

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

PLANNED PARENTHOOD OF)
KANSAS AND MID-MISSOURI,)
Plaintiff,)
))
and)
))
Dodge City Family Planning Clinic,)
Plaintiff-Intervenor)
))
vs.)
))
SAM BROWNBACK, Governor of)
Kansas, and ROBERT MOSER, M.D.,)
Secretary, Kansas Department of)
Health and Environment,)
))
Defendants.)
_____)

CIVIL ACTION
Case No.: 11-2357 JTM/DJW

**MOTION FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION OF
PLAINTIFF-INTERVENOR DODGE CITY FAMILY PLANNING CLINIC**

For the reasons stated in proposed Plaintiff-Intervenor’s (“DCFP’s”) accompanying Memorandum in Support of its Motion for Temporary Restraining Order and Preliminary Injunction, DCFP seeks temporary and preliminary relief to prevent further enforcement of Section 107(1) of appropriations bill H.B. 2014, 84th Leg. (Kan. 2011). Section 107(1) deprives DCFP of federal family planning funds it has received for 35 years; is currently irreparably harming DCFP and its employees; and threatens to shut DCFP down imminently, which would irreparably harm not only DCFP and its employees, but also the high-need, low-income women and families of Ford County and the surrounding area. Absent the relief requested here, DCFP will close, leaving hundreds of low-income Kansans without access to affordable family planning and

related services. DCFP has demonstrated in its accompanying memorandum of law that it is substantially likely to succeed on the merits of its claim; that it and its patients will suffer further irreparable harm absent the injunction; that the injunction would further the public interest; and that the harm to DCFP and its patients vastly outweighs any conceivable harm to Defendants. Accordingly, this Court should grant the motion for temporary restraining order and preliminary injunction.

Respectfully submitted,

s/Stephen Douglas Bonney
Stephen Douglas Bonney, KS Bar No. 12322
ACLU Foundation of Kansas & Western Missouri
3601 Main Street
Kansas City, MO 64111
Tel. (816) 994-3311
Fax: (816) 756-0136
dbonney@aclukswmo.org

Talcott Camp*
Alexa Kolbi-Molinas*
ACLU Foundation
Reproductive Freedom Project
125 Broad Street, 18th Floor
New York, NY 10004
212-549-2633
tcamp@aclu.org
akolbi-molinas@aclu.org
* *Pro hac vice* to be filed

Attorneys for Plaintiff-Intervenor

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2011, I caused a copy of Plaintiff-Intervenor's Motion for Temporary Restraining Order and Preliminary Injunction to be served through the Court's electronic filing system, which will serve all the parties in this action.

Dated: September 30, 2011

s/Stephen Douglas Bonney