for summary judgment, denied defendants’ motion for summary judgment, and permanently enjoined defendants from enforcing N.Y. Labor Law § 203-e(6) against any employer Apr. 1, 2022. Appeal and cross-appeal filed. 2d Circuit held in abeyance pending *Slattery v. Cuomo* (2d Cir. No. 21-911).
- ***New York v. U.S. Department of Health & Human Services*** (2d Cir. Nos. 19-4254 [lead], 20-31, 20-32, 20-41) – Conscience rights case regarding HHS conscience protection rule. Preliminary injunction issued. Appealed to 2d Circuit. Held in abeyance pending rulemaking. Status report filed June 8, 2022.
- ***Slattery v. Cuomo*** (2d Cir. No. 21-911) – Conscience rights case regarding the abortion-related “Boss Bill.” District court granted motion to dismiss. Oral argument held Nov. 29, 2021.
- ***The Center for Medical Progress v. Planned Parenthood Federation of America*** (2d Cir. No. 21-2068) – Free speech case regarding David Daleiden’s undercover videos. District court granted Planned Parenthood’s motion to dismiss Daleiden’s defamation suit for failure to state a claim. CMP appealed. 2d Circuit panel affirmed. Denied petition for panel rehearing, or, in the alternative, for rehearing en banc May 10, 2022.

Federal District Court

- ***Smith v. Hochul*** (N.D. N.Y. No. 5:21-cv-35) – Prenatal rights case regarding rights of viable unborn children and domestic violence under Reproductive Health Act. Granted in part and denied in part motion to dismiss and ordered that the case be closed Oct. 26, 2021. Appealed to 2d Circuit. Appeal stayed pending district court’s decision on plaintiffs’ motions to alter, amend or vacate the final judgment.

State Court

- ***Roman Catholic Diocese of Albany v. Vullo*** (N.Y. App. Div. No. 529350) – Conscience rights case regarding mandatory insurance coverage of “medically necessary abortions.” Supreme Court granted, vacated, and remanded in light of *Fulton v. Philadelphia*, 141 S. Ct. 1868 (2020), Nov. 1, 2021. A New York Supreme Court affirmed the grant of the State’s motion for summary judgment June 2, 2022.

North Carolina

State Court

- ***Planned Parenthood South Atlantic v. Moore*** (N.C. Super. Ct. No. 20-cvs-500147) – Abortion omnibus challenge regarding 72-hour reflection period, clinic licensing, physician-only, telehealth, and informed consent provisions. Partially denied (subject matter jurisdiction and standing) and partially declined to rule on (failure to state a claim) motion to dismiss May 28, 2021. Case assigned to three-judge panel. Motion hearing set for Apr. 28, 2022.

North Dakota

Federal District Court

- ***American Medical Association v. Stenehjem*** (D. N.D. No. 1:19-cv-125) – Chemical abortion (pill reversal) case. Granted preliminary injunction. Bench trial set for May 1, 2023.

Ohio

Federal Court of Appeals

- ***State of Ohio v. Becerra*** (6th Cir. No. 21-4235) – Abortion funding case regarding pro-life challenge that HHS' 2021 final rule violates abortion funding restrictions. District court denied plaintiffs' motion for a preliminary injunction. Plaintiffs appealed. 6th Circuit denied plaintiffs' motion for a temporary injunction pending appeal Feb. 8, 2022. Briefed and awaiting oral argument schedule. [Amicus curiae brief on behalf of Americans United for Life.](#)

Federal District Court

- ***Planned Parenthood Southwest Ohio Region v. Yost*** (S.D. Ohio No. 1:19-cv-118) – Gestational limits (15-week) case. Preliminary injunction granted in part Apr. 18, 2019. Stayed pending *Cameron v. EMW Women's Surgical Center*.
- ***Preterm-Cleveland v. Attorney General of Ohio*** (S.D. Ohio No. 1:19-cv-360) – Gestational limits (heartbeat) case. Stayed pending final disposition of all appeals and petitions for cert. in *Preterm-Cleveland v. Himes* (6th Cir. No. 18-3329), and *Memphis Center for Reproductive Health v. Slatery* (6th Cir. No. 20-5969).
- ***Preterm-Cleveland v. Himes*** (S.D. Ohio No. 1:18-cv-109) – Prenatal nondiscrimination (Down syndrome) case. 6th Circuit en banc reversed the preliminary injunction. State filed motion for judgment on the pleadings May 27, 2021. Preterm filed cross-motion for judgment on the pleadings and motion to stay June 17, 2021. No recent action.

