

CLOSED

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CIVIL DOCKET FOR CASE #: 1:12-cv-00322-LY**

Planned Parenthood Association of Hidalgo County Texas, Inc.
et al v. Suehs
Assigned to: Judge Lee Yeakel
Related Case: [1:12-cv-01132-LY](#)
Case in other court: USCA Fifth Circuit, 12-50377
Cause: 42:1983 Civil Rights Act

Date Filed: 04/11/2012
Date Terminated: 11/27/2012
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

**Planned Parenthood Association of
Hidalgo County Texas, Inc.**

represented by **Carrie Y. Flaxman**
Planned Parenthood Federation of America
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Plaintiff

**Planned Parenthood of Austin Family
Planning, Inc.**

represented by **Carrie Y. Flaxman**
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ATTORNEY TO BE NOTICED

Helene T. Krasnoff
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Roger K. Evans
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Matthew B. Baumgartner
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Plaintiff

**Planned Parenthood Association of
Lubbock, Inc.**

represented by **Carrie Y. Flaxman**
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Helene T. Krasnoff
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Matthew B. Baumgartner
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Plaintiff

**Planned Parenthood of Cameron and
Willacy Counties**

represented by **Carrie Y. Flaxman**
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Matthew B. Baumgartner
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Plaintiff

Family Planning Associates of San Antonio

represented by **Carrie Y. Flaxman**
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ATTORNEY TO BE NOTICED

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Plaintiff

Planned Parenthood of Central Texas

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Matthew B. Baumgartner
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ATTORNEY TO BE NOTICED

Plaintiff

Planned Parenthood of Gulf Coast, Inc.

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Matthew B. Baumgartner
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Plaintiff

Planned Parenthood of North Texas, Inc.

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Matthew B. Baumgartner
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Plaintiff

Planned Parenthood of West Texas, Inc.

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ATTORNEY TO BE NOTICED

Matthew B. Baumgartner

(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant

Thomas M. Suehs

*Executive Commissioner, Texas Health
and Human Services Commission, in his
Official Capacity*

TERMINATED: 11/09/2012

represented by **Arthur C. D'Andrea**

Assistant Solicitor General

Office of the Solicitor General of Texas

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TERMINATED: 11/09/2012

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TERMINATED: 11/09/2012

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TERMINATED: 11/09/2012

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Kyle L. Janek

*Executive Commissioner, Texas Health
and Human Services Commission*

represented by **Arthur C. D'Andrea**

(See above for address)

ATTORNEY TO BE NOTICED

Jonathan F. Mitchell

(See above for address)

