

NO. 23-CI-007561

JEFFERSON CIRCUIT COURT
DIVISION _____ ()
JUDGE _____

JANE DOE, *et al.*

PLAINTIFFS

v.

NOTICE-MOTION-ORDER

DANIEL CAMERON, *et al.*

DEFENDANTS

* * * * *

NOTICE

Please take notice that Plaintiff Jane Doe, by and through undersigned counsel, will present the following motion on Monday, December 18, at the Court’s regularly scheduled motion hour, or as soon as they may be heard.

MOTION FOR LEAVE FOR JANE DOE AND OTHERS SIMILARLY SITUATED TO PROCEED UNDER PSEUDONYM

Plaintiffs, by counsel, seek leave to allow Plaintiff Jane Doe, suing on behalf of herself and others similarly situated, and any other member of the Plaintiff Class, to proceed under pseudonym.

In support of this Motion, Plaintiffs state that on February 16, 2023, the Kentucky Supreme Court ruled in a prior case that health care provider plaintiffs had not satisfied the third-party standing requirements to raise the constitutional rights of their patients. *Cameron v. EMW Women’s Surgical Ctr., P.S.C.*, No. 2022-SC-0329-TG, 2023 WL 2033788, at *17 (Ky. Feb. 16, 2023). In so ruling, the Kentucky Supreme Court noted that that individuals seeking abortions could raise their own claims challenging Kentucky’s abortion bans. *Id.* at *19. The high court also sanctioned the use of pseudonyms to protect the identities of such patient plaintiffs who challenge abortion bans. *Id.* at *13–14, *15, *16 (citing *Doe v. Potter*, 225 S.W.3d 395, 397 (Ky. App. 2006) (allowing class of anonymous plaintiffs who filed suit against the Roman Catholic Diocese of

Covington and its Bishop for the sexual abuse they endured as children)). Jane Doe, a Kentucky abortion-seeker, now brings this case raising her own claims challenging the constitutionality of Kentucky's abortion bans on behalf of herself and all others similarly situated. Plaintiffs therefore seek leave to allow Jane Doe and any future named member of the Plaintiff Class to proceed under pseudonym.

For the foregoing reasons, Plaintiffs respectfully request this Court grant Plaintiffs' Motion for Leave for Jane Doe and Others Similarly Situated to Proceed Under Pseudonym.

DATE: December 8, 2023

Respectfully submitted,

/s/ Michele Henry

Michele Henry (KBA No. 89199)
Craig Henry PLC
401 West Main Street, Suite 1900
Louisville, Kentucky 40202
(502) 614-5962
mhenry@craighenrylaw.com

Counsel for Plaintiffs

Brigitte Amiri*
Chelsea Tejada*
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, New York 10004
(212) 549-2633
bamiri@aclu.org
ctejada@aclu.org

Crystal Fryman (KBA No. 99027)
ACLU of Kentucky
325 Main Street, Suite 2210
Louisville, Kentucky 40202
(502) 581-9746
crystal@aclu-ky.org

Counsel for Plaintiff Jane Doe

Counsel for Plaintiff Jane Doe

Anjali V. Salvador*
Valentina De Fex*†
Planned Parenthood Federation of America
123 William Street, Floor 10
New York, NY 10038
(212) 541-7800
anjali.salvador@ppfa.org
valentina.defex@ppfa.org

Leah Godesky*
O'Melveny & Myers LLP
1999 Avenue of the Stars
Los Angeles, CA 90067
(310) 246-8501
lgodesky@omm.com

Counsel for Plaintiffs

Counsel for Plaintiffs

**pro hac vice motions forthcoming*

† barred only in Utah and Oregon

CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2023, true and accurate copies of the foregoing were served by email on the following:

Victor Maddox
Christopher Thacker
Lindsey Keiser
Office of the Attorney General
700 Capitol Avenue, Suite 118
Frankfort, KY 40601
victor.maddox@ky.gov
christopher.thacker@ky.gov
lindsey.keiser@ky.gov

Wesley Duke
Office of the Secretary of Kentucky’s Cabinet for Health and Family Services
275 E. Main St. 5W-A
Frankfort, KY 40621
wesleyw.duke@ky.gov

Leanna Diakov
Kentucky Board of Medical Licensure
310 Whittington Pkwy, Suite 1B
Louisville, KY 40222
leanne.diakov@ky.gov

Jason Moore
Office of the Commonwealth’s Attorney, 30th Judicial Circuit
514 West Liberty Street
Louisville, KY 40202
jbmoore@louisvilleprosecutor.com

/s/ Michele Henry

Michele Henry (KBA No. 89199)
Counsel for Plaintiffs

NO. 23-CI-007561

JEFFERSON CIRCUIT COURT
DIVISION _____ ()
JUDGE _____

JANE DOE, *et al.*

PLAINTIFFS

v.

DANIEL CAMERON, *et al.*

DEFENDANTS

ORDER

Plaintiffs having moved for Jane Doe and others similarly situated to proceed under pseudonym, and the Court having reviewed the submissions of the parties and being otherwise sufficiently advised, it is hereby

ORDERED that Plaintiffs’ Motion for Jane Doe and Others Similarly Situated to Proceed under Pseudonym, dated December 8, 2023, is **GRANTED**.

JUDGE

Date: _____

Tendered by:

Michele Henry (KBA No. 89199)
Craig Henry PLC
401 West Main Street, Suite 1900
Louisville, Kentucky 40202
Phone: (502) 614-5962
mhenry@craighenrylaw.com

Counsel for Plaintiffs