State Court

- ***Planned Parenthood Southwest Ohio Region v. Ohio Department of Health*** (Ohio Ct. C.P. No. A2100870) – Fetal remains case. Amended complaint filed. Granted preliminary injunction. Answer filed Feb. 28, 2022. Bench trial set for Apr. 17, 2023.
- ***Planned Parenthood Southwest Ohio Region v. Ohio Department of Health*** (Ohio Ct. C.P. No. A2101148) – Chemical abortion (telemedicine) case. Preliminary injunction issued. Denied motion to dismiss. Answer filed Dec. 1, 2021. Bench trial set for May 30, 2023.
- ***Women’s Med. Grp. Pro. Corp. v. Vanderhoff*** (Ohio Ct. C.P. No. A2200704) – Abortion health and safety case challenging licensing requirements in S.B. 157. Defendants filed motion to dismiss, or in the alternative, for summary judgment. Trial court granted preliminary injunction effective until June 21, 2022. Plaintiffs filed second motion for preliminary injunction. Preliminary injunction motion hearing set for June 13, 2022. Awaiting ruling on motion to dismiss.

Oklahoma

State Court

- ***Oklahoma Call for Reproductive Justice v. O’Connor*** (Okla. No. 119918) – Abortion “minibus” case regarding heartbeat, licensing, physician-only, and chemical abortion provisions, and gestational limits (throughout pregnancy) case. Temporary injunction granted in part and denied in part. Abortion clinic appealed. Okla. Supreme Court granted abortion clinic’s emergency motion for a temporary injunction pending appeal Oct. 15, 2021. Briefed and awaiting oral argument schedule. Parties are litigating the gestational limits issue (Okla. S.B. 612) in the affiliated trial court case (Okla. Dist. Ct. No. CV-2021-2072).
- ***Oklahoma Call for Reproductive Justice v. O’Connor*** (Okla. Dist. Ct. No. CV-2021-2072) – Abortion “minibus” case regarding heartbeat, licensing, physician-only, chemical abortion provisions, and gestational limits (throughout pregnancy) case. The case is on appeal to the Oklahoma Supreme Court (Okla. No. 119918), except for the gestational limits (Okla. S.B. 612) issue. Plaintiffs moved to supplement the petition with challenge to S.B. 612 and to stay proceedings Apr. 28, 2022. Motion hearing set for Aug. 16, 2022.
- ***Oklahoma Call for Reproductive Justice v. State of Oklahoma*** (Okla. No. 120376) – Gestational limits (heartbeat) case involving a Texas S.B. 8-style law (Okla. H.B. 1503). Application for original jurisdiction and petition for declaratory and injunctive relief and/or a writ of prohibition filed Apr. 28, 2022. Oral argument held May 5, 2022. Supplemental application filed to add a challenge to Okla. S.B. 4327, a Texas S.B. 8-style law limiting abortion throughout pregnancy.

- ***Tulsa Women’s Reproductive Clinic v. Hunter*** (Okla. Dist. Ct. No. CV-2019-2176) – Chemical abortion (pill reversal) case. District court granted unopposed motion to expand temporary injunction Oct. 1, 2021. Currently in discovery.
- ***Tulsa Women’s Reproductive Clinic v. Hunter*** (Okla. No. 118292) – Abortion gestational limits (dismemberment) and informed consent (72-hour reflection period) case. District court upheld House Bills 1721 & 1409. Oklahoma Supreme Court granted temporary injunction pending appeal Nov. 4, 2019. Completed briefing and awaiting oral argument schedule. No recent action.

Oregon

Federal District Court

- ***Gideonse v. Brown*** (D. Or. No. 3:21-cv-1568) – Assisted suicide case regarding removal of residency requirements. Complaint filed Oct. 28, 2021. Answer due Mar. 30, 2022. Case settled Mar. 28, 2022. Per the settlement agreement, the State will not enforce the residency requirements.

Pennsylvania

State Court

- ***Allegheny Reproductive Health Center v. Pennsylvania Department of Human Services*** (Penn. No. 26 MAP 2021) – Abortion funding (Medicaid) case regarding a state “Hyde Amendment.” Trial court ruled for State. Commonwealth Court affirmed. Briefed and awaiting oral argument date in Pennsylvania Supreme Court. [Amicus curiae brief on behalf of Americans United for Life.](#)

Rhode Island

State Court

- ***Benson v. Raimondo*** (R.I. No. SU-2020-0066-A) – Pro-life challenge to Reproductive Privacy Act regarding the legislative authority to pass the Act. Trial court granted defendants’ motion to dismiss. Rhode Island Supreme Court affirmed May 4, 2022. Motion to reargue denied June 3, 2022.

