



## 2024 Q1 Life Litigation Report

Carolyn McDonnell, M.A., J.D.\*

### Alabama

#### Federal District Court

- ***Yellowhammer Fund v. Marshall*** (M.D. Ala. No. 2:23-cv-450) – Abortion case raising the issue of whether the attorney general can prosecute individuals for assisting women to receive out-of-state elective abortions. Complaint filed July 31, 2023. Yellowhammer Fund filed a motion for summary judgment Aug. 28, 2023. State filed a motion to dismiss Aug. 28, 2023. Motion to dismiss hearing cancelled and will be reset at a later date. United States filed statement of interest in support of plaintiffs’ right to travel claim Nov. 9, 2023.

#### State Court

- ***LePage v. Center for Reproductive Medicine*** (Ala. Nos. SC-2022-0515, SC-2022-0579) – In vitro fertilization case alleging wrongful death of embryos kept in a cryogenic nursery. On Feb. 16, 2024, the Alabama Supreme Court held “the [Alabama] Wrongful Death of a Minor Act applies to all unborn children, regardless of their location.”

### 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 held the week of Nov. 13, 2023, with a decision forthcoming.

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## Arizona

### Federal District Court

- ***Isaacson v. Mayes*** (D. Ariz. No. 2:21-cv-1417) – Abortion prenatal nondiscrimination (sex, race, and disability) and prenatal rights (personhood) case. District court granted the abortionists’ motion for a preliminary injunction regarding the personhood provision. District court denied plaintiffs’ renewed motion for a preliminary injunction against the disability prenatal nondiscrimination provision Jan. 19, 2023. 9th Circuit reversed and remanded on the standing issue for the prenatal nondiscrimination provision but did not express an opinion on the merits of the claims Oct. 30, 2023. Currently in briefing before the district court on the renewed motion for a preliminary injunction. District court granted the joint stipulation of partial voluntary dismissal Dec. 22, 2023, so that the plaintiffs only retained their challenges of unconstitutional vagueness to the prenatal nondiscrimination and personhood provisions. Defendant-intervenors filed an answer Jan. 5, 2024.

### State Court

- ***Isaacson v. State of Arizona*** (Ariz. Super. Ct. No. CV2022-013091) – Abortion case requesting a declaratory judgment to reconcile Arizona’s abortion laws. Pro-life doctor and pregnancy resource center filed motion to intervene Oct. 10, 2022. Proceedings stayed Oct. 26, 2022. Trial court denied the motion to lift the stay to rule on the motion to intervene.
- ***Planned Parenthood Arizona, Inc. v. Mayes*** (Ariz. No. CV-23-0005-PR) – Abortion case challenging the pre-*Roe* law. Permanent injunction issued Mar. 27, 1973. State moved for relief from judgment July 13, 2022. Trial court lifted the permanent injunction Sept. 22, 2022. Court of appeals affirmed in part (lifting the injunction) and reversed in part (holding doctors can’t be prosecuted under the pre-*Roe* law if they comply with the 15-week limit) Dec. 30, 2022. Arizona Supreme Court granted the petition for review Aug. 22, 2023. Oral argument held Dec. 12, 2023. [Americans United for Life’s \*amicus curiae\* brief on behalf of Center for Arizona Policy.](#)

## Arkansas

No cases reported.

## California

### Federal Court of Appeals

- ***City & County of San Francisco v. Becerra*** (9th Cir. Nos. 20-16045 (lead case), 20-15398, 20-15399) – Conscience rights case regarding the HHS conscience

protection rule. Status report filed Apr. 3, 2023. Held in abeyance pending HHS rulemaking. 9th Circuit granted the motion to voluntarily dismiss the appeals Feb. 14, 2024.

- ***Planned Parenthood Federation of America, Inc. v. Center for Medical Progress*** (9th Cir. Nos. 23-4398 24-212) – Free speech case regarding David Daleiden’s undercover videos. District court issued a permanent injunction. 9th Circuit affirmed in part (most issues) and reversed and vacated in part (Federal Wiretap Act claim). 9th Circuit denied Daleiden’s petition for panel rehearing and petition for rehearing *en banc* Mar. 1, 2023. Supreme Court denied the petition for a writ of certiorari Oct. 2, 2023. District court denied defendants’ motion for relief from final judgment Dec. 5, 2023. Appealed to 9th Circuit. [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 the Affordable Care Act’s contraception mandate. District court granted Little Sisters of the Poor’s motion to intervene Jan. 19, 2023. Status report filed Jan. 29, 2024. District court extended the stay pending rulemaking.
- ***National Abortion Federation v. Center for Medical Progress*** (N.D. Cal. No. 3:15-cv-3522) – Free speech case regarding David Daleiden’s undercover videos. District court granted NAF’s motion for summary judgment and permanent injunction. 9th Circuit affirmed. 9th Circuit denied Center for Medical Progress’ petition for rehearing and petition for rehearing *en banc* Dec. 19, 2022. Supreme Court denied the petition for a writ of certiorari Oct. 2, 2023. Defendants filed a Rule 60(b)(5) motion for relief from the final judgment in the district court Feb. 15, 2024.
- ***United Spinal Association v. State of California*** (C.D. Cal. No. 2:23-cv-3107) – Assisted suicide case challenging California’s End of Life Option Act as unlawful for discriminating against persons with disabilities. Complaint filed Apr. 25, 2023. District court is considering the motions to dismiss on submission of the briefs. Compassion & Choices filed a motion to intervene Sept. 21, 2023, which is under submission by the court.

### State Court

- ***Bakersfield Crisis Pregnancy Center v. California Department of Managed Health Care*** (Cal. Super. App. No. BCV-22-102617) – Pro-life lawsuit challenging California’s Abortion Accessibility Act for funding abortion but not childbirth, alleging violations of state constitutional rights to privacy and equal protection. Court partially denied (regarding certain plaintiffs) and partially granted (regarding certain plaintiffs, but with leave to amend the complaint) the State’s demurrer and motion to strike the plaintiffs’ first amended complaint May 8, 2023. Second amended complaint filed June 6, 2023. Currently in discovery.

- ***The People of the State of California v. Heartbeat International, Inc.*** (Cal. Super. Ct. No. 23CV044940) – Anti-life case alleging abortion pill reversal groups engage in false or misleading statements and fraudulent business practices. Complaint filed Sept. 21, 2023. Demurrer filed Feb. 6, 2024.

## Colorado

### Federal District Court

- ***Bella Health and Wellness v. Weiser*** (D. Colo. No. 1:23-cv-939) – Chemical abortion pill reversal case challenging a Colorado law that prohibits abortion pill reversals. Amended complaint filed Sept. 27, 2023. District court granted the district attorneys’ motions to dismiss but denied the attorney general’s and nursing board’s motions to dismiss Oct. 21, 2023. District court granted a preliminary injunction Oct. 21, 2023.

## Connecticut

### State Court

- ***Lafo v. Ward*** (Conn. Super. Ct. Nos. LLI-CV21-6029507-S, LLI-CV22-6029930-S) – Medical malpractice case alleging the prescription of abortion inducing drugs at 22 weeks gestation. Trial set for Sept. 10, 2024. Request for leave to amend complaint (withdraw the sixth count alleging negligent hiring, training, and supervision) filed Dec. 13, 2023. Currently in discovery.

## Delaware

No cases reported.

## District of Columbia

### Federal District Court

- ***Advancing American Freedom v. U.S. Department of Justice*** (D.D.C. No. 1:23-cv-743) – Freedom of Information Act (FOIA) lawsuit to obtain records regarding the DOJ’s actions regarding pregnancy resource centers and possible failure to prosecute attacks on the centers. Complaint filed Mar. 20, 2023. Answer filed May 2, 2023. Joint status report filed Mar. 4, 2024.
- ***Frederick Douglass Foundation, Inc. v. District of Columbia*** (D.D.C. No. 1:20-cv-3346) – Free speech case alleging pro-life viewpoint discrimination. District court granted the motion to dismiss Sept. 1, 2021. Appealed to the D.C. Circuit. Oral argument held Sept. 28, 2022. D.C. Circuit reversed the dismissal of the equal protection claim Aug. 15, 2023. Answer filed Oct. 31, 2023. [\*Amicus curiae\* brief on behalf of Americans United for Life.](#)

- ***Judicial Watch, Inc. v. U.S. Department of Health and Human Services*** (D.D.C. No. 1:22-cv-3152) – Freedom of Information Act (FOIA) lawsuit to obtain records regarding chemical abortion drug stability and dissolution test results and manufacturing compliance. Complaint filed Oct. 17, 2022. Answer filed Nov. 28, 2022. Joint status report filed Mar. 15, 2024.
- ***L. v. National Air & Space Museum*** (D.D.C. No. 1:23-cv-335) – Free speech, equal protection, and Religious Freedom Restoration Act (RFRA) case in which museum staff targeted and discriminated against plaintiffs for wearing hats with the inscription, “Rosary Pro-Life.” Complaint filed Feb. 6, 2023. District court granted the joint motion for a consent preliminary injunction and referred the case to mediation Mar. 13, 2023. Stayed pending mediation. Status report filed Oct. 27, 2023. Voluntary stipulation of settlement, release, and dismissal filed Mar. 18, 2024.
- ***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). District court granted motion to dismiss for lack of subject matter jurisdiction and denied as moot plaintiff’s motion for summary judgment Oct. 24, 2023.
- ***R. v. National Archives & Records Administration*** (D.D.C. No. 1:23-cv-365) – Free speech, equal protection, and Religious Freedom Restoration Act (RFRA) case in which the National Archives’ security officers allegedly told plaintiffs to remove or cover their attire because of their pro-life messages. Complaint filed Feb. 8, 2023. Consent preliminary injunction entered and case referred to mediation Feb. 16, 2023. Stayed pending mediation. Voluntary stipulation of settlement, release, and dismissal filed Dec. 18, 2023.
- ***United States of America v. Handy*** (D.D.C. No. 1:22-cr-96) – Freedom of Access to Clinic Entrances (FACE) Act criminal case charging pro-life advocates. Jury verdict of guilty for certain defendants Aug. 29, 2023. Jury verdict of guilty for certain defendants Sept. 15, 2023. District court denied the motion for reconsideration Oct. 30, 2023. Jury verdict of guilty for Defendant Harlow Nov. 16, 2023. Sentencing hearings set for May 14, 15, & 17, & June 21, 2024.

## Florida

### Federal Court of Appeals

- ***Florida Preborn Rescue v. City of Clearwater*** (11th Cir. No. 23-13501) – Sidewalk counseling case challenging a buffer zone ordinance. District court denied the motion for a preliminary injunction Oct. 20, 2023. Interlocutory appeal filed in the 11th Circuit, which has been briefed.

### Federal District Court

- ***Heartbeat of Miami, Inc. v. Jane's Revenge*** (M.D. Fla. No. 8:23-cv-705) – Freedom of Access to Clinic Entrances (FACE) Act civil case seeking damages and injunctive relief for vandalization of pregnancy resource centers. District court dismissed the case after the parties announced a settlement Feb. 21, 2024.
- ***Moody v. Freestone*** (M.D. Fla. No. 8:23-cv-701) – Freedom of Access to Clinic Entrances (FACE) Act civil case seeking damages and injunctive relief for vandalization of pregnancy resource centers. District court dismissed the case after the parties announced a settlement Feb. 20, 2024.
- ***United States of America v. Freestone*** (M.D. Fla. No. 8:23-cr-25) – Freedom of Access to Clinic Entrances (FACE) Act criminal case alleging vandalization of pregnancy resource centers. Jury trial set for July 2024 trial term.

### State Court

- ***Hafner v. State of Florida*** (Fla. Cir. Ct. Nos. 2022-014370-CA-01 (lead), 2022-014371-CA-01, 2022-014372-CA-01, 2022-014373-CA-01, & 2022-014374-CA-01) – Abortion gestational limits (15-week) case alleging religious and free speech claims. Voluntarily dismissed Feb. 8, 2024.
- ***Planned Parenthood of Southwest and Central Florida v. State of Florida*** (Fla. Nos. SC22-1050 (lead), SC22-1127) – Abortion gestational limits (15-week) case implicating the state constitutional abortion “right.” Trial court granted temporary injunction. Court of Appeal reversed. Florida Supreme Court accepted jurisdiction. Oral argument held Sept. 8, 2023. Awaiting the decision.

## Georgia

### State Court

- ***State of Georgia v. SisterSong Women of Color Reproductive Justice Collective*** (Ga. No. S23A0421) – Abortion gestational limits (heartbeat) case, which also seeks to devise a state constitutional abortion “right.” Trial court issued a permanent injunction Nov. 15, 2022, finding the LIFE Act was void *ab initio*. Georgia Supreme Court reversed on the *ab initio* issue Oct. 24, 2023.

## Hawaii

### Federal District Court

- ***Chelius v. Becerra*** (D. Haw. No. 1:17-cv-493) – Chemical abortion case challenging mifepristone REMS. Amended complaint filed Apr. 10, 2023. District court denied the motion to stay proceedings pending *Alliance for Hippocratic Medicine v. U.S. Food & Drug Administration* (5th Cir. No. 23-10362). Plaintiffs

filed a motion to complete or, in the alternative, supplement the record Nov. 30, 2023.

## Idaho

### U.S. Supreme Court

- ***Moyle, Speaker of the Idaho House of Representatives v. United States*** (No. 23-726, 23-727) – Anti-life lawsuit to enforce the EMTALA abortion mandate. District court granted the plaintiff’s motion for a preliminary injunction Aug. 24, 2022. 9th Circuit panel stayed the injunction. 9th Circuit *en banc* vacated the stay. While the appeal was pending before the 9th Circuit, the Supreme Court granted the application for a stay of the preliminary injunction, treated the petition as a writ of certiorari before judgment, and granted the petition Jan. 5, 2024. Oral argument set for Apr. 24, 2024. [Americans United for Life’s \*amici curiae\* brief on behalf of 121 Members of Congress.](#)

### Federal Court of Appeals

- ***Matsumoto v. Labrador*** (9th Cir. No. 23-3787) – Abortion parental involvement case regarding interstate abortion trafficking law. Complaint filed July 11, 2023. Motion for a temporary restraining order or, in the alternative, a preliminary injunction filed July 24, 2023. Motion to dismiss filed Sept. 12, 2023. District court granted a preliminary injunction Nov. 8, 2023. District court granted in part (right to intrastate travel claim) and denied in part (remaining claims) the motion to dismiss Nov. 8, 2023. State appealed. Case is briefed, with oral argument set for May 7, 2024.
- ***Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, Kentucky v. Labrador*** (9th Cir. No. 23-35518) – Abortion case challenging the Idaho Attorney General’s guidance that Idaho law prohibits Idaho medical professionals from referring for abortion across state lines, alleging violations of Free Speech, Commerce, and Due Process Clauses. District court granted the motion for a preliminary injunction in part (regarding the attorney general), denied it in part (regarding the state boards of medicine and nursing), and deferred it in part (regarding individual county prosecuting attorneys) July 31, 2023. District court denied the motion to dismiss regarding the attorney general July 31, 2023. Case is briefed before the 9th Circuit, with oral argument set for Mar. 27, 2024.
- ***The Satanic Temple v. Little*** (9th Cir. No. 24-1243) – Abortion case challenging the conditional law and gestational limits (heartbeat), under the Takings Clause, Involuntary Servitude Clause, Equal Protection Clause, and Idaho Religious Freedom Act. Amended complaint filed Dec. 13, 2022. Motion to dismiss filed Mar. 14, 2023. Motion to dismiss hearing held Dec. 6, 2023. District court granted motion to dismiss Jan. 31, 2024. Appeal filed in the 9th Circuit.

