

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

SISTERSONG WOMEN OF
COLOR REPRODUCTIVE
JUSTICE COLLECTIVE, on behalf
of itself and its members,

FEMINIST WOMEN'S HEALTH
CENTER, PLANNED
PARENTHOOD SOUTHEAST,
INC., ATLANTA
COMPREHENSIVE
WELLNESS CLINIC, ATLANTA
WOMEN'S MEDICAL CENTER,
FEMHEALTH USA d/b/a
CARAFEM, COLUMBUS
WOMEN'S HEALTH
ORGANIZATION, P.C., SUMMIT
MEDICAL ASSOCIATES, P.C., on
behalf of themselves, their
physicians and other staff, and their
patients;

CARRIE CWIAK, M.D., M.P.H.,
LISA HADDAD, M.D., M.S.,
M.P.H., and
EVA LATHROP, M.D., M.P.H., on
behalf of themselves and their
patients,

Plaintiffs,

v.

BRIAN KEMP, Governor of the
State of Georgia, in his official

No. 1:19-cv-02973-SCJ

capacity;

CHRISTOPHER M. CARR, Georgia Attorney General, in his official capacity;

KATHLEEN TOOMEY, Georgia Commissioner for Department of Public Health, in her official capacity;

JOHN S. ANTALIS, M.D.,
GRETCHEN COLLINS, M.D.,
DEBI DALTON, M.D., E. DANIEL DeLOACH, M.D., CHARMAINE FAUCHER, PA-C, MICHAEL FOWLER, SR., C.F.S.P.,
ALEXANDER S. GROSS, M.D.,
THOMAS HARDIN, JR., M.D.,
ROB LAW, C.F.A., MATTHEW W. NORMAN, M.D., DAVID W. RETTERBUSH, M.D., ANDREW REISMAN, M.D., JOE SAM ROBINSON, M.D., BARBY J. SIMMONS, D.O., and RICHARD L. WEIL, M.D., Members of the Georgia Composite Medical Board, in their official capacities;

LaSHARN HUGHES, M.B.A., Executive Director of the Georgia Composite Medical Board, in her official capacity;

PAUL L. HOWARD, JR., District Attorney for Fulton County, in his official capacity;

SHERRY BOSTON, District Attorney for DeKalb County, in her official capacity;

JULIA SLATER, District Attorney for the Chattahoochee Judicial Circuit, in her official capacity;

JOHN MELVIN, Acting District Attorney for the Cobb Judicial Circuit, in his official capacity;

DANNY PORTER, District Attorney for the Gwinnett Judicial Circuit, in his official capacity;

MEG HEAP, District Attorney for the Eastern Judicial Circuit, in her official capacity,

Defendants.

DISTRICT ATTORNEY PAUL L. HOWARD, JR.'S RESPONSE TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

COMES NOW, the District Attorney for the Atlanta Judicial Circuit in his official capacity, Paul L. Howard, Jr. ("District Attorney Howard"), and responds to Plaintiffs' Motion for Preliminary Injunction, as follows:

RESPONSE

The special responsibility conferred on district attorneys by the citizens of the county they serve and the laws of this country and state is not merely to pursue

convictions, but, fundamentally, to seek justice. *State v. Wooten*, 273 Ga. 529, 531, 543 S.E.2d 721, 723 (2001). The issues raised in Plaintiffs' Motion For Preliminary Injunction are governed by long-standing, well-defined and controlling precedent recognizing, among other fundamental rights, a woman's right to privacy. District Attorney Howard respects both this controlling precedent and the important rights it protects. Evaluated under this precedent, House Bill 481 (“H.B. 481”) represents an unconstitutional invasion of these rights. Accordingly, District Attorney Howard does not oppose an injunction against the enablement of H.B. 481.

Respectfully submitted this 19th day of August 2019.

**BAKER DONELSON, BEARMAN,
CALDWELL & BERKOWITZ PC**

/s/ Linda A. Klein _____

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*Attorneys for Defendant Paul L.
Howard, Jr., District Attorney for
Fulton County, Georgia, in his official
capacity*

RULE 7.1(D) CERTIFICATE

The undersigned counsel certifies that this document has been prepared with Times New Roman 14-point font in accordance with Local Rule 5.1.C.

Dated: August 19, 2019

/s/ Linda A. Klein _____

Linda A. Klein

Georgia Bar No. 425069

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CERTIFICATE OF SERVICE

I certify that on the 19th day of August, the foregoing **DISTRICT ATTORNEY PAUL L. HOWARD, JR.'S RESPONSE TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION** was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the attorneys of record.

Respectfully submitted this 19th day of August 2019.

**BAKER DONELSON, BEARMAN,
CALDWELL & BERKOWITZ PC**

/s/ Linda A. Klein

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