ATTORNEY TO BE NOTICED

Kristofer S. Monson

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/11/2012	<u>1</u>	COMPLAINT (Filing fee \$ 350 receipt number 0542-4480390), filed by Family Planning Associates of San Antonio, Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Central Texas, Planned Parenthood of North Texas, Inc., Planned Parenthood of Austin, Family Planning, Inc., Planned Parenthood of Gulf Coast, Inc., Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood of West Texas, Inc., Planned Parenthood of Cameron and Willacy Counties. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet)(Baumgartner, Matthew) (Entered: 04/11/2012)
04/11/2012	<u>2</u>	MOTION for Preliminary Injunction by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin, Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc.. (Attachments: # <u>1</u> Appendix Appendix TOC, # <u>2</u> Appendix Summary of Facts, # <u>3</u> Exhibit Texas Affiliate Rule, # <u>4</u> Exhibit WHP Summary, # <u>5</u> Exhibit HHSC Rider 64 Report, # <u>6</u> Exhibit A. Hawkins letter to Sen. Deuell, # <u>7</u> Exhibit Tex. Medicaid letter to WHP Providers, # <u>8</u> Exhibit 2011 C. Mann letter to B. Millwee, # <u>9</u> Exhibit 2012 C. Mann letter to B. Millwee, # <u>10</u> Exhibit R. Perry letter to T. Suehs, # <u>11</u> Exhibit Declaration of K. Lambrecht, # <u>12</u> Exhibit Declaration of P. Gonzales, # <u>13</u> Exhibit Declaration of T. Haskell, # <u>14</u> Exhibit Declaration of K. Hildebrand, # <u>15</u> Proposed Order Proposed Order granting Preliminary Injunction)(Baumgartner, Matthew) (Entered: 04/11/2012)
04/11/2012	<u>3</u>	MOTION for Leave to Exceed Page Limitation by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin, Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order granting Motion to Exceed)(Baumgartner, Matthew) (Entered: 04/11/2012)
04/11/2012		Case Assigned to Judge Lee Yeakel. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (td) (Entered: 04/11/2012)
04/11/2012	<u>4</u>	NOTICE of Filing Corrected Civil Cover Sheet by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin, Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc. (Baumgartner, Matthew) (Entered: 04/11/2012)
04/11/2012	<u>5</u>	MOTION to Appear Pro Hac Vice by Matthew B. Baumgartner <i>Roger K. Evans</i> (Filing fee \$ 25 receipt number 0542-4482727) by on behalf of Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc. (Baumgartner, Matthew) Modified on 4/11/2012 to add filer (kkc,). (Entered: 04/11/2012)
04/11/2012	<u>6</u>	MOTION to Appear Pro Hac Vice by Matthew B. Baumgartner <i>Helene Krasnoff</i> (Filing fee \$ 25 receipt number 0542-4482802) by on behalf of Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas,

		Inc. (Baumgartner, Matthew) Modified on 4/11/2012 to add filer (kkc,). (Entered: 04/11/2012)
04/11/2012	<u>7</u>	MOTION to Appear Pro Hac Vice by Matthew B. Baumgartner <i>Carrie Flaxman</i> (Filing fee \$ 25 receipt number 0542-4482820) by on behalf of Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc. (Baumgartner, Matthew) Modified on 4/11/2012 to add filer (kkc,). (Entered: 04/11/2012)
04/11/2012	<u>8</u>	REQUEST FOR ISSUANCE OF SUMMONS by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc. (Baumgartner, Matthew) Modified on 4/11/2012 to add filer (kkc,). (Entered: 04/11/2012)
04/11/2012	<u>9</u>	Summons Issued as to Thomas M. Suehs, Executive Commissioner, Texas Health and Human Services Commission, in his official capacity. (kkc,) (Entered: 04/11/2012)
04/11/2012	<u>10</u>	RULE 7 DISCLOSURE STATEMENT filed by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc. (Baumgartner, Matthew) Modified on 4/12/2012 to add filer (kkc,). (Entered: 04/11/2012)
04/12/2012	<u>11</u>	ORDER GRANTING <u>3</u> Motion for Leave to File Excess Pages. Signed by Judge Lee Yeakel. (kkc,) (Entered: 04/12/2012)
04/16/2012	<u>12</u>	ORDER GRANTING <u>5</u> Motion for Roger K. Evans to Appear Pro Hac Vice. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (kkc,) (Entered: 04/16/2012)
04/16/2012	<u>13</u>	ORDER GRANTING <u>6</u> Motion for Helene T. Krasnoff to Appear Pro Hac Vice. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (kkc,) (Entered: 04/16/2012)
04/16/2012	<u>14</u>	ORDER GRANTING <u>7</u> Motion for Carrie Y. Flaxman to Appear Pro Hac Vice. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (kkc,) (Entered: 04/16/2012)
04/16/2012	<u>15</u>	Minute Entry for proceedings held before Judge Lee Yeakel: Telephone Status Conference held on 4/16/2012 (Minute entry documents are not available electronically). Set Motion Hearing for <u>2</u> MOTION for Preliminary Injunction (Motion Hearing set for 4/19/2012 at 3:00 PM before Judge Lee Yeakel). (Court Reporter Arlinda Rodriguez) (kkc,) (Entered: 04/16/2012)
04/16/2012	<u>16</u>	ORDER Setting Hearing on <u>2</u> MOTION for Preliminary Injunction: Motion Hearing set for 4/19/2012 at 3:00 PM before Judge Lee Yeakel. Signed by Judge Lee Yeakel. (kkc,) (Entered: 04/16/2012)

