

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

JUNE MEDICAL SERVICES
LLC, *et al.*,

Plaintiffs,

v.

COURTNEY PHILLIPS,

Defendant.

No. 3:14-cv-525-JWD-RLB

**DEFENDANT'S RENEWED EMERGENCY RULE 60(b) MOTION TO
VACATE PERMANENT INJUNCTION**

Defendant respectfully moves this Court pursuant to Federal Rule of Civil Procedure 60(b) and this Court's September 22, 2022, Order (Dkt. 499), to modify the judgment and vacate the permanent injunction in this case in view of *Dobbs v. Jackson Women's Health Org.*, 142 S.Ct. 2228, 2284 (2022), and *Whole Woman's Health v. Young*, 37 F.4th 1098, 1099 (5th Cir. 2022). Under *Dobbs*, there is no remaining legal or equitable basis for the permanent injunction, which relies on precedent overruled in *Dobbs*. And *Young* makes clear that injunctions like the one in this case should be vacated as a matter of circuit law. Because the effectiveness of the enjoined Act 620 will impact the safety of abortions that may be performed today and the injunction imposes an ongoing irreparable harm to Louisiana's sovereignty, this is an emergency motion.

This motion is based on the attached memoranda, documents of record, and such other evidence and argument on which the Court may properly rely.

Counsel for Defendant contacted counsel for Plaintiffs regarding this motion on September 22, 2022, who reported that Plaintiffs oppose this motion.

WHEREFORE, Defendant prays that this motion be granted. Defendant further prays that pursuant to the Fifth Circuit's order, that this Court "expeditiously address" the merits of this motion. *See* Dkt. 500.

Respectfully submitted,
/s/ Joseph S. St. John
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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that, on this date, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participating attorneys.

Dated this 3rd day of October, 2022.

/s/ Joseph S. St. John