### Federal District Court

- ***Idaho Federation of Teachers v. Labrador*** (D. Idaho No. 1:23-cv-353) – Abortion funding restriction case challenged under free speech principles. Complaint and motion for a preliminary injunction filed Aug. 8, 2023. Motions to dismiss filed Oct. 26 & Nov. 2, 2023.

### State Court

- ***Adkins v. State of Idaho*** (Idaho Dist. Ct. No. CV01-23-14744) – Abortion case seeking clarification of abortion medical exceptions. District court granted in part (*ultra vires*, equal rights of pregnant people, and due process rights of physicians claims) and denied in part (declaratory judgment and inalienable rights of pregnant people claims) the motion to dismiss Dec. 29, 2023. Trial set for Nov. 12, 2024.

## Illinois

### Federal Court of Appeals

- ***Coalition for Life St. Louis v. City of Carbondale, Illinois*** (7th Cir. No. 23-2367) – Sidewalk counselors’ case challenging a bubble zone ordinance. District Court granted the motion to dismiss because *Hill v. Colorado* is precedential. 7th Circuit affirmed Mar. 8, 2024.

### Federal District Court

- ***National Institute of Family and Life Advocates v. Raoul*** (N.D. Ill. No. 3:23-cv-50279) – Free speech case challenging a law that criminalizes the “deceptive practices” of pregnancy centers. Complaint filed July 27, 2023. Answer filed Sept. 8, 2023. District court entered the agreed permanent injunction order Dec. 14, 2023. District court granted the plaintiffs’ motion for an extension of time to file and to convene a settlement conference Mar. 18, 2024.
- ***National Institute of Family and Life Advocates v. Rauner*** (N.D. Ill. No. 3:16-cv-50310) – Free speech case regarding an anti-pregnancy center law. Parties filed cross-motions to strike expert testimony July 11, 2022. Court asked for briefing on the effect, if any, of *Doe v. Rokita*, No. 22-2748 (7th Cir. Nov. 28, 2022). On Jan. 17, 2023, the district court indicated the case will proceed to trial. Consolidated with *Schroeder v. Treto* (N.D. Ill. No. 1:17-cv-4663) for trial. Bench trial held Sept. 20–22, 2023. Post-trial briefing has concluded.
- ***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 a motion to dismiss for lack of jurisdiction April 28, 2022. Answer filed June 27, 2022. No recent major action. Defendant filed a notice of supplemental authority Oct. 27, 2023.



## Indiana

### Federal Court of Appeals

- ***The Satanic Temple v. Holcomb*** (7th Cir. Ind. No. 23-3247) – Abortion case challenging the abortion abolition law under the Takings Clause, Involuntary Servitude Clause, Equal Protection Clause, and Indiana Religious Freedom Restoration Act. District court granted the State’s motion to dismiss Oct. 25, 2023. Plaintiff appealed to the 7th Circuit, which is currently in briefing.

### Federal District Court

- ***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 a pro-choice challenge to Notre Dame’s exception to the contraceptive mandate. Stayed pending rulemaking. Status report filed Feb. 12, 2024.
- ***Planned Parenthood of Indiana & Kentucky v. Commissioner, Indiana State Department of Health*** (S.D. Ind. No. 1:17-cv-1636) – Abortion parental notice case. Supreme Court granted, vacated, and remanded the case for further consideration in light of *Dobbs*. 7th Circuit vacated the preliminary injunction barring enforcement of the parental notice provision and remanded the case for further proceedings. District court approved the parties’ briefing schedule regarding the remaining issues of life, rape, and incest exceptions, and the provision prohibiting aiding an unemancipated minor to obtain an abortion. Abortionists and state filed cross-motions for summary judgment, Dec. 16, 2022 & Jan. 18, 2023, respectively. District court granted the plaintiff’s voluntary dismissal of their challenge to the identification-and-affidavit provision Aug. 31, 2023. [Amicus curiae brief on behalf of Americans United for Life.](#)
- ***State of Indiana ex rel. Rokita v. Indiana University Health, Inc.*** (S.D. Ind. No. 1:23-cv-1665) – HIPAA lawsuit concerning the disclosure of patient medical information of a minor rape victim who sought an abortion. Complaint filed Sept. 15, 2023. Motion to dismiss filed Nov. 14, 2023.

### State Court

- ***Anonymous Plaintiffs 1-5 v. The Individual Members of the Medical Licensing Board of Indiana*** (Ind. Ct. App. No. 22A-PL-02938) – Challenge to the abortion abolition law alleging a state Religious Freedom Restoration Act (RFRA) claim. Trial court granted the motion for a preliminary injunction Dec. 2, 2022. Appealed. Indiana Court of Appeals oral argument held Dec. 6, 2023.
- ***Members of the Medical Licensing Board of Indiana v. Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, Kentucky, Inc. v.*** (Ind. Cir. Ct. No. 53C06-2208-PL-001756) – Challenge to the abortion abolition law, which also seeks to devise a state constitutional abortion “right.” On June 30, 2023, the Indiana Supreme Court held the state constitution provides a right

to an abortion to protect the mother’s life or prevent “a serious health risk,” but the legislature otherwise has broad authority to regulate abortion. Petition for rehearing denied Aug. 21, 2023. Amended complaint and motion for a preliminary injunction filed in the trial court Nov. 9, 2023. Circuit court consolidated the trial with the hearing on the pending preliminary injunction motion Nov. 21, 2023. Bench trial scheduled for May 29–31, 2024.

## Iowa

### State Court

- ***Planned Parenthood of the Heartland, Inc. v. Reynolds*** (Iowa Dist. Ct. No. 05771 EQCE089066) – Abortion gestational limits (heartbeat) case. Petition for a declaratory judgment and injunctive relief filed July 12, 2023. Temporary injunction issued July 17, 2023. Appealed to state supreme court. Briefing is complete, with oral argument set for April 11, 2024.

## Kansas

### State Court

- ***Hodes & Nauser v. Kobach*** (Kan. No. 124130) – Abortion gestational limits (dismemberment) case. Granted the plaintiffs’ motion for summary judgment to permanently enjoin the law Apr. 7, 2021. Appealed to the Kansas Supreme Court. Oral argument held March 27, 2023.
- ***Hodes & Nauser v. Kobach*** (Kan. Dist. Ct. No. 2023-cv-03140) – Abortion informed consent (abortion pill reversal disclosure) case. Complaint filed June 6, 2023. Motion to dismiss filed Aug. 25, 2023. Trial court issued a temporary injunction Oct. 30, 2023. State appealed.
- ***Hodes & Nauser v. Stanek*** (Kan. No. 125051) – Health and safety (licensing) and chemical abortion (telemedicine) case. Trial court granted the plaintiff’s motion for summary judgment. State appealed. Oral argument held March 27, 2023.
- ***Trust Women Foundation Inc. v. Bennett*** (Kan. Dist. Ct. No. 2019-cv-60) – Chemical abortion (telemedicine) case. Kansas Court of Appeals reversed the denial of the temporary injunction and held that Trust Women had standing to sue the Board of Healing Arts. Kansas Supreme Court denied the state officials’ petition for review. Trial court granted a temporary injunction Nov. 23, 2022. District court granted the abortionists’ unopposed motion to stay proceedings Mar. 13, 2023.