04/16/2012	<u>17</u>	NOTICE of Attorney Appearance by Arthur C. D'Andrea on behalf of Thomas M. Suehs, Executive Commissioner, Texas Health and Human Services Commission, in his official capacity (D'Andrea, Arthur) (Entered: 04/16/2012)
04/18/2012	<u>18</u>	NOTICE of Attorney Appearance by Jonathan Franklin Mitchell on behalf of Thomas M. Suehs, Executive Commissioner, Texas Health and Human Services Commission, in his official capacity (Mitchell, Jonathan) (Entered: 04/18/2012)
04/18/2012	<u>19</u>	Response in Opposition to Motion, filed by Thomas M. Suehs, Executive Commissioner, Texas Health and Human Services Commission, in his official capacity, re <u>2</u> MOTION for Preliminary Injunction filed by Plaintiff Planned Parenthood Association of Hidalgo County Texas, Inc., Plaintiff Planned Parenthood of Cameron and Willacy Counties, Plaintiff Planned Parenthood of North Texas, Inc., Plaintiff Planned Parenthood of Gulf Coast, Inc., Plaintiff Family Planning Associates of San Antonio, Plaintiff Planned Parenthood Association of Lubbock, Inc., Plaintiff Planned Parenthood of Central Texas (Attachments: # <u>1</u> Affidavit Suehs, # <u>2</u> Proposed Order)(Mitchell, Jonathan) (Entered: 04/18/2012)
04/18/2012	<u>20</u>	Unopposed MOTION for Leave to Exceed Page Limitation by Thomas M. Suehs, Executive Commissioner, Texas Health and Human Services Commission, in his official capacity. (Attachments: # <u>1</u> Proposed Order)(Mitchell, Jonathan) (Entered: 04/18/2012)
04/19/2012	<u>21</u>	SUMMONS Returned Executed by Family Planning Associates of San Antonio, Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Central Texas, Planned Parenthood of North Texas, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Gulf Coast, Inc., Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood of West Texas, Inc., Planned Parenthood of Cameron and Willacy Counties. Thomas M. Suehs, Executive Commissioner, Texas Health and Human Services Commission, in his official capacity served on 4/12/2012, answer due 5/3/2012. (Baumgartner, Matthew) (Entered: 04/19/2012)
04/19/2012	<u>22</u>	Minute Entry for proceedings held before Judge Lee Yeakel: Motion Hearing held on 4/19/2012 re <u>2</u> MOTION for Preliminary Injunction (Minute entry documents are not available electronically). (Court Reporter Arlinda Rodriguez.) (kkc,) (Entered: 04/20/2012)
04/20/2012	<u>23</u>	ORDER GRANTING <u>20</u> Motion for Leave to File Excess Pages. Signed by Judge Lee Yeakel. (kkc,) (Entered: 04/23/2012)
04/23/2012	<u>24</u>	Proposed Order <i>and supporting letter</i> re <u>2</u> MOTION for Preliminary Injunction by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc.. (Attachments: # <u>1</u> Memo in Support Letter)(Conway, Susan) Modified on 4/23/2012 to add relationship (kkc,). (Entered: 04/23/2012)
04/30/2012	<u>25</u>	ORDER GRANTING <u>2</u> Motion for Preliminary Injunction. This case is set for a scheduling conference at 1:30 p.m. on Friday, May 18, 2012. Signed by Judge Lee Yeakel. (kkc,) (Entered: 04/30/2012)
04/30/2012		Set/Reset Hearings: Scheduling Conference set for 5/18/2012 at 1:30 PM before Judge Lee Yeakel. (kkc,) (Entered: 04/30/2012)
04/30/2012	<u>26</u>	Appeal of Order entered by District Judge <u>25</u> by Thomas M. Suehs. No filing fee submitted (Mitchell, Jonathan) (Entered: 04/30/2012)
04/30/2012		NOTICE OF INTERLOCUTORY APPEAL re <u>26</u> Notice of Appeal (E-Filed) by Thomas M. Suehs as to <u>25</u> Order on Motion for Preliminary Injunction. Filing fee \$ 455 DUE . Per 5th Circuit rules, the appellant has 14 days, from the filing of the Notice of Appeal, to order the transcript. To order a transcript, the appellant should fill out <u>Form DKT-13</u> (Transcript Order) and follow the instructions set out on the form. This form is available in the Clerk's Office or by clicking the hyperlink

