UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

PLANNED PARENTHOOD OF INDIANA AND KENTUCKY, INC., and CAROL DELLINGER M.D.,))
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Plaintiffs,)
V.) Case No. 1:16-cv-00763-TWP-DML
COMMISSIONER, INDIANA STATE)
DEPARTMENT OF HEALTH in his official capacity,)
PROSECUTORS OF MARION, LAKE, MONROE,)
AND TIPPECANOE COUNTIES in their official)
capacities, and)
THE INDIVIDUAL MEMBERS OF THE)
MEDICAL LICENSING BOARD OF INDIANA in)
their official capacities,)
)
Defendants.)

ORDER GRANTING MOTION TO VACATE DELCARATORY JUDGMENT AND INJUNCTION

This matter is before the Court on Defendants' Expedited Motion to Vacate Declaratory Judgment and Injunction (Filing No. 145). Defendants have moved to vacate the declaratory judgment and injunction that this Court entered on October 11, 2017 (Filing No. 97), as amended on September 3, 2019 (Filing No. 127). Defendants' motion to vacate is predicated on the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, --U.S.--, 2022 WL 2276808 (June 24, 2022). 3. Plaintiffs agree that the *Dobbs* decision, overruling *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood of Southeast Pennsylvania v. Casey*, 505 U.S. 833 (1992) is a significant change in the law which justifies vacating the declaratory judgment and injunction. (Filing No. 148). Plaintiffs do not oppose the Motion. *Id*. Accordingly, the Motion (Filing No. 145) is GRANTED and the Court vacates the

declaratory judgment and injunction concerning Indiana Code sections 16-34-2-1.1(a)(1)(K), 16-

34-4-4, 16-34-4-5, 16-34- 4-6, 16-34-4-7, 16-34-4-8.

An Amended Final Judgment will issue in a separate Order.

SO ORDERED.

Date: 7/18/2022

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Hon. Tanya Walton Pratt, Chief Judge United States District Court Southern District of Indiana

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