## Kentucky

### U.S. Supreme Court

- ***Clark v. Bendapudi*** (No. 23-438) – Free speech case regarding pro-life viewpoint discrimination. Amended complaint filed. District court granted the motion to dismiss Sept. 30, 2022. 6th Circuit affirmed July 25, 2023. Supreme Court denied the petition for a writ of certiorari Dec. 11, 2023.

### Federal District Court

- ***EMW Women’s Surgical Center v. Friedlander*** (W.D. Ky. No. 3:17-cv-189) – Abortion health and safety (transfer agreement) case. District court granted the plaintiffs’ motion to voluntarily dismiss the case Dec. 14, 2023.
- ***Sisters for Life, Inc. v. Louisville-Jefferson County, KY Metro Government*** (W.D. Ky. Nos. 3:21-cv-367 (lead), 3:21-cv-691) – Sidewalk counselors’ case challenging the buffer zone law. District court issued a preliminary injunction Jan. 3, 2023. Plaintiffs filed motions for summary judgment Mar. 16, 2023. Defendants filed a motion to dismiss Mar. 16, 2023. Parties briefed whether the case is moot.

### State Court

- ***Sobel v. Cameron*** (Ky. Cir. Ct. No. 22-CI-005189) – Abortion conditional law case, alleging a free exercise claim. Complaint filed Oct. 6, 2022. Removed to federal court. District court granted the plaintiffs’ motion to remand to state court Dec. 14, 2022. Plaintiffs filed a motion for summary judgment Apr. 4, 2023.

## Louisiana

### State Court

- ***June Medical Services, LLC v. Landry*** (La. Ct. App. No. 2022 CA 1042) – Abortion conditional law case. Preliminary injunction issued July 21, 2022. Court of Appeal lifted the preliminary injunction Aug. 1, 2022. Louisiana Supreme Court denied the abortionists’ emergency writ, allowing the conditional law to remain in effect Aug. 12, 2022. Court of Appeal reversed and remanded Aug. 16, 2023.

## Maine

No cases reported.

## Maryland

### Federal District Court

- ***GenBioPro, Inc. v. U.S. Food & Drug Administration*** (D. Md. No. 8:23-cv-1057) – Drug manufacturer seeking to keep its generic chemical abortion drug on the market. Complaint filed Apr. 19, 2023. Case stayed pending *Alliance for Hippocratic Medicine v. U.S. Food & Drug Administration*. Status report filed Aug. 30, 2023.

## Massachusetts

### State Court

- ***Doe v. Clearway Clinic, Inc.*** (Mass. Super. Ct. No. \_\_\_) – Class action against a pregnancy resource center for allegedly deceptive practices. Complaint filed June 22, 2023.

## Michigan

### Federal District Court

- ***Right to Life of Michigan v. Whitmer*** (W.D. Mich. No. 1:23-cv-1189) – Pro-life challenge to the state constitutional right to “reproductive freedom.” First amended complaint filed Feb. 20, 2024. Motion to dismiss filed Mar. 19, 2024.
- ***United States of America v. Zastrow*** (E.D. Mich. No. 2:23-cr-20100) – Freedom of Access to Clinic Entrances (FACE) Act criminal case charging pro-life advocates. Guilty plea entered for Defendant Davis Aug. 9, 2023. District court denied the motion to dismiss and motions to quash Sept. 28, 2023. Sentencing hearing set for Defendant Davis for May 14, 2024.

### State Court

- ***Northland Family Planning Center v. Nessel*** (Mich. Ct. Cl. No. 24-000011-MM) – Informed consent (reflection period and informational disclosures) and physician-only rule case alleging infringement upon the state constitutional amendment protecting abortion. Complaint and motion for a preliminary injunction filed Feb. 6, 2024. Court granted the State of Michigan’s motion to intervene Mar. 14, 2024.

## Minnesota

### Federal District Court

- ***Pro-Life Action Ministries v. City of Minneapolis*** (D. Minn. No. 0:23-cv-853) – Sidewalk counseling case challenging a buffer zone ordinance. Amended

complaint filed May 15, 2023. Motion to dismiss filed June 5, 2023. Hearing held Oct. 16, 2023. District court granted in part (freedom of association and vagueness claims) and denied in part (free speech, free exercise, and overbreadth claims) the motion to dismiss Oct. 30, 2023.

### State Court

- ***Anderson v. Aitkin Pharmacy Services, LLC*** (Minn. Ct. App. Nos. A23-0374 (lead) & A23-0484) – Conscience case alleging sex discrimination when a pharmacist conscientiously objected to filling an emergency contraception prescription. Jury found no sex discrimination occurred, but plaintiff was entitled to damages for emotional harm. Trial court denied plaintiff’s motion for a new trial. Minnesota Court of Appeals heard oral arguments on Dec. 21, 2023, and a decision is pending.
- ***Doe v. State of Minnesota*** (Minn. Ct. App. No. A23-0620) – Omnibus abortion case regarding health and safety, reporting, informed consent, fetal remains, and parental notification provisions. Trial court granted in part and denied in part abortionists’ motion for summary judgment, permanently enjoining most challenged provisions. Trial court denied motion to intervene by Traverse County Attorney. Minnesota Court of Appeals affirmed the denial of the Traverse County Attorney’s motion to intervene (Minn. Ct. App. No. A22-1265). Trial court denied Mothers Offering Maternal Support’s (“MOMS”) motion to intervene Mar. 14, 2023. Minnesota Court of Appeals affirmed the denial of MOMS’ application to intervene Feb. 12, 2024.

## Mississippi

### State Court

- ***American Association of Pro-life Obstetricians and Gynecologists v. Mississippi State Board of Medical Licensure*** (Miss. Ch. Ct. No. 25CH1:22-cv-01371) – Pro-life lawsuit seeking a declaratory judgment that Mississippi’s abortion abolition law is lawful under the state constitution. Complaint filed Nov. 14, 2022. Hearing held on motions to dismiss and motion for judgment on the pleadings Aug. 2023.

## Missouri

### State Court

- ***Blackmon v. State of Missouri*** (Mo. Cir. Ct. No. 2322-CC00120) – Abortion conditional law case alleging state religious claims. State filed a motion for judgment on the pleadings Sept. 20, 2023. Circuit court granted the motion to dismiss the cross-claim petition Sept. 29, 2023. Cross-claimant appealed (Mo. No.

SC100367). Missouri Supreme Court sustained the motion to dismiss appeal for lack of standing and ripeness Dec. 18, 2023.

- ***Planned Parenthood of the St. Louis Region v. Missouri Department of Social Services*** (Mo. No. SC99966) – Abortion funding restriction case concerning the exclusion of abortion providers from receiving Medicaid appropriations. Circuit court entered judgment in favor of Planned Parenthood Dec. 28, 2022. Missouri Supreme Court affirmed Feb. 14, 2024. Motion for rehearing filed Feb. 29, 2024.
- ***State of Missouri v. Planned Parenthood Great Plains*** (Miss. Cir. Ct. No. 24BA-CV00990) – Abortion parental involvement case regarding interstate abortion trafficking. Complaint filed Feb. 29, 2024.