		above. (kkc,) (Entered: 04/30/2012)
05/01/2012	<u>27</u>	USCA Appeal Fees received \$ 455 receipt number 100013704 re Notice of Appeal – Interlocutory, filed by Thomas M. Suehs. (kkc,) (Entered: 05/01/2012)
05/03/2012	<u>28</u>	MOTION for Extension of Time to File Answer by Thomas M. Suehs. (Attachments: # <u>1</u> proposed order)(Mitchell, Jonathan) (Entered: 05/03/2012)
05/04/2012	<u>29</u>	Certified and Transmitted Record on Appeal to USCA Fifth Circuit re Notice of Appeal – Interlocutory. Record consists of 2 Volumes of the Electronic Record on Appeal. (kkc,) (Entered: 05/04/2012)
05/04/2012		NOTICE: <i>Due to the EXPEDITED nature of <u>26</u> Notice of Appeal, the Clerk has preemptively forwarded the electronic record on appeal via an e-mail with a link to all counsel without waiting for a request. PLEASE NOTE: When the record is SUPPLEMENTED, the supplemental record will only be forwarded to counsel who request it. This appeal record link is active for seven days and counsel has been instructed to access the file and save it for use in preparing their brief.</i> (klw)(klw,) (Entered: 05/04/2012)
05/07/2012	<u>30</u>	ORDER GRANTING <u>28</u> Motion for Extension of Time to Answer re <u>1</u> Complaint; Thomas M. Suehs answer due 5/10/2012. Signed by Judge Lee Yeakel. (kkc,) (Entered: 05/07/2012)
05/07/2012	<u>31</u>	TRANSCRIPT REQUEST by Thomas M. Suehs for dates of 4/19/2012. Proceedings Transcribed: Hearing on Motion for Preliminary Injunction. Court Reporter: Arlinda Rodriguez. (kkc,) (Entered: 05/07/2012)
05/09/2012	<u>32</u>	Transcript filed of Proceedings held on April 19, 2012, Proceedings Transcribed: Preliminary Injunction Hearing. Court Reporter/Transcriber: Arlinda Rodriguez, Telephone number: 512-916-5143. Parties are notified of their duty to review the transcript to ensure compliance with the FRCP 5.2(a)/FRCrP 49.1(a). A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a Notice of Redaction Request must be filed within 21 days. If no such Notice is filed, the transcript will be made available via PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed Redaction Request due 5/30/2012. Redacted Transcript Deadline set for 6/11/2012. Release of Transcript Restriction set for 8/7/2012. Appeal Record due by 5/24/2012. (Rodriguez, Arlinda) (Entered: 05/09/2012)
05/09/2012		NOTICE of SUPPLEMENTAL Certified Record on Appeal was sent to the USCA via e-mail re Notice of Appeal – Interlocutory. Record contains 1 Volume of the Supplemental Electronic Record on Appeal; 1 Volume of Supplemental Transcript (dkt 32). (kkc,) (Entered: 05/09/2012)
05/09/2012	<u>33</u>	Agreed MOTION to Continue <i>Scheduling Conference</i> by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc.. (Schenkkan, P.) (Entered: 05/09/2012)
05/10/2012	<u>34</u>	MOTION to Appear Pro Hac Vice by Kristofer S. Monson (Filing fee \$ 25 receipt number 100013835) on behalf of Thomas M. Suehs. (kkc,) (Additional attachment(s) added on 5/10/2012: # <u>2</u> Corrected Receipt) (kkc,). (Entered: 05/10/2012)
05/10/2012	<u>35</u>	ANSWER to <u>1</u> Complaint,, by Thomas M. Suehs.(D'Andrea, Arthur) (Entered: 05/10/2012)
05/11/2012	<u>36</u>	Opposed MOTION to Clarify Scope of Preliminary Injunction re <u>25</u> Order on Motion for Preliminary Injunction by Thomas M. Suehs. (Mitchell, Jonathan) (Entered: 05/11/2012)
05/11/2012	<u>37</u>	DEFICIENCY NOTICE: re <u>36</u> Opposed MOTION to Clarify Scope of Preliminary Injunction re <u>25</u> Order on Motion for Preliminary Injunction. (kkc,) (Entered: 05/11/2012)

