

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

PLANNED PARENTHOOD GREAT
NORTHWEST, HAWAII, ALASKA,
INDIANA, AND KENTUCKY, INC., ON
BEHALF OF ITSELF, ITS STAFF, AND
ITS PATIENTS,

Plaintiff

-and-

EMW WOMEN’S SURGICAL CENTER,
P.S.C., ON BEHALF OF ITSELF, ITS
STAFF, AND ITS PATIENTS; ERNEST W.
MARSHALL, M.D., ON BEHALF OF
HIMSELF AND HIS PATIENTS,

Intervenor Plaintiffs

v.

Civil Action No. 3:22-cv-198-RGJ

DANIEL CAMERON, IN HIS OFFICIAL
CAPACITY AS ATTORNEY GENERAL
OF THE COMMONWEALTH OF
KENTUCKY; ERIC FRIEDLANDER, IN
HIS OFFICIAL CAPACITY AS
SECRETARY OF KENTUCKY’S
CABINET FOR HEALTH AND FAMILY
SERVICES; MICHAEL S. RODMAN, IN
HIS OFFICIAL CAPACITY AS
EXCECUTIVE DIRECTOR OF THE
KENTUCKY BOARD OF MEDICAL
LICENSURE; AND THOMAS B. WINE, IN
HIS OFFICIAL CAPACITY AS
COMMONWEALTH’S ATTORNEY FOR
THE 30TH JUDICIAL CIRCUIT OF
KENTUCKY

Defendants

* * * * *

ORDER

This matter is before the Court on remand from the United States Court of Appeals for the Sixth Circuit, which remanded to this Court with instructions to dismiss this action as moot. [DE 118]. The Sixth Circuit also vacated the Court’s injunction orders to clear a path for future

relitigation on the issues. [*Id.* at 1789]. As explained in the Court’s Order on March 7, 2023, the forms necessary for compliance with HB 3 have been created, which eliminated the impetus for this lawsuit. [DE 114]. For all the reasons stated in the Sixth Circuit’s opinion [DE 118], this action is dismissed as moot.

Accordingly, the Court, having reviewed the opinion from the United States Court of Appeals for the Sixth Circuit [*id.*], and being otherwise sufficiently advised, **IT IS ORDERED** as follows:

1. This case is **DISMISSED as MOOT**; and
2. Planned Parenthood’s Motion to Dismiss [DE 115] is **DENIED as MOOT**.



Rebecca Grady Jennings, District Judge

United States District Court

June 16, 2023