

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

PLANNED PARENTHOOD OF INDIANA	)	
AND KENTUCKY, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. No. 1:17-cv-01636-SEB-
	)	DML
COMMISSIONER, INDIANA STATE	)	
DEPARTMENT OF HEALTH, in his official	)	
capacity, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**EXPEDITED MOTION TO LIFT STAY AND  
VACATE THE PRELIMINARY INJUNCTION  
AS TO ENFORCEMENT OF INDIANA CODE SECTION 16-34-2-4**

Defendants Commissioner of the Indiana State Department of Health, Prosecutors of Marion, Lake, Monroe, and Tippecanoe Counties, the individual members of the Medical Licensing Board of Indiana, and Judge, Marion County Superior Court Division, respectfully request the Court to lift the stay of this case pending appeal for the limited purpose of vacating the preliminary injunction against implementation and enforcement of Indiana Code section 16-34-2-4. After *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. \_\_\_, No. 19-1392 (June 24, 2022), no legal basis exists for the injunction. Leaving it in place would be contrary to law and impair legitimate state interests. The Court should promptly grant the motion to partially vacate the preliminary injunction for the reasons in the accompanying brief in support and lift the stay of the case for that limited purpose.

The defendants understand that the plaintiff intends to oppose the motion. To facilitate prompt consideration, they ask that the Court require any response to be filed within 3 days.

WHEREFORE, the defendants move this Court to lift the stay for the limited purpose of vacating the preliminary injunction against implementing or enforcing Indiana Code section 16-34-2-4. They also ask that the Court require any response to be filed within 3 days.

Respectfully submitted,

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