## Montana

### State Court

- ***All Families Healthcare v. State of Montana*** (Mont. Dist. Ct. No. DV-23-592) – Abortion health and safety (clinic licensing) case. Complaint filed Sept. 1, 2023. Currently in briefing over plaintiffs’ motion for a preliminary injunction. Motion to dismiss filed Sept. 22, 2023.
- ***Montanans Securing Reproductive Rights v. Knudsen*** (Mont. No. OP 24-0052) – Pro-abortion ballot initiative seeking to place the initiative on the 2024 ballot. Petition for declaratory relief on original jurisdiction filed Jan. 26, 2024.
- ***Planned Parenthood of Montana v. Montana*** (Mont. Dist. Ct. No. DV-21-0999) – Abortion “minibus” case regarding 20-week limit, chemical abortion, ultrasound viewing, and fetal heart tone provisions. Trial court granted preliminary injunction Oct. 7, 2021. Montana Supreme Court affirmed on Aug. 15, 2022, refusing to reconsider *Armstrong* at the preliminary injunction stage of litigation. Cross-motions for summary judgment filed Apr. 21, 2023 (abortionists) and May 12, 2023 (State), which are briefed and awaiting oral argument. District court granted Planned Parenthood’s motion for summary judgment Feb. 29, 2024.
- ***Planned Parenthood of Montana v. Montana*** (Mont. Dist. Ct. No. DV-25-2023-231) – Abortion gestational limits (dismemberment) case. Amended complaint filed May 3, 2023. State filed a renewed motion to dismiss May 4, 2023. Temporary restraining order issued May 18, 2023. Trial court granted the plaintiffs’ motions for a preliminary injunction July 11, 2023.
- ***Planned Parenthood of Montana v. Montana*** (Mont. No. DA 23-0272) – Abortion challenge to the parental consent law. District court permanently enjoined the parental consent law but ordered a trial on the notification law Feb. 21, 2023. Appealed to the Montana Supreme Court. Case is briefed. Oral argument was held Mar. 6, 2024.
- ***Planned Parenthood of Montana v. Montana*** (Mont. No. DA 23-0287) – Abortion funding restriction case challenging the state “Hyde Amendment.” Amended complaint filed May 18, 2023. Trial court issued a preliminary

injunction May 22, 2023. Appealed to the Montana Supreme Court. Case is briefed.

## Nebraska

### State Court

- ***Planned Parenthood of the Heartland, Inc. v. Hilgers*** (Neb. 23-644) – Abortion gestational limits (12 weeks) case challenging Nebraska L.B. 574. District court granted the motion to dismiss and denied the plaintiffs’ motions for a temporary injunction and summary judgment Aug. 11, 2023. Planned Parenthood appealed Aug. 18, 2023. Case is briefed, with oral argument held on Mar. 5, 2024.

## Nevada

### State Court

- ***Silver State Hope Fund v. State of Nevada*** (Nev. Dist. Ct. No. A-23-876702-W) – Mandamus action seeking Medicaid funding of abortion under the Nevada Equal Rights Amendment. Petition for a writ of mandamus filed Aug. 28, 2023. Nevada Legislature filed a motion to intervene Dec. 22, 2023. District court denied the Nevada Legislature’s motion to intervene Mar. 7, 2024. District court indicated it would issue a written order directing the Nevada Department of Health and Human Services to remove the abortion funding restriction Mar. 19, 2024.

## New Hampshire

No cases reported.

## New Jersey

### Federal Court of Appeals

- ***Turco v. City of Englewood, New Jersey*** (3d Cir. No. 22-2647) – Sidewalk counseling case challenging a buffer zone ordinance. District court entered judgment in favor of the city Aug. 12, 2022. 3d Circuit affirmed Jan. 31, 2024.

### Federal District Court

- ***Govatos v. Murphy*** (D.N.J. No. 1:23-cv-12601) – Assisted suicide case challenging New Jersey’s residency requirements. Complaint filed Aug. 29, 2023. Motion to dismiss filed Jan. 31, 2024.

## New Mexico

### State Court

- ***City of Eunice v. Torrez*** (N.M. Dist. Ct. No. D-506-CV-202300407) – Pro-life lawsuit seeking to enforce a city ordinance which requires compliance with federal restrictions on the mailing of chemical abortion drugs. Complaint filed Apr. 17, 2023. Proceedings stayed June 2, 2023.
- ***State of New Mexico ex rel. Raul Torrez v. Board of County Commissioners for Lea County*** (N.M. No. S-1-SC-39742) – Mandamus action, which seeks to devise a state constitutional abortion “right.” Attorney General filed writ of mandamus with New Mexico Supreme Court Jan. 23, 2023. Oral argument held Dec. 13, 2023.

## New York

### U.S. Supreme Court

- ***Vitagliano v. County of Westchester, New York*** (No. 23-74) – Sidewalk counseling case challenging bubble zone law. District court held the plaintiff lacked Article III standing and the claims failed as a matter of law. 2nd Circuit vacated in part (standing) and affirmed in part (failing as a matter of law). Petition for a writ of certiorari filed in the Supreme Court July 21, 2023. Supreme Court denied the petition for a writ of certiorari Dec. 11, 2023. [Amicus curiae brief on behalf of Americans United for Life.](#)

### Federal Court of Appeals

- ***40 Days for Life v. County of Westchester*** (2d Cir. No. 23-804) – Sidewalk counselors’ case challenging a buffer zone law on free speech, free assembly, due process, and free exercise of religion grounds. District court denied the motion for a preliminary injunction Apr. 24, 2023. Appeal is briefed before the 2d Circuit. Oral argument set for May 7, 2024.
- ***CompassCare v. Hochul*** (2d Cir. Nos. 22-951 (lead), 22-1076) – Conscience rights case regarding the abortion-related “Boss Bill.” District court granted the 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. Stay lifted. Oral argument held Dec. 14, 2023.
- ***Smith v. Hochul*** (2d Cir. No. 23-686) – Prenatal rights case regarding the rights of viable unborn children under the Reproductive Health Act. District court denied plaintiffs’ post-*Dobbs* motions seeking to reopen the judgment, next friend appointments, and leave to file an amended complaint Mar. 22, 2023. Appealed to the 2d Circuit. Briefed, with oral argument held Mar. 1, 2024.



### Federal District Court

- ***Crisis Pregnancy Services, Inc. d/b/a/ CompassCare v. Kamke*** (W.D.N.Y. No. 1:23-cv-1057) – Freedom of Access to Clinic Entrances (FACE) Act civil case seeking damages and injunctive relief for vandalization of a pregnancy resource center. Amended complaint filed Jan. 8, 2024. Motion to dismiss filed Mar. 13, 2024.
- ***People of the State of New York, by Letitia James v. Red Rose Rescue*** (S.D.N.Y. No. 7:23-cv-4832) – Freedom of Access to Clinic Entrances (FACE) Act civil case seeking damages and injunctive relief against Red Rose Rescue. Complaint filed June 8, 2023. District court granted the preliminary injunction in part Dec. 7, 2023.
- ***Slattery v. Hochul*** (N.D.N.Y. No. 1:20-cv-112) – Conscience rights case regarding the abortion-related “Boss Bill.” District court granted the motion to dismiss. 2nd Circuit reversed Evergreen Association’s expressive association claim, affirmed the judgment in all other respects, and remanded for further proceedings Feb. 27, 2023. Answer filed May 5, 2023.

## North Carolina

### Federal District Court

- ***Bryant v. Stein*** (M.D.N.C. No. 1:23-cv-77) – Chemical abortion case alleging the preemption of pro-life state laws. Amended complaint filed Aug. 7, 2023. Motion to dismiss filed Aug. 14, 2023.
- ***Planned Parenthood South Atlantic v. Stein*** (M.D.N.C. No. 1:23-cv-480) – Abortion gestational limits (12 weeks) case, alleging due process violations for vagueness and impossibility of compliance among other federal claims for relief. District court granted the motion for a preliminary injunction Sept. 30, 2023. Joint stipulation of partial dismissal filed regarding the vagueness challenge to whether hospitals can use medication to induce abortions in cases of rape or incest after the twelfth week of pregnancy Dec. 1, 2023. Planned Parenthood filed a motion for summary judgment Mar. 1, 2024. Bench trial set for July 22, 2024.