		05/11/2012)
05/11/2012	<u>38</u>	ATTACHMENT (<i>Proposed Order</i>) to <u>36</u> Opposed MOTION to Clarify Scope of Preliminary Injunction re <u>25</u> Order on Motion for Preliminary Injunction by Thomas M. Suehs. (Mitchell, Jonathan) (Entered: 05/11/2012)
05/11/2012	<u>39</u>	ORDER GRANTING <u>34</u> Motion for Kristofer S. Monson to Appear Pro Hac Vice. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (kkc,) (Entered: 05/14/2012)
05/15/2012	<u>40</u>	ORDER DENYING <u>33</u> Motion for Continuance of the May 18 Scheduling Conference. Signed by Judge Lee Yeakel. (kkc,) (Entered: 05/15/2012)
05/15/2012	<u>41</u>	Unopposed MOTION for Extension of Time to File Response/Reply to Defendant's Motion to Clarify Scope of Preliminary Injunction by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc.. (Attachments: # <u>1</u> Proposed Order Order Granting Plaintiffs' Unopposed Motion for Extension of Time to Respond to Defendant's Motion to Clarify Scope of Preliminary Injunction)(Baumgartner, Matthew) (Entered: 05/15/2012)
05/15/2012	<u>42</u>	SUPPLEMENT TO ORDER GRANTING PRELIMINARY INJUNCTION: this court restates its conclusion that no bond shall be required of Plaintiffs. Signed by Judge Lee Yeakel. (kkc,) (Entered: 05/15/2012)
05/15/2012	<u>43</u>	ORDER GRANTING <u>41</u> Motion for Extension of Time to Respond to <u>36</u> Motion to Clarify Scope of Preliminary Injunction; response due 5/23/2012. Signed by Judge Lee Yeakel. (kkc,) (Entered: 05/16/2012)
05/18/2012	<u>44</u>	Minute Entry for proceedings held before Judge Lee Yeakel: Scheduling Conference held on 5/18/2012 (Minute entry documents are not available electronically). (Court Reporter Arlinda Rodriguez.) (kkc,) (Entered: 05/18/2012)
05/22/2012	<u>45</u>	ORDER SETTING BRIEFING SCHEDULE AND TRIAL: Discovery due by 8/17/2012. Plaintiffs' trial brief due 9/7/2012. Defendant's response due 9/28/2012. Plaintiffs' reply due 10/5/2012. Bench Trial set for 10/19/2012 AT 9:00 AM before Judge Lee Yeakel. Signed by Judge Lee Yeakel. (kkc,) (Entered: 05/22/2012)
05/23/2012	<u>46</u>	Response in Opposition to Motion, filed by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc., re <u>36</u> Opposed MOTION to Clarify Scope of Preliminary Injunction re <u>25</u> Order on Motion for Preliminary Injunction filed by Defendant Thomas M. Suehs (Attachments: # <u>1</u> Affidavit Declaration of Sarah J. Wheat)(Schenkkan, P.) (Entered: 05/23/2012)
05/29/2012	<u>47</u>	ORDER DENYING <u>36</u> Motion to Clarify Scope of Preliminary Injunction. Signed by Judge Lee Yeakel. (kkc,) (Entered: 05/29/2012)
08/02/2012	<u>48</u>	Joint MOTION to Stay Case Temporarily, Joint MOTION to Vacate Scheduling Order by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc., Thomas M. Suehs. (Schenkkan, P.) Modified on 8/3/2012 to add filer (kkc,). (Entered: 08/02/2012)
08/03/2012	<u>49</u>	ORDER Vacating Scheduling Order and Temporarily Staying Proceedings; GRANTING <u>48</u> Motion to Stay Case; GRANTING <u>48</u> Motion to Vacate. Signed

