

FILED
U.S. DISTRICT COURT

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DISTRICT OF UTAH

BY: _____
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Association of Utah

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

**PLANNED PARENTHOOD
ASSOCIATION OF UTAH, a Utah non-
profit corporation,**

Plaintiff,

v.

**GARY R. HERBERT, in his official
capacity as Governor of THE STATE OF
UTAH; and JOSEPH K. MINER, M.D., in
his official capacity as the Executive
Director of THE UTAH DEPARTMENT
OF HEALTH, a department of the
government of THE STATE OF UTAH,**

Defendants.

PERMANENT INJUNCTION ORDER

Case No. 2:15-CV-00693-DB

Honorable Dee Benson

Pursuant to the Stipulation of the Parties to the Proposed Order Granting Permanent Injunction, and for good cause,

IT IS HEREBY ORDERED:

INJUNCTION

Gary R. Herbert, in his official capacity as Governor of the State of Utah, and Joseph K. Miner, M.D., in his official capacity as the Executive Director of the Utah Department of Health, and all employees and agents acting for or on their behalf or at their direction; their successors as Governor of the State of Utah and the Executive Director of the Utah Department of Health, respectively; and all employees and agents acting for or on behalf or at the direction of their successors as Governor of the State of Utah and the Executive Director of the Utah Department of Health, respectively (collectively, the "Enjoined Parties"), are permanently enjoined from defunding or denying funding to the Plaintiff on impermissible constitutional grounds, including the Plaintiff's provision of or advocacy for legal abortion; or the Plaintiff's association or affiliation with the national Planned Parenthood organization or its affiliates, or other organizations with which the Plaintiff affiliates or associates to provide for the advocacy of legal abortion.

The injunction does not require the Enjoined Parties to continue contracts, renew contracts, or issue new contracts to the Plaintiff. However, if the Enjoined Parties defund, decline to renew, or do not issue a contract to the Plaintiff, they are required to state in writing a legitimate basis for doing so and provide that writing to the Plaintiff within thirty (30) days of the time their decision takes effect. Such basis cannot include

unproven allegations against the national Planned Parenthood organization or its affiliates or the Plaintiff's provision of or advocacy for legal abortion.

DATED this 5 day of May, 2017.

BY THE COURT:

A handwritten signature in cursive script that reads "Dee Benson". The signature is written in black ink and is positioned above a horizontal line.

Honorable Dee Benson
United States District Court Judge

APPROVED AS TO FORM:

DATED this 28th day of April, 2017.

MAGLEBY CATAXINOS & GREENWOOD

/s/ Jennifer Fraser Parrish

Peggy A. Tomsic
Christine T. Greenwood
Jennifer Fraser Parrish

Attorneys for Planned Parenthood Association
Of Utah

OFFICE OF THE UTAH ATTORNEY GENERAL

/s/ Tyler R. Green

*(Electronically signed by filing attorney with
permission from Tyler R. Green via e-mail on
April 28, 2017)*
Tyler R. Green
Parker Douglas
Stanford E. Purser

Attorneys for Gary R. Herbert and Joseph K.
Miner, M.D.