Doe v. Haslam et al Doc. 38

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

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) NO. 3:16-cv-02862) & 3:17-cv-00264
) CHIEF JUDGE CRENSHAW
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ORDER

Before the Court are Motions to Dismiss (Doc Nos. 10 & 26) filed by Defendants Governor William E. Haslam and Tennessee Bureau of Investigation Director Mark Gwyn in two cases that have been consolidated for the purposes of case management, discovery, and pretrial motions. For the reasons explained in the accompanying Memorandum Opinion, the Motions are hereby **GRANTED in part** and **DENIED in part**. Count 2, 3, 6, and 7 of each Complaint is **DISMISSED**. Counts 8 and 9 will be **DISMISSED** only insofar as they challenge Tennessee's restrictions on where Plaintiffs may obtain treatment, and Defendants' requests to dismiss those claims and Count 1 will otherwise be **DENIED**. Defendants shall file a responsive pleading to each Complaint within fourteen days of the date of this Order. FED. R. CIV. P. 12(a)(4)(A).

IT IS SO ORDERED.

WAVERLYD. CRENSHAW, JRU CHIEF UNITED STATES DISTRICT JUDGE