

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PRETERM-CLEVELAND, et al.,	:	
	:	
Plaintiffs,	:	Case No. 1:19-cv-00360
	:	
v.	:	
	:	Judge Michael R. Barrett
ATTORNEY GENERAL OF OHIO, et al.,	:	
	:	
Defendants.	:	

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY TO ITS
RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION TO CLARIFY
TEMPORARY RESTRAINING ORDER AND REQUEST TO DISSOLVE THE
TEMPORARY RESTRAINING ORDER (DOC. 55)**

Defendants Ohio Department of Health, State Medical Board of Ohio, and Ohio Attorney General Dave Yost respectfully notify this Court of a recent development in a similar case since its prior briefing (Doc. 55):

In *South Wind Women's Center LLC, et al. v. Stitt, et al.*, No. CIV-20-277-G (W.D. Okla. Apr. 6, 2020) (attached as Ex. 1), the District Court issued a narrow temporary restraining order that enjoined Oklahoma from enforcing Governor Stitt's Seventh Amended Executive Order No. 2020-07 of April 1, 2020, and the March 27, 2020 Press Release against Oklahoma abortion providers, clinics, and their staff accordingly: "1. The prohibition on surgical abortions may not be enforced with respect to any patient who will lose her right to lawfully obtain an abortion in Oklahoma on or before the date of expiration of the Executive Order; and 2. The prohibition on medication abortions may not be enforced." Ex. 1 at p. 13. However, the Court found that it was constitutionally permissible for a State to issue a public

health order that temporarily delayed surgical abortions so long as the patient's rights were not violated. *Id.* at p. 8.

Respectfully Submitted,

DAVE YOST
Ohio Attorney General

/s/ Heather L. Buchanan

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CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2020, the foregoing was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Heather L. Buchanan

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