South Carolina

U.S. Supreme Court

- ***Kerr v. Planned Parenthood South Atlantic*** (No. 21-1431) – Abortion funding case regarding South Carolina’s exclusion of abortion businesses as “qualified” Medicaid providers. District court issued declaratory judgment and permanent injunction. 4th Circuit affirmed. State filed a petition for a writ of certiorari in the Supreme Court May 6, 2022. Supreme Court denied motion to expedite consideration of the petition June 6, 2022. [Amicus curiae brief on behalf of Americans United for Life.](#)

Federal Court of Appeals

- ***Planned Parenthood South Atlantic v. Wilson*** (4th Cir. No. 21-1369) – Abortion gestational limits (heartbeat) case. District court issued preliminary injunction. 4th Circuit issued amended opinion affirming district court. State filed petition for rehearing en banc Mar. 8, 2022. Currently in briefing on petition for rehearing en banc.

South Dakota

Federal Court of Appeals

- ***Planned Parenthood Minnesota, North Dakota, South Dakota v. Noem*** (8th Cir. Nos. 21-2913, 21-2922) – Abortion informed consent case. Granted preliminary injunction June 30, 2011. Partially dissolved preliminary injunction June 11, 2013. 6th amended complaint filed July 1, 2021. Denied State’s motion to dissolve what remains of preliminary injunction Aug. 20, 2021. State appealed. 8th Circuit denied motions for initial hearing en banc. Briefed and awaiting oral argument. [Amicus curiae brief on behalf of Americans United for Life.](#) [AUL’s amicus curiae brief on behalf of Heartbeat International, Inc.](#)
- ***Planned Parenthood Minnesota, North Dakota, South Dakota v. Noem*** (8th Cir. No. 22-1362) – Chemical abortion case regarding state health department’s in-person dispensing rule. Complaint filed Jan. 19, 2022. Granted motion for preliminary injunction. State appealed. Denied State’s motion to stay preliminary injunction Mar. 14, 2022. Stayed pending *Dobbs*.

Tennessee

Federal Court of Appeals

- ***Memphis Center for Reproductive Health v. Slatery*** (6th Cir. No. 20-5969) – Abortion gestational limits (heartbeat, cascading bans) and prenatal nondiscrimination (sex, race, Down syndrome) case. 6th Circuit panel affirmed preliminary injunction. State’s petition for rehearing en banc granted with the briefing schedule to be set at a later time. Granted State’s motion for partial stay of injunction [prenatal non-discrimination] pending appeal Feb. 2, 2022.

Federal District Court

- ***Planned Parenthood of Tennessee and Northern Mississippi v. Slatery*** (M.D. Tenn. No. 3:20-cv-00740) – Chemical abortion (pill reversal) case. Preliminary injunction granted Feb. 26, 2021. Stayed pending *Dobbs*.

Texas

Federal Court of Appeals

- ***United States of America v. Texas*** (5th Cir. No. 21-50949) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). District court granted preliminary injunction. 5th Circuit granted Texas’s motion to stay preliminary injunction pending appeal. SCOTUS dismissed writ of cert. as improvidently granted. 5th Circuit ordered the State’s motion for voluntary remand or abeyance is to be carried with the case Jan. 21, 2022. Currently in briefing and awaiting an oral argument schedule.
- ***Whole Woman’s Health v. Young*** (5th Cir. No. 18-50730) – Fetal remains case. District court issued permanent injunction. 5th Circuit oral argument held Sept. 5, 2019. Pending decision. No recent action.

Federal District Court

- ***Davis v. Sharp*** (W.D. Tex. No. 1:22-cv-373) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Complaint filed Apr. 19, 2022. Plaintiffs filed motion for summary judgment. Denied defendants’ motion to defer consideration of plaintiffs’ motion for summary judgment, or, in the alternative, to summarily deny the motion for summary judgment May 24, 2022. Defendants filed motion to dismiss for lack of jurisdiction June 1, 2022.
- ***Deanda v. Becerra*** (N.D. Tex. No. 2:20-cv-92) – Abortion parental involvement case alleging Title X funds violate Texas Family Code and parental rights. Denied without prejudice plaintiffs’ motion to certify class and held moot the cross-motions for summary judgment Feb. 15, 2022.