## North Dakota

### Federal District Court

- ***Mayo Pharmacy, Inc. v. Becerra*** (D.N.D. No. 1:23-cv-130) – Pro-life challenge to HHS’ guidance that requires pharmacies to dispense chemical abortion drugs in violation of state law purportedly as a condition of accepting certain federal funds. The Western District of Texas (No. 7:23-cv-22) transferred venue for Mayo Pharmacy’s Religious Freedom Restoration Act (RFRA) claim July 13, 2023. District court stayed the case pending the outcome of *State of Texas v. Becerra* (W.D. Tex. No. 7:23-cv-22). Status report filed Jan. 22, 2024.

## State Court

- ***Access Independent Health Services, Inc., d/b/a Red River Women's Clinic v. Wrigley*** (N.D. Dist. Ct. No. 08-2022-CV-01608) – Abortion conditional law case, which also seeks to devise a state constitutional abortion “right.” North Dakota Supreme Court denied relief on Mar. 16, 2023, holding the abortionists “demonstrated likely success on the merits that there is a fundamental right to an abortion in the limited instances of life-saving and health-preserving circumstances, and the statute is not narrowly tailored to satisfy strict scrutiny.” Amended complaint filed Aug. 15, 2023, challenging the heartbeat law. Trial court adopted the stipulation for non-enforcement pending the final resolution between the parties Oct. 26, 2023. District court denied the motion for a preliminary injunction Jan. 22, 2024.

## Ohio

### Federal Court of Appeals

- ***State of Ohio v. Becerra*** (6th Cir. No. 21-4235) – Pro-life challenge that HHS’ 2021 final rule violates abortion funding restrictions. District court denied plaintiffs’ motion for a preliminary injunction. 6th Circuit affirmed in part (program integrity requirements) and reversed in part (abortion referral mandate) Nov. 30, 2023. [Amicus curiae brief on behalf of Americans United for Life](#).

### Federal District Court

- ***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 a motion for judgment on the pleadings May 27, 2021. Preterm filed a cross-motion for judgment on the pleadings and motion to stay June 17, 2021. District court entered the stipulation of dismissal without prejudice Feb. 9, 2024.

## 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. Court granted abortionists’ motion to stay proceedings pending appeal of the preliminary injunction in *Preterm-Cleveland v. Yost* (Ohio No. 2023-0004).
- ***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. Court granted abortionists’ motion to stay case pending proceedings in *Preterm-Cleveland v. Yost* (Ohio No. 2023-0004).

- ***Preterm-Cleveland v. Yost*** (Ohio No. 2023-0004) – Abortion gestational limits (heartbeat) case, also seeking to devise a state constitutional abortion “right.” Ohio Supreme Court dismissed the appeal *sua sponte* due to a change in the law Dec. 15, 2023.
- ***Women’s Medical Group Professional Corp. v. Vanderhoff*** (Ohio Ct. C.P. No. A2200704) – Abortion health and safety case challenging licensing requirements in S.B. 157. Defendants filed a motion to dismiss, or in the alternative, for summary judgment. Trial court granted preliminary injunction effective until June 21, 2022. Plaintiffs filed a second motion for preliminary injunction. Trial court denied State’s motion to dismiss, or in the alternative, for summary judgment June 13, 2022. Trial court granted plaintiffs’ motion for preliminary injunction June 17, 2022. Trial court granted abortionists’ motion to stay proceedings pending *Preterm-Cleveland v. Yost* (Ohio No. 2023-0004).

## Oklahoma

### Federal District Court

- ***State of Oklahoma v. United States Department of Health and Human Services*** (W.D. Okla. No. 5:23-cv-1052) – Pro-life challenge to HHS’ termination of Title X grant funding because Oklahoma won’t commit to providing abortion referrals. Complaint filed Nov. 17, 2023. Motion for a preliminary injunction filed Jan. 26, 2024. Answer filed Feb. 21, 2024.

### State Court

- ***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 abortion abolition case. Temporary injunction granted in part and denied in part Oct. 7, 2021. Oklahoma Supreme Court vacated and remanded for further proceedings on the merits Nov. 14, 2023. Oklahoma Supreme Court denied the State’s petition for rehearing Feb. 5, 2024. State filed a motion to dismiss in the district court Mar. 8, 2024. Motion to dismiss hearing set for April 17, 2024.
- ***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 the temporary injunction Oct. 1, 2021. No recent major action.
- ***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 a temporary injunction pending appeal Nov. 4, 2019. On Mar. 11, 2024, the Oklahoma Supreme Court granted the State’s motion to dismiss the appeal and lifted the temporary injunction because the abortion clinic moved out of state and “is no longer an active domestic limited liability company in the State of Oklahoma and, thus, lacks good standing to maintain the present action.”

## Oregon

No cases reported.

## 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 the State. Commonwealth Court affirmed. Pennsylvania Supreme Court reversed and remanded for further proceedings, holding a sex-based distinction is presumptively unconstitutional under state equal protection principles, and there is a state constitutional right to reproductive autonomy. [Amicus curiae brief on behalf of Americans United for Life.](#)

## Rhode Island

No cases reported.

## South Carolina

### Federal Court of Appeals

- ***Kerr v. Planned Parenthood South Atlantic*** (4th Cir. No. 21-1043) – 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 granted, vacated, and remanded for further consideration in light of *Health and Hospital Corporation of Marion County, Indiana v. Talevski*. The parties filed supplemental briefing in the 4th Circuit. Fourth Circuit affirmed Mar. 5, 2024. [Amicus curiae brief on behalf of Americans United for Life.](#)

### State Court

- ***Planned Parenthood South Atlantic v. South Carolina*** (S.C. Ct. C.P. No. 2024-CP-40-00762) – Abortion gestational limits (heartbeat) case, seeking to clarify the question of when the heartbeat law bans abortion. Complaint and motion for a temporary injunction filed Feb. 5, 2024. Governor McMaster filed a motion to intervene Feb. 7, 2024. Governor McMaster filed a motion to dismiss Feb. 23, 2024. State filed a motion to dismiss Mar. 4, 2024. Motions hearing set for May 2, 2024.

## South Dakota

No cases reported.

## Tennessee

### Federal District Court

- ***State of Tennessee v. Becerra*** (E.D. Tenn. No. 3:23-cv-384) – Pro-life challenge to HHS’ termination of Title X grant funding because Tennessee won’t commit to providing abortion referrals. Complaint filed Oct. 24, 2023. District court denied the motion for a preliminary injunction Mar. 11, 2024.
- ***United States of America v. Gallagher*** (M.D. Tenn. No. 3:22-cr-327) – Freedom of Access to Clinic Entrances (FACE) Act criminal case charging pro-life advocates. Defendant Davis pled guilty Oct. 12, 2023. Jury verdict of guilty for six defendants Jan. 30, 2024. Bench trial set for Apr. 2, 2024 for remaining four defendants. Sentencing hearing for Defendant Davis set for Apr. 24, 2024. Sentencing hearing set for six defendants on July 2 & 3, 2024.

### State Court

- ***Blackmon v. State of Tennessee*** (Tenn. Ch. Ct. No. 23-1196-I) – Abortion challenge to the abortion law’s medical exceptions. Tennessee Supreme Court designated a three-judge panel for the case Sept. 21, 2023. Amended complaint and motion for a temporary injunction filed Jan. 8, 2024. Motion to dismiss the amended complaint filed Jan. 31, 2024. Hearings set for Apr. 4, 2024.

