

**United States District Court
Southern District of West Virginia (Charleston)
CIVIL DOCKET FOR CASE #: 2:20-cv-00293**

Women's Health Center of West Virginia v. Morrissey
Assigned to: Judge Thomas E. Johnston
Cause: 42:1983 Civil Rights Act

Date Filed: 04/24/2020
Date Terminated: 05/07/2020
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

**Women's Health Center of West
Virginia**
*on behalf of itself, its staff, its physicians,
and its patients*

represented by **Alan E. Schoenfeld**
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& DORR
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V.

Defendant

Patrick Morrissey
*in his official capacity as Attorney
General of West Virginia*

represented by **John Mercer Masslon , II**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bill Crouch
*in his official capacity as Cabinet
Secretary of the West Virginia
Department of Health & Human
Resources*

represented by **John Mercer Masslon , II**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindsay Sara See
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Catherine Slempp
*in her official capacity as Secretary of the
West Virginia Board of Medicine*

represented by **John Mercer Masslon , II**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindsay Sara See
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kishore Challa
*in his official capacity as President of the
West Virginia Board of Medicine; and*

represented by **John Mercer Masslon , II**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindsay Sara See
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Chuck Miller
*in his official capacity as Prosecuting
Attorney for Kanawha County*

Movant

West Virginia FREE, Incorporated

represented by **Nicola Dare Smith**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/24/2020	<u>1</u>	EMERGENCY MOTION by Women's Health Center of West Virginia for a Temporary Restraining Order and Preliminary Injunction. (Stark, Loree)
04/24/2020	<u>2</u>	MEMORANDUM OF LAW by Women's Health Center of West Virginia in support of <u>1</u> EMERGENCY MOTION by Women's Health Center of West Virginia for a Temporary Restraining Order and Preliminary Injunction. (Stark, Loree)
04/24/2020	<u>3</u>	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF. Filing Fee \$400.00. Receipt # A WVSDC-7603949. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet) (ts)
04/24/2020	<u>4</u>	MOTION by Women's Health Center of West Virginia to File a Brief in Excess of the Page Limitation. (Stark, Loree)
04/24/2020	<u>5</u>	EXHIBITS A-C by Women's Health Center of West Virginia in support of <u>1</u> EMERGENCY MOTION by Women's Health Center of West Virginia for a Temporary Restraining Order and Preliminary Injunction. (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit C)(Stark, Loree) (Modified on 4/27/2020 to correct link) (kew).
04/24/2020	<u>6</u>	PROPOSED ORDER Temporary Restraining Order by Women's Health Center of West Virginia (Stark, Loree)

04/24/2020	<u>7</u>	AMENDED CERTIFICATE OF SERVICE by Women's Health Center of West Virginia for Emergency Motion for a Temporary Restraining Order and Preliminary Injunction. (Stark, Loree)
04/24/2020	<u>8</u>	AMENDED CERTIFICATE OF SERVICE by Women's Health Center of West Virginia for Memorandum in Support of Emergency Motion for a Temporary Restraining Order and Preliminary Injunction. (Stark, Loree)
04/24/2020	<u>9</u>	SUMMONS SUBMITTED by Women's Health Center of West Virginia for Patrick Morrissey, re: <u>3</u> Complaint. (Stark, Loree)
04/24/2020	<u>10</u>	SUMMONS SUBMITTED by Women's Health Center of West Virginia for Bill Crouch, re: <u>3</u> Complaint. (Stark, Loree)
04/24/2020	<u>11</u>	SUMMONS SUBMITTED by Women's Health Center of West Virginia for Kishore Challa, re: <u>3</u> Complaint. (Stark, Loree)
04/24/2020	<u>12</u>	SUMMONS SUBMITTED by Women's Health Center of West Virginia for Catherine Slem, re: <u>3</u> Complaint. (Stark, Loree)
04/24/2020	<u>13</u>	SUMMONS SUBMITTED by Women's Health Center of West Virginia for Chuck Miller, re: <u>3</u> Complaint. (Stark, Loree)
04/24/2020		CASE assigned to Chief Judge Thomas E. Johnston. (klc) (Entered: 04/27/2020)
04/27/2020	<u>14</u>	STANDING ORDER IN RE: ASSIGNMENT AND REFERRAL OF CIVIL ACTIONS AND MATTERS TO MAGISTRATE JUDGES ENTERED JANUARY 4, 2016. Discovery referred to Magistrate Judge Tinsley. (cc: attys; any unrepresented party) (klc)
04/27/2020	<u>15</u>	ELECTRONIC SUMMONS ISSUED as to Kishore Challa, Bill Crouch, Chuck Miller, Patrick Morrissey, Catherine Slem, re: <u>3</u> Complaint. Summons returnable 21 days. Instructions to Counsel: This is your electronic summons. Please print as many copies of the Summons and Complaint as are necessary to effectuate service under Fed. R. Civ. P. 4. See Proof of Service page of this Summons form for filing a return of service if required by Fed. R. Civ. P. 4(l). (Attachments: # <u>1</u> Summons as to Catherine Slem, # <u>2</u> Summons as to Chuck Miller, # <u>3</u> Summons as to Kishore Challa, # <u>4</u> Summons as to Patrick Morrissey) (kew)
04/27/2020	<u>16</u>	NOTICE OF APPEARANCE by John Mercer Masslon, II on behalf of Kishore Challa, Bill Crouch, Patrick Morrissey, Catherine Slem. (Masslon, John)
04/27/2020	<u>17</u>	NOTICE OF APPEARANCE by Lindsay Sara See on behalf of Kishore Challa, Bill Crouch, Patrick Morrissey, Catherine Slem. (See, Lindsay)
04/27/2020	<u>18</u>	MOTION by Kishore Challa, Bill Crouch, Patrick Morrissey, Catherine Slem for a Scheduling Order. (Attachment: # <u>1</u> Exhibit 1)(See, Lindsay)
04/27/2020	<u>19</u>	MOTION by West Virginia FREE, Incorporated for Leave to Participate as Amicus Curiae and File a Brief in Support of Emergency Motion with proposed document attached. (Attachments: # <u>2</u> Proposed Order, # <u>3</u> Certificate of Service, # <u>4</u> Proposed Brief)(Smith, Nicola) (Modified on 4/28/2020 to remove memorandum of law attached to motion) (kew).
04/27/2020	<u>20</u>	MOTION by West Virginia FREE, Incorporated for Leave to Participate as Amicus Curiae and File a Brief in Support of Emergency Motion with proposed document attached (Attachments: # <u>2</u> Proposed Order, # <u>3</u> Certificate of Service, # <u>4</u> Proposed Brief)(Smith, Nicola) (Modified on 4/28/2020 to remove memorandum of law attached to motion) (kew).
04/27/2020	<u>21</u>	STATEMENT OF VISITING ATTORNEY from Kimberly A. Parker on behalf of Women's Health Center of West Virginia. Local counsel: Loree Stark. Fee \$50.00. Receipt # BWVSDC-7604990. (Stark, Loree)
04/27/2020	<u>22</u>	STATEMENT OF VISITING ATTORNEY from Albinas J. Prizgintas on behalf of Women's Health Center of West Virginia. Local counsel: Loree Stark. Fee \$50.00. Receipt # AWVSDC-7605014. (Stark, Loree)

