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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Planned Parenthood Arizona Incorporated, et al.,  
  
Plaintiffs,  
  
v.  
  
Thomas Betlach,  
  
Defendant.

No. CV-16-02337-PHX-ROS  
**ORDER**

Pursuant to the Parties' Stipulation of Dismissal without Prejudice and Agreement of Nonenforcement,

**IT IS ORDERED** the stipulation (Doc. 18) is **GRANTED**. This case is dismissed without prejudice.

**IT IS FURTHER ORDERED:**

1. Defendant or his successor shall not enforce H.B. 2599 as to Plaintiffs until regulations promulgated pursuant to H.B. 2599(D) take effect.
2. A representative of Defendant shall email counsel, Jennifer Lee at [jlee@aclu.org](mailto:jlee@aclu.org), and Diana Salgado at [diana.salgado@ppfa.org](mailto:diana.salgado@ppfa.org), to advise when the proposed rules under H.B. 2599(D) are filed for public comment.
3. Arizona Revised Statute 41-1032 provides that state administrative rules do not become effective until 60 days following the filing of the final rule with the Arizona Secretary of State unless an immediate effective date is approved by the Arizona Governor's Regulatory Review Council. Defendant or any successor shall not request an

1 immediate effective date. Nothing in this Order precludes Plaintiffs from challenging the  
2 final rules at any time.

3 4. Any steps, actions, or efforts taken by Defendant or his successor to enforce  
4 H.B. 2599 as to Plaintiffs shall be based only on Plaintiffs' conduct occurring on or after  
5 the effective date of the final rules.

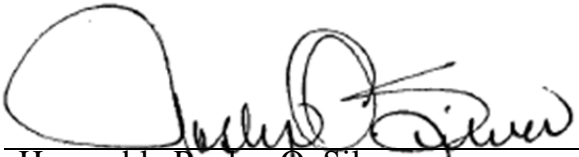
6 5. Neither party is a prevailing party pursuant to this Order. Should Plaintiffs file  
7 a related lawsuit to challenge and seek appropriate relief from the Segregation Provision  
8 and/or the final rules, and should Plaintiffs prevail in their challenge to the Segregation  
9 Provision and/or the final rules, nothing in this Order precludes Plaintiff from seeking  
10 attorneys' fees, costs, and expenses for the prosecution of this lawsuit. Nothing in this  
11 Order precludes Defendant from objecting to any attorneys' fees, costs, or expenses  
12 Plaintiffs may seek.

13 6. Nothing in this Order precludes the parties from jointly requesting the Court to  
14 modify the terms of this Order.

15 7. This Court shall retain jurisdiction to enforce the terms of this Order.

16 Dated this 6th day of September, 2016.

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Honorable Roslyn O. Silver  
Senior United States District Judge