

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

HOPE MEDICAL GROUP FOR WOMEN; D.B., M.D.;)
AND K.P., M.D.,)

Plaintiffs,)

v.)

Case No. 07-CV-0879 (HGB) (KWR)

LORRAINE LEBLANC, in her official capacity as)
Executive Director of the Louisiana Patient's)
Compensation Fund Oversight Board; CLARK)
COSSE, in his official capacity as a member of the)
Louisiana Patient's Compensation Fund Oversight)
Board; MELANIE FIRMAN, M.D., in her official)
capacity as a member of the Louisiana Patient's)
Compensation Fund Oversight Board; VINCENT)
CULOTTA, M.D., in his official capacity as a)
member of the Louisiana Patient's Compensation)
Fund Oversight Board; WILLIAM SCHUMACHER,)
M.D., in his official capacity as a member of the)
Louisiana Patient's Compensation Fund Oversight)
Board; JOSEPH DONCHESS, in his official capacity)
as a member of the Louisiana Patient's)
Compensation Fund Oversight Board; DIONNE)
VIATOR, in her official capacity as a member of)
the Louisiana Patient's Compensation Fund)
Oversight Board; DANIEL LENNIE, R.N., in his)
official capacity as a member of the Louisiana)
Patient's Compensation Fund Oversight Board;)
and MANUEL DEPASCUAL, in his official capacity)
as a member of the Louisiana Patient's)
Compensation Fund Oversight Board,)

Defendants.)

FINAL JUDGMENT AND PERMANENT INJUNCTION

In its Order and Reasons entered on March 1, 2012, the Court granted Plaintiffs' motion for summary judgment on the grounds that La. Rev. Stat. § 9:2800.12 is void-for-vagueness under the Due Process Clause of the Fourteenth Amendment to the U.S. Constitution; imposes an undue burden on women's right to abortion in violation of the Due Process Clause of the

Fourteenth Amendment to the U.S. Constitution; and violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. The Court further determined that Plaintiffs' request for permanent injunctive relief was properly supported in all respects. The Court's Order and Reasons resolved all outstanding claims and issues in this case.

Accordingly,

IT IS ORDERED that judgment is entered for the Plaintiffs with respect to all claims asserted in this case; and

IT IS FURTHER ORDERED that a declaration is entered that La. Rev. Stat. § 9:2800.12 violates the rights of abortion providers and their patients under the Fourteenth Amendment to the U.S. Constitution and is therefore void and of no effect; and

IT IS FURTHER ORDERED that Defendants and their successors in office are permanently enjoined from enforcing, relying upon, or otherwise applying La. Rev. Stat. § 9:2800.12.

New Orleans, Louisiana, this 28th day of March, 2012.


HON. HELEN G. BERRIGAN
UNITED STATES DISTRICT JUDGE

Approved as to form:

/s/ Stephanie Toti
Stephanie Toti*
Bonnie Scott Jones*
Kara Loewentheil *
Center for Reproductive Rights
120 Wall Street, 14th Floor
New York, NY 10005
(917) 637-3600
*Admitted *Pro Hac Vice*

/S/ William E. Rittenberg
William E. Rittenberg
La. Bar No. 11287
Rittenberg, Samuel & Phillips, LLC
715 Girod Street
New Orleans, LA 70130
(504) 524-5555

Attorneys for Plaintiffs

and

ROEDEL, PARSONS, KOCH, BLACHE
BALHOFF & McCOLLISTER
8440 Jefferson Hwy., Suite 301
Baton Rouge, LA 70809-7652
Telephone: (225) 929-7033
Facsimile: (225) 928-4925

/S/ Carlton Jones, III
DAVID A. WOOLRIDGE, JR. (#21168)
CARLTON JONES, III, T.A. (#25732)

Attorneys for Defendants