## Texas

### U.S. Supreme Court

- ***Food & Drug Administration v. Alliance for Hippocratic Medicine*** (Nos. 23-235 & 23-236) – Pro-life challenge to the FDA’s approval and deregulation of chemical abortion drugs. District court issued a Section 705 stay of the FDA’s 2000 approval of mifepristone. 5th Circuit stayed the district court’s ruling in part. Supreme Court stayed the district court’s ruling pending resolution of appeals. 5th Circuit affirmed in part (2016 amendments and 2021 non-enforcement decision) and vacated in part (2000 approval and 2019 generic drug approval). Petition for a writ of certiorari filed in the Supreme Court Sept. 8, 2023. Supreme Court granted the petitions for a writ of certiorari and consolidated the FDA’s and Danco’s cases Dec. 13, 2023. Briefed, with oral argument set for Mar. 26, 2024. [Americans United for Life’s amicus curiae brief on behalf of 145 Members of Congress.](#) [Amicus curiae brief on behalf of Americans United for Life.](#)

## Federal Court of Appeals

- ***Deanda v. Becerra*** (5th Cir. No. 23-10159) – Contraceptive case alleging Title X funds violate the Texas Family Code and parental rights. District court granted Deanda’s motion for summary judgment and denied Becerra’s cross-motion. District court entered final judgment Dec. 20, 2022. Becerra appealed to the 5th Circuit. 5th Circuit affirmed in part (standing and holding that Title X does not preempt Texas’ parental consent law) and reversed in part (vacation of Title X regulation that forbids grantees from notifying parents or obtaining their consent) Mar. 12, 2024.
- ***State of Texas v. Becerra*** (5th Cir. No. 23-10246) – Pro-life challenge to the EMTALA abortion mandate. District court entered a permanent injunction against the abortion mandate Jan. 13, 2023. HHS appealed to the 5th Circuit. Fifth Circuit affirmed Jan. 2, 2024. [Amicus curiae brief filed on behalf of Americans United for Life.](#)
- ***The Satanic Temple, Inc. v. Texas Health and Human Service Commission*** (5th Cir. No. 23-20329) – Abortion informed consent (ultrasound) law, alleging infringement on free exercise of religion. District court granted the motion to dismiss July 3, 2023. Appealed, but then the appellants dismissed the appeal indicating they would replead.
- ***United States of America ex rel. Doe v. Planned Parenthood Federation of America Inc.*** (5th Cir. No. 23-11184) – False Claims Act lawsuit alleging Planned Parenthood engaged in civil fraud. District court granted in part plaintiffs’ motions for summary judgment. District court stayed proceedings pending the Fifth Circuit appeal Jan. 11, 2024. Parties briefed the 5th Circuit, and the court heard oral argument on Mar. 13, 2024.
- ***Yelp Inc. v. Paxton*** (9th Cir. No. 24-581) – Case seeking to prevent Texas from prosecuting Yelp under Texas state law for anti-pregnancy resource center speech. Complaint filed Sept. 27, 2023. Motion for a preliminary injunction filed Oct. 2, 2023. Motion hearing held Nov. 7, 2023. District court denied plaintiff’s motion for a preliminary injunction. Appealed to the 9th Circuit. Currently in briefing.

## Federal District Court

- ***Alliance for Hippocratic Medicine v. U.S. Food & Drug Administration*** (N.D. Tex. No. 2:22-cv-00223). Pro-life challenge to the FDA’s approval and deregulation of chemical abortion drugs. The appeal of the Section 705 stay is pending in the Supreme Court (Nos. 23-235 & 23-236). District court granted the motion to intervene for Missouri, Kansas, and Idaho Jan. 12, 2024.
- ***State of Texas v. Becerra*** (W.D. Tex. No. 7:23-cv-22) – Pro-life challenge to HHS’ guidance that requires pharmacies to dispense chemical abortion drugs in violation of state law purportedly as a condition of accepting certain federal funds. Amended complaint filed Feb. 28, 2023. Motion to dismiss filed May 8,

2023. District court granted the motion to dismiss in part (transferring venue for the Religious Freedom Restoration Act (RFRA) claim) and denied in part (remaining arguments) July 12, 2023. Plaintiffs filed a motion for summary judgment Sept. 15, 2023. HHS filed a cross-motion for summary judgment Oct. 20, 2023. Motion hearing held Jan. 26, 2024.

- ***Strader v. CVS Health Corporation*** (N.D. Tex. No. 4:23-cv-38) – Conscience rights case alleging CVS revoked a nurse practitioner’s religious accommodation to conscientiously object to prescribing contraception and abortifacient drugs. Complaint filed Jan. 11, 2023. Amended answer filed Apr. 7, 2023. Trial set for Nov. 18, 2024.

### State Court

- ***Antoun v. Antoun*** (Tex. No. 23-0727) – Divorce case implicating the legal status of cryogenically frozen embryos. Trial court held the husband had dispositional authority over the frozen embryos per the contract with the in vitro fertilization facility. Texas Court of Appeals affirmed “the trial court did not abuse its discretion in treating the embryos in question as property subject to contractual requirements between the parties.” Texas Court of Appeals denied the motion for *en banc* reconsideration Aug. 3, 2023. Texas Supreme Court accepted review. Currently in briefing on the merits of the case.
- ***In re Brittini Silva*** (Tex. Ct. App. No. 14-23-00834-CV) – Mandamus action requesting relief from the district court’s order (Tex. Dist. Ct. No. 23-CV-0375) compelling relator to produce documents allegedly protected by the Fifth Amendment. Petition for a writ of mandamus filed Nov. 2, 2023.
- ***In re State of Texas*** (Tex. No. 23-0994) – Lawsuit seeking an abortion exception for a severe fetal disability. Texas Supreme Court vacated the temporary restraining order finding the doctor hadn’t asserted the pregnant woman had a “life-threatening physical condition,” nor is a court order necessary for a woman to obtain a life-saving abortion since it is up to a doctor’s reasonable medical judgment Dec. 11, 2023.
- ***North Texas Equal Access Fund v. Maxwell*** (Tex. Ct. App. No. 02-22-00347-CV) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Trial court granted the motion to dismiss. Texas Court of Appeals affirmed.
- ***San Antonio Family Association v. City of San Antonio*** (Tex. Dist. Ct. No. 2023-CI-22459) – Pro-life challenge to San Antonio’s appropriations for abortion travel. Plea to the jurisdiction filed Jan. 30, 2024. Second amended petition filed Mar. 18, 2024. Hearing on plea to the jurisdiction set for Mar. 28, 2024.
- ***Silva v. Noyola*** (Tex. Dist. Ct. No. 23-CV-0375) – Abortion case alleging the wrongful death of an aborted unborn child. District court denied the plea to the jurisdiction Sept. 28, 2023. Jury trial set for May 13, 2024, but Silva and defendant Garcia filed a motion for continuance of the trial date until the Court of Appeals rules on non-party Brittini Silva’s (the woman who allegedly had an abortion) petition for a writ of mandamus (Tex. Ct. App. No. 14-23-00834-CV).

