

JOSHUA A. BLOCK*
ACLU LGBT Project
125 Broad Street, Floor 18
New York, New York, 10004
Telephone: (212) 549-2593
Facsimile: (212) 549-2650
jblock@aclu.org

JOHN MEJIA (13965)
LEAH M. FARRELL (13696)
ACLU of Utah
355 North 300 West
Salt Lake City, Utah 84103
Telephone: (801) 521-9862
jmejia@acluutah.org
lfarrell@acluutah.org

Attorneys for Plaintiffs
*Admitted *pro hac vice*

PARKER DOUGLAS (8924)
Utah Federal Solicitor
OFFICE OF THE UTAH ATTORNEY
GENERAL
350 North State Street, Ste. 230
Salt Lake City, Utah 84114-2320
Telephone: (801) 538-9600
Facsimile: (801) 538-1121
E-mail: pdouglas@utah.gov

Counsel for Defendants

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

ANGIE ROE and KAMI ROE,
Plaintiffs,

vs.

W. DAVID PATTON, in his official
capacity as the Executive Director of the
Utah Department of Health, and
RICHARD OBORN, in his official capacity
as the Director of Utah's Office of Vital
Records and Statistics,

Defendants.

**[STIPULATED PROPOSED] ORDER
GRANTING INJUNCTION**

Case No. 2:15-cv-00253-DB

Plaintiffs, Angie Roe and Kami Roe and Defendants, W. David Patton and Richard Oborn, by and through their counsel, hereby stipulate as follows:

1. Plaintiffs filed a Motion for Preliminary Injunction in this case on April 13, 2015 seeking an order requiring Defendants to recognize Angie Roe as the parent of L.R. and to issue a birth certificate listing Angie Roe as such.
2. On July 22, 2015 this Court issued a Preliminary Injunction against the Defendants which enjoined Defendants from enforcing Utah Code Ann §§ 78B-15-201(2)(e), 78B-15-703 and § 78B-15-704 in a way that differentiates between male spouses of women who give birth through assisted reproduction with donor sperm and similarly situated female spouses of women who give birth through assisted reproduction with donor sperm. The Court further ordered that if Defendants continue to enforce Utah Code Ann §§ 78B-15-201(2)(e), 78B-15-703 and § 78B-15-704, with respect to male spouses of women who give birth through assisted reproduction with donor sperm, they must also apply the statute equally to female spouses of women who give birth through assisted reproduction with donor sperm.
3. After the Court issued this injunction, the Defendants have been compliant, including issuing Angie Roe a birth certificate listing her as parent to L.R.
4. The parties agree, and jointly move the Court, to make the Preliminary Injunction entered by this Court on July 22, 2015, permanent.
5. Plaintiffs have not yet made a motion for attorney fees and costs, but have resolved their claim for such with Defendants. To resolve that potential claim,

Defendants have agreed to pay, and the Plaintiffs have agreed to accept, the sum of twenty-four thousand three hundred and two dollars (\$24,302).

A Proposed Order and Permanent Injunction is filed herewith as Exhibit A.

Signature lines.

/s/ John Mejia (with permission)
John Mejia
ACLU of Utah
Attorneys for Plaintiffs

/s/Parker Douglas
Parker Douglas
Utah Federal Solicitor
Counsel for Defendants

JOSHUA A. BLOCK*
ACLU LGBT Project
125 Broad Street, Floor 18
New York, New York, 10004
Telephone: (212) 549-2593
Facsimile: (212) 549-2650

jblock@aclu.org

JOHN MEJIA (13965)
LEAH M. FARRELL (13696)

ACLU of Utah
355 North 300 West
Salt Lake City, Utah 84103
Telephone: (801) 521-9862
jmejia@acluutah.org
lfarrell@acluutah.org

Attorneys for Plaintiffs
*Admitted *pro hac vice*

PARKER DOUGLAS (8924)
Utah Federal Solicitor
OFFICE OF THE UTAH ATTORNEY
GENERAL
350 North State Street, Ste. 230
Salt Lake City, Utah 84114-2320
Telephone: (801) 538-9600
Facsimile: (801) 538-1121
E-mail: pdouglas@utah.gov

Counsel for Defendants

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

ANGIE ROE and KAMI ROE,

Plaintiffs,

vs.

W. DAVID PATTON, in his official
capacity as the Executive Director of the
Utah Department of Health, and
RICHARD OBORN, in his official capacity
as the Director of Utah's Office of Vital
Records and Statistics,

Defendants.

**Stipulation and Joint Motion to Enter
Permanent Injunction**

Case No. 2:15-cv-00253-DB

Based on the Stipulation and Joint Motion submitted by the parties to convert the preliminary injunction entered July 22, 2015, to a permanent injunction, and good cause appearing thereon,

IT IS HEREBY ORDERED:

1. On July 22, 2015, this Court issued a Preliminary Injunction against the Defendants which enjoined Defendants from enforcing Utah Code Ann §§ 78B-15-201(2)(e), 78B-15-703 and § 78B-15-704 in a way that differentiates between male spouses of women who give birth through assisted reproduction with donor sperm and similarly situated female spouses of women who give birth through assisted reproduction with donor sperm. The Court further ordered that if Defendants continue to enforce Utah Code Ann §§ 78B-15-201(2)(e), 78B-15-703 and § 78B-15-704, with respect to male spouses of women who give birth through assisted reproduction with donor sperm, they must also apply the statute equally to female spouses of women who give birth through assisted reproduction with donor sperm.
2. It is now the Order and Judgment of this Court that the preliminary injunction entered on July 22, 2015 is a permanent injunction.
3. Defendants are hereby ordered to pay Plaintiffs' counsel the sum of XX dollars (\$XX) in full settlement of Plaintiffs' attorney fees and costs associated with this action.
4. The granting of the Permanent Injunction and the payment of attorneys' fees and costs is hereby ordered, and resolves all claims raised in this case.

DATED this _____ day of October, 2015.

BY THE COURT:
