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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO
SOUTHERN DIVISION**

**PLANNED PARENTHOOD GREAT
NORTHWEST, HAWAII, ALASKA, INDIANA,
KENTUCKY**, on behalf of itself, its staff, physicians
and patients, **CAITLIN GUSTAFSON, M.D.**, on
behalf of herself and her patients, and **DARIN L.
WEYHRICH, M.D.**, on behalf of himself and his
patients,

Plaintiffs,

v.

RAÚL LABRADOR, in his official capacity as
Attorney General of the State of Idaho; **MEMBERS
OF THE IDAHO STATE BOARD OF MEDICINE
and IDAHO STATE BOARD OF NURSING**, in their
official capacities, **COUNTY PROSECUTING
ATTORNEYS**, in their official capacities,

Defendants.

Case No. 1:23-cv-142

**MOTION FOR
TEMPORARY
RESTRAINING ORDER
AND PRELIMINARY
INJUNCTION**

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Attorneys for Physician Plaintiffs

** Pro hac vice applications forthcoming*

**MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY
INJUNCTION**

Under Federal Rule of Civil Procedure 65, Plaintiffs Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, Kentucky (“Planned Parenthood”), and Darin L. Weyhrich, M.D., respectfully move for a temporary restraining order and preliminary injunction against Raúl Labrador in his official capacity as Attorney General of the State of Idaho, County Prosecuting Attorneys (“County Prosecuting Attorneys”) in the following Idaho counties Ada, Adams, Bannock, Bear Lake, Benewah, Bingham, Blaine, Boise, Bonner, Bonneville, Boundary, Butte, Camas, Canyon, Caribou, Cassia, Clark, Clearwater, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Idaho, Jefferson, Jerome, Kootenai, Latah, Lemhi, Lewis, Lincoln, Madison, Minidoka, Nez Perce, Oneida, Owyhee, Payette, Power, Shoshone, Teton, Twin Falls, Valley, and Washington, named in their official capacities, and the members of the Idaho State Board of Medicine, and the Idaho State Board of Nursing, named in their official capacities, to prohibit enforcement of Idaho Code § 18-622(2) as interpreted by Attorney General Labrador. Plaintiffs’ arguments in support of this motion are fully set forth in the attached memorandum of law and supporting declarations.

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Respectfully submitted,
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 5, 2023, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Not Applicable (no defendant has yet appeared)

And I FURTHER CERTIFY that on such date I served the foregoing on the following non-CM/ECF registered participants via U.S. first class mail, postage prepaid addressed as follows:

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