- ***State of Texas v. Yelp Inc.*** (Tex. Dist. Ct. No. 2519-335) – Lawsuit alleging Yelp engaged in deceptive trade practices by making anti-pregnancy resource center “consumer notices” on the centers’ business pages. Original petition filed Sept. 28, 2023.
- ***Van Stean v. Texas Right to Life*** (Tex. No. 23-0468) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Trial court declared certain civil procedures unconstitutional and issued a declaratory judgment Dec. 9, 2021. Texas Court of Appeals affirmed the denial of the motion to dismiss May 26, 2023. Texas Supreme Court directed the parties to file briefs on the merits Dec. 15, 2023. Currently in briefing.
- ***Weldon v. The Lilith Fund for Reproductive Equity*** (Tex. Ct. App. No. 02-22-00413-CV) – Abortion gestational limits case regarding the Texas Heartbeat Act (S.B. 8). Weldon’s motion to dismiss was denied by operation law. Court of Appeals affirmed.
- ***Zimmerman v. City of Austin*** (Tex. Dist. Ct. No. D-1-GN-19-005930) – Abortion funding case regarding city budget allocations of taxpayer money to abortion-assistance organizations. District court granted the defendants’ plea to the jurisdiction. Texas Court of Appeals affirmed. Texas Supreme Court vacated and remanded the case for further proceedings Dec. 30, 2022. No recent action in the trial court. [Amicus curiae brief filed on behalf of Americans United for Life.](#)
- ***State of Texas v. Zurawski*** (Tex. No. 23-0629) – Pro-abortion challenge to the exceptions within Texas’ abortion abolition laws. District court issued a temporary injunction and denied the amended plea to the jurisdiction Aug. 4, 2023. Appeal filed. In the district court, plaintiffs filed an amended petition for declaratory judgment and application for temporary and permanent injunction to add additional plaintiffs to the case Nov. 14, 2023 (Tex. Dist. Ct. No. D-1-GN-23-000968). Texas Supreme Court held oral arguments Nov. 28, 2023. Awaiting the decision.

## Utah

### State Court

- ***Planned Parenthood Association of Utah v. State of Utah*** (Utah No. 20220696) – Abortion conditional law case, which also seeks to devise a state constitutional abortion “right.” Complaint filed June 25, 2022. Trial court granted a preliminary injunction July 11, 2022. The case is briefed before the Utah Supreme Court. Abortionists filed an amended complaint in the trial court (Utah Dist. Ct. No. 220903886), adding a challenge to H.B. 467, which institutes a hospital-only rule by prohibiting the licensing of new abortion clinics or relicensing of current abortion clinics. Trial court issued a preliminary injunction May 2, 2023. Utah Supreme Court oral argument held Aug. 8, 2023. Awaiting the decision.



## Vermont

### Federal District Court

- ***National Institute of Family and Life Advocates v. Clark*** (D. Vt. No. 2:23-cv-229) – Free speech case challenging a law that criminalizes the “deceptive practices” of pregnancy centers. Amended complaint filed Nov. 7, 2023. Amended motion to dismiss filed Dec. 18, 2023.

## Virginia

### Federal District Court

- ***Whole Woman’s Health Alliance v. United States Food & Drug Administration*** (W.D. Va. No. 3:23-cv-19) – Chemical abortion case challenging 2023 REMS. District court denied the motion for a preliminary injunction Aug. 21, 2023. Case stayed pending *Food and Drug Administration v. Alliance for Hippocratic Medicine* (Nos. 23-235, 23-236).

## Washington

### Federal Court of Appeals

- ***Cedar Park Assembly of God of Kirkland, Washington v. Kreidler*** (9th Cir. Nos. 23-35560 [lead], 23-35585) – Conscience rights case challenging Wash. S.B. 6219, which requires Washington employers to provide abortion and abortifacient coverage in employee health plans. District court denied the plaintiff’s motion for summary judgment and granted the defendants’ motion for summary judgment July 25, 2023. The appeal and cross-appeal are currently in briefing before the 9th Circuit.
- ***McCarthy v. Amazon.com, Inc.*** (9th Cir. No. 23-35584) – Assisted suicide case regarding Amazon’s alleged sale of suicide kits to children. District court granted the motion to dismiss June 27, 2023. Appealed Sept. 6, 2023. Currently in briefing before the 9th Circuit.
- ***State of Washington v. Food & Drug Administration*** (9th Cir. No. 23-35294) – Chemical abortion case challenging 2023 REMS. District court granted in part the motion for a preliminary injunction Apr. 7, 2023. District court denied the pro-life states’ motion to intervene Apr. 21, 2023. Proposed intervenors-states appealed. Case is briefed before the 9th Circuit, and the court heard oral argument on Mar. 13, 2024.
- ***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. Status report filed Jan. 5, 2023. Held in abeyance pending HHS rulemaking. 9th Circuit granted the motion to voluntarily dismiss the appeals Feb. 14, 2024.

### Federal District Court

- ***Obria Group, Inc. v. Ferguson*** (W.D. Wash. No. 3:23-cv-6093) – Pregnancy resource center case seeking an injunction of civil investigative demands. Complaint and motion for a preliminary injunction filed Nov. 29, 2023. Motion to dismiss filed Jan. 22, 2024.

## West Virginia

### Federal Court of Appeals

- ***GenBioPro, Inc. v. Raynes*** (4th Cir. No. 23-2194) – Chemical abortion case alleging preemption of state abortion abolition statute. District court denied the motions regarding the standing issue but held in abeyance remaining issues May 2, 2023. District court granted in part (telemedicine restriction) and denied in part (remaining claims) the motions to dismiss Aug. 24, 2023. Amended complaint filed Oct. 19, 2023. District court dismissed plaintiff's first amendment complaint Nov. 9, 2023. Appealed and currently in briefing before the 4th Circuit.

## Wisconsin

### Federal District Court

- ***United States of America v. Roychowdhury*** (W.D. Wis. No. 3:23-cr-31) – Freedom of Access to Clinic Entrances (FACE) Act criminal case alleging the firebombing of a Madison pregnancy resource center. Complaint filed Mar. 27, 2023. District court denied the motion to dismiss Aug. 29, 2023. Guilty plea entered Dec. 1, 2023. Sentencing set for Apr. 10, 2024.

### State Court

- ***Kaul v. Urmanski*** (Wis. Cir. Ct. No. 2022-CV-1594) – Abortion case challenging the pre-*Roe* law. Urmanski filed motions to dismiss the amended complaint and dismiss the intervenors' complaint Nov. 30, 2022. Oral argument held May 4, 2023. Trial court denied the motions to dismiss July 7, 2023. Motions for judgment on the pleadings filed Aug. 7, 2023. Trial court held the pre-*Roe* law does not apply to consensual abortions. Trial court denied Urmanski's motion for reconsideration and reaffirmed the pre-*Roe* law does not apply to consensual abortions. Appealed to the Wisconsin Court of Appeals. Urmanski filed a petition to bypass Feb. 20, 2024. Kaul filed a supplemental petition in support of the request to bypass the Court of Appeals Feb. 27, 2024. Pro-life groups filed a motion to intervene Mar. 12, 2024.

## Wyoming

### State Court

- ***Johnson v. State of Wyoming*** (Wyo. Dist. Ct. No. 18853) – Abortion case challenging the Life is a Human Right Act, Wyoming’s abortion abolition law, which also seeks to devise a state constitutional abortion “right.” Trial court granted a temporary restraining order against the Life is a Human Right Act Apr. 17, 2023. Trial court granted a temporary restraining order against the chemical abortion abolition law June 22, 2023. Trial court denied the state legislators’ motion to intervene Aug. 4, 2023. Plaintiffs filed a motion for summary judgment in the trial court Sept. 18, 2023. Trial court granted a temporary restraining order Sept. 19, 2023. State filed a cross-motion for summary judgment Oct. 5, 2023. The Wyoming Supreme Court affirmed the denial of the state legislators’ motion to intervene Feb. 2, 2024 (Wyo. No. S-23-0196). District court certified questions to the Wyoming Supreme Court Mar. 18, 2024.