- ***Whole Woman’s Health v. Jackson*** (W.D. Tex. No. 1:21-cv-616) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). 5th Circuit denied motions for injunction pending appeal and to lift stays. SCOTUS denied application for injunctive relief. SCOTUS permitted lawsuit to proceed only against licensing officials. On certified questions, Supreme Court of Texas found the state licensing officials have no direct or indirect enforcement power. State filed letter indicating there is an outstanding issue regarding S.B. 8’s attorney’s fees mechanism. Remanded to district court Apr. 26, 2022. Defendants filed amended motion to dismiss in part for lack of subject-matter jurisdiction May 22, 2022.
- ***Whole Woman’s Health Alliance v. Paxton*** (W.D. Tex. No. 1:18-cv-500) Omnibus abortion case regarding licensing, chemical abortion, informed consent, parental involvement, criminal penalties, and Medicaid funding. Motions to dismiss filed Aug 27 & Oct. 10, 2018. Stay pending *June Medical Services*. Stay lifted July 23, 2020. Currently awaiting decision on motions to dismiss. No recent action.

State Court

- ***North Texas Equal Access Fund v. Maxwell*** (Tex. Dist. Ct. No. 22-2100-431) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Filed petition, request for declaratory judgment, application for temporary injunction, and anti-suit injunction Mar. 15, 2022. Motion to dismiss filed May 16, 2022.
- ***The Lilith Fund for Reproductive Equity v. Dickson*** (Tex. No. 21-0978) – Free speech case regarding Dickson’s alleged defamatory statements that referred to the Lilith Fund as a “criminal organization.” Trial court denied motion to dismiss. Court of appeals reversed. Briefed before state supreme court and awaiting oral argument.
- ***The Lilith Fund for Reproductive Equity v. Weldon*** (Tex. Dist. Ct. No. 22-03-032) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Filed petition, request for declaratory judgment, application for temporary injunction, and anti-suit injunction Mar. 15, 2022.
- ***Van Stean v. Texas Right to Life*** (Tex. Ct. App. No. 03-21-00650-CV) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Declared certain civil procedures unconstitutional and issued declaratory judgment Dec. 9, 2021. Defendants appealed. Briefed and awaiting oral argument schedule.
- ***Zimmerman v. City of Austin*** (Tex. No. 21-0262) – Abortion funding case regarding city budget allocations of taxpayer money to abortion-assistance organizations. District court granted Defendants’ plea to the. Court of Appeals affirmed. Briefed and awaiting oral argument before the Supreme Court of Texas on the merits. [Amicus curiae brief filed on behalf of Americans United for Life.](#)

Utah

Federal District Court

- ***Planned Parenthood Association of Utah v. Miner*** (D. Utah No. 2:19-cv-238) – Abortion gestational limits (18-week) case. Granted preliminary injunction May 13, 2019. Stayed pending *Dobbs*.

Vermont

No cases reported

Virginia

No cases reported

Washington

Federal Court of Appeals

- ***Washington v. Azar*** (9th Cir. No. 20-35044) (consolidated with No. 20-16045 [listed under Cal. above]) – Conscience rights case regarding HHS conscience protection rule. Held in abeyance pending HHS rulemaking. Status report filed Apr. 1, 2022.

Federal District Court

- ***Cedar Park Assembly of God of Kirkland, Washington v. Kreidler*** (W.D. Wash. No. 3:19-cv-5181) – Conscience rights case challenging Wash. S.B. 6219, which requires Washington employers to provide abortion and abortifacient coverage in employee health plans. 9th Circuit reversed in part, holding Cedar Park has standing for the free exercise issue, but affirmed the dismissal of Cedar Park’s equal protection clause for lack of standing. District court clarified that the free exercise and religious autonomy claims are the only remaining claims Feb. 22, 2022.

West Virginia

No cases reported

Wisconsin

Federal District Court

- ***Planned Parenthood of Wisconsin v. Kaul*** (W.D. Wis. No. 3:19-cv-38) – Chemical abortion case regarding physician-only, same-physician, and telemedicine provisions. Bench trial held Dec. 7-10, 2020. Plaintiffs filed letter notifying the court of FDA changes in mifepristone REMS Mar. 31, 2022.

Wyoming

No cases reported