04/27/2020	<u>23</u>	STATEMENT OF VISITING ATTORNEY from Alan E. Schoenfeld on behalf of Women's Health Center of West Virginia. Local counsel: Loree Stark. Fee \$50.00. Receipt # AWVSDC-7605022. (Stark, Loree)
04/27/2020	<u>24</u>	STATEMENT OF VISITING ATTORNEY from Paul R.Q. Wolfson on behalf of Women's Health Center of West Virginia. Local counsel: Loree Stark. Fee \$50.00. Receipt # AWVSDC-7605028. (Stark, Loree)
04/27/2020	<u>25</u>	STATEMENT OF VISITING ATTORNEY from Elizabeth Watson on behalf of Women's Health Center of West Virginia. Local counsel: Loree Stark. Fee \$50.00. Receipt # AWVSDC-7605053. (Stark, Loree)
04/27/2020	<u>26</u>	STATEMENT OF VISITING ATTORNEY from Susan Talcott Camp on behalf of Women's Health Center of West Virginia. Local counsel: Loree Stark. Fee \$50.00. Receipt # AWVSDC-7605057. (Stark, Loree)
04/27/2020	<u>27</u>	ORDER scheduling a telephonic status conference for 4/28/2020 at 2:00 PM before Judge Thomas E. Johnston. Signed by Judge Thomas E. Johnston on 4/27/2020. (cc: counsel of record; any unrepresented party) (ts)
04/27/2020	<u>28</u>	OPPOSITION by Women's Health Center of West Virginia to <u>18</u> MOTION by Kishore Challa, Bill Crouch, Patrick Morrissey, Catherine Slemp For A Scheduling Order. (Stark, Loree)
04/27/2020	<u>29</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by Women's Health Center of West Virginia in support of <u>1</u> EMERGENCY MOTION by Women's Health Center of West Virginia for a Temporary Restraining Order and Preliminary Injunction. (Stark, Loree) (Modified on 4/28/2020 to correct link) (kew)
04/28/2020	<u>30</u>	MEMORANDUM OF LAW by West Virginia FREE, Incorporated in support of <u>19</u> MOTION by West Virginia FREE, Incorporated for Leave to Participate as Amicus Curiae and File a Brief in Support of Emergency Motion. (kew)
04/28/2020	<u>31</u>	MEMORANDUM OF LAW by West Virginia FREE, Incorporated in support of <u>20</u> MOTION by West Virginia FREE, Incorporated for Leave to Participate as Amicus Curiae and File a Brief in Support of Emergency Motion. (kew)
04/28/2020		NOTICE OF DOCKET CORRECTION re: <u>19</u> and <u>20</u> Motions for Leave to File. ERROR: Memoranda of law attached to motions. CORRECTION: Memoranda removed and filed at entry #30 and #31. (kew)
04/28/2020	<u>32</u>	NOTICE of Executive Order 30-20 by Kishore Challa, Bill Crouch, Patrick Morrissey, Catherine Slemp (Attachment: # <u>1</u> Exhibit 1)(See, Lindsay)
04/28/2020	<u>33</u>	ORDER The telephonic status conference currently scheduled for 4/28/2020 is CONTINUED GENERALLY. Signed by Judge Thomas E. Johnston on 4/28/2020. (cc: counsel of record; any unrepresented party) (ts)
05/06/2020	<u>34</u>	NOTICE OF VOLUNTARY DISMISSAL Without Prejudice by Women's Health Center of West Virginia pursuant to Rule 41, Federal Rules of Civil Procedure (Stark, Loree)
05/07/2020	<u>35</u>	DISMISSAL ORDER directing this case DISMISSED WITHOUT PREJUDICE and removed from this Court's docket. Signed by Judge Thomas E. Johnston on 5/7/2020. (cc: counsel of record; any unrepresented party) (klc)