

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

WEST ALABAMA WOMEN'S)	
CENTER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.
)	2:15cv497-MHT
THOMAS M. MILLER,)	(WO)
M.D., in his official)	
capacity as State Health)	
Officer, et al.,)	
)	
Defendants.)	

CONSENT TEMPORARY RESTRAINING ORDER
AND SCHEDULING ORDER

This matter involves a challenge to an Alabama Department of Public Health regulation and two Alabama statutes. The plaintiffs have moved for a temporary restraining order or preliminary injunction. This order sets the matter for a hearing on the plaintiffs' motion for preliminary injunction and maintains the

status quo to provide the parties and the court the opportunity to address the issues.

The plaintiffs' claim addressing the challenged regulation was addressed in a separate order.

The two statutes in question concern abortion. They are Senate Bill 205 (Alabama Act no. 2016-388) and Senate Bill 363 (Alabama Act no. 2016-397). The former statute concerns the location of abortion clinics with respect to K-8 public schools, and the latter concerns the dilation and evacuation method of performing certain abortions. Both statutes go into effect August 1, 2016.

In order to provide the defendants an appropriate opportunity to respond to the plaintiffs' motion, and to provide the court time to consider the matter, and pursuant to the representations made on the record on July 12, 2016, it is ORDERED, by agreement of the parties, that the plaintiffs' motion for a temporary restraining order (doc. no. 53) is granted to the extent that the defendants are enjoined from enforcing

Alabama Act No. 2016-388 and Alabama Act No. 2016-397. This order shall remain effective until three weeks after the end of the hearing set forth below.

It is further ORDERED that the plaintiffs' motion for a preliminary injunction (doc. no. 53) is set for an evidentiary hearing and oral argument on October 4, 2016, at 9:00 a.m., in the Frank M. Johnson Jr. United States Courthouse Complex, Courtroom 2FMJ, One Church Street, Montgomery, Alabama. The defendants are to file a response to the motion, including an outline of the evidence they plan to present at the evidentiary hearing, by August 30, 2016. The plaintiffs may file a reply by September 20, 2016. Either in their reply or as a separate document, the plaintiffs should also, by September 20, 2016, file with the court an outline of the evidence they plan to present at the evidentiary hearing.

While the above dates, including the hearing date, differ from the dates discussed during the on-the-record conference call on July 12, 2016, counsel

for all parties have orally informed the court that they agree to these dates.

DONE, this the 13th day of July, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE