

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PLANNED PARENTHOOD OF THE)
HEARTLAND, and)
)
DR. JILL L. MEADOWS,)
)
)
Plaintiffs,)
)
v.)
)
DAVE HEINEMAN, Governor of)
Nebraska, in his official capacity;)
)
JON BRUNING, Attorney General of)
Nebraska; in his official capacity;)
)
KERRY WINTERER, Chief Executive)
Officer, and DR. JOANN SCHAEFER,)
Director of the Division of Public Health,)
Nebraska Department of Health and)
Services, in their official capacities; and)
)
CRYSTAL HIGGINS, President, Nebraska)
Board of Nursing, and BRENDA)
BERGMAN-EVANS, President, Nebraska)
Board of Advanced Practice Registered)
Nurses, in their official capacities,)
)
Defendants.)

CASE NO. 4:10CV3122

ORDER AND
FINAL JUDGMENT

This matter is before the Court on the parties' Joint Stipulation to Entry of Final Judgment and Permanent Injunction (Filing No. 62). The parties stipulated to the entry of a judgment and an order granting final declaratory and injunctive relief consistent with the Court's Preliminary Injunction (Filing No. 53). The Court concludes that the Stipulation should be approved, and judgment should be entered in favor of Plaintiffs Planned Parenthood of the Heartland and Dr. Jill L. Meadows, and against Defendants Dave Heineman, Jon Bruning, Kerry Winterer, Dr. Joann Schaefer, Crystal Higgins, and Brenda Bergman-Evans in their official capacities. Accordingly,

IT IS ORDERED:

1. For the reasons set forth in the Court's Preliminary Injunction Order of July 14, 2010 (Filing No. 53), the Court declares that Legislative Bill 594, 101st Leg. Sess. (Neb. 2010) is unconstitutional, except as to the following sections:
 - a. Sections 2 and 12 of Legislative Bill 594, 101st Leg. Reg. Sess. (Neb. 2010), to be codified within Neb. Rev. Stat. §§ 28-325 and 28-327.01;
 - b. Section 17 providing for severability of sections; and
 - c. Section 18, to the extent that it authorizes the repeal of original §§ 28-325 and 28-317.01;
2. The Defendants are permanently enjoined from taking any action to enforce the remaining sections of Legislative Bill 594, 101st Leg. Sess. (Neb. 2010), specifically amendments to Neb. Rev. Stat. §§ 28-101, 28-326, 28-327, 28-327.03, 28-327.04, 28-340, 38-2021; and
3. Plaintiffs' time for filing an application for attorneys' fees and expenses is extended to October 8, 2010.

DATED this 24th day of August, 2010

BY THE COURT:

s/Laurie Smith Camp
United States District Judge