		by Judge Lee Yeakel. (kkc,) (Entered: 08/03/2012)
08/03/2012		Case Stayed. (kkc,) (Entered: 08/03/2012)
08/22/2012	<u>50</u>	Minute Entry for proceedings held before Judge Lee Yeakel: Conference held on 8/22/2012 (Minute entry documents are not available electronically). (Court Reporter Arlinda Rodriguez.) (kkc,) (Entered: 08/22/2012)
09/04/2012	<u>51</u>	Minute Entry for proceedings held before Judge Lee Yeakel: Telephone Conference held in Chambers on 9/4/2012 (Minute entry documents are not available electronically). (Court Reporter Arlinda Rodriguez.) (kkc,) (Entered: 09/04/2012)
11/06/2012	<u>52</u>	MOTION to Dismiss <i>and Abstain</i> by Family Planning Associates of San Antonio, Planned Parenthood Association of Hidalgo County Texas, Inc., Planned Parenthood Association of Lubbock, Inc., Planned Parenthood of Austin Family Planning, Inc., Planned Parenthood of Cameron and Willacy Counties, Planned Parenthood of Central Texas, Planned Parenthood of Gulf Coast, Inc., Planned Parenthood of North Texas, Inc., Planned Parenthood of West Texas, Inc.. (Attachments: # <u>1</u> Proposed Order)(Conway, Susan) (Entered: 11/06/2012)
11/08/2012	<u>53</u>	Unopposed MOTION to Substitute Party by Thomas M. Suehs. (Attachments: # <u>1</u> Proposed Order)(Monson, Kristofer) (Entered: 11/08/2012)
11/09/2012	<u>54</u>	RESPONSE to Motion, filed by Thomas M. Suehs, re <u>52</u> MOTION to Dismiss <i>and Abstain</i> filed by Plaintiff Planned Parenthood of Austin Family Planning, Inc., Plaintiff Planned Parenthood Association of Hidalgo County Texas, Inc., Plaintiff Planned Parenthood of Cameron and Willacy Counties, Plaintiff Planned Parenthood of North Texas, Inc., Plaintiff Planned Parenthood of West Texas, Inc., Plaintiff Planned Parenthood Association of Lubbock, Inc., Plaintiff Planned Parenthood of Gulf Coast, Inc., Plaintiff Planned Parenthood of Central Texas, Plaintiff Family Planning Associates of San Antonio (Attachments: # <u>1</u> Proposed Order)(Monson, Kristofer) (Entered: 11/09/2012)
11/09/2012	<u>55</u>	ORDER GRANTING <u>53</u> Motion to Substitute Party. Kyle L. Janek added. Signed by Judge Lee Yeakel. (dm) (Entered: 11/13/2012)
11/27/2012	<u>56</u>	ORDER GRANTING Plaintiff's <u>52</u> Motion to Dismiss without Prejudice as parties have also filed an action in State Court. Signed by Judge Lee Yeakel. (klw) (Entered: 11/27/2012)
12/11/2012	<u>57</u>	Certified copy of USCA JUDGMENT/MANDATE re <u>26</u> Notice of Interlocutory Appeal: VACATING the preliminary injunction and REMANDING for further consideration not inconsistent with this opinion.(kkc) (Entered: 12/12/2012)