

**IN THE COURT OF COMMON PLEAS
FOR FRANKLIN COUNTY, OHIO**

PRETERM-CLEVELAND *et al.*,

Plaintiffs,

v.

DAVE YOST *et al.*,

Defendants.

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Case No. 24CV002634

Judge David C. Young

**ANSWER OF STATE DEFENDANTS DAVE YOST, KIM ROTHERMEL, HARISH
KAKARALA, AND BRUCE VANDERHOFF TO PLAINTIFFS' SUPPLEMENTAL
COMPLAINT**

By and through counsel, Defendants Dave Yost, Kim Rothermel, Harish Kakarala, and Bruce Vanderhoff (together, the "State") answer the Plaintiffs' Supplemental Complaint (the "Complaint") as follows::

1. In response to paragraph 1 of the Complaint, the State admits the Ohio Constitution was amended to include Article 1, Section 22 entitled "The Right to Reproductive Freedom with Protections for Health and Safety" ("Amendment"). Further answering, the text of Article I, Section 22 speaks for itself. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

2. Paragraph 2 of the Complaint states a legal conclusion and/or assertions to which no response is required at this stage of the litigation. The text of R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

3. In response to paragraph 3 of the Complaint, the text of R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

4. Paragraph 4 of the Complaint states a legal conclusion and/or assertions to which no response is required at this stage of the litigation. Further answering, the text of R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

5. Paragraph 5 of the Complaint states a legal conclusion and/or assertions to which no response is required at this stage of the litigation. Further answering, the text of R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

6. Paragraph 6 of the Complaint states a legal conclusion and/or assertions to which no response is required at this stage of the litigation. Further answering, the text of R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

7. Paragraph 7 of the Complaint states a legal conclusion and/or assertions to which no response is required at this stage of the litigation. Further answering, the text of R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further

response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

8. Paragraph 8 of the Complaint states a legal conclusion and/or assertions to which no response is required at this stage of the litigation. Further answering, the text of R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

9. In response to paragraph 9, the State admits that Plaintiffs seek preliminary and permanent relief and a declaratory judgment that R.C. 2417.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 violate the Amendment. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

PARTIES

A. Plaintiffs

10. In response to paragraph 10 of the Complaint, the State admits that Plaintiff Preterm-Cleveland (“Preterm”) is a nonprofit corporation organized under the laws of the State of Ohio that provides abortions and operates an Ambulatory Surgical Facility in Cleveland. Any allegation asserting any description, summary, or characterization of challenged statutes beyond their express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

11. In response to paragraph 11 of the Complaint, the State admits that Plaintiff Planned Parenthood Southwest Ohio Region (“PPSWO”) is a nonprofit corporation organized under the laws of the State of Ohio and that PPSWO that provides abortions and operates an Ambulatory Surgical Facility in Cincinnati. The State further admits that PPSWO now operates Women’s Med

Dayton (“WMD”), now called the Dayton Surgical Center of Dayton (“DSC”), and PPSWO has submitted a Health Care Facility Change of Ownership Application to the Ohio Department of Health. Any allegation asserting any description, summary, or characterization of challenged statutes beyond their express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

12. In response to paragraph 12 of the Complaint, the State admits that Plaintiff Women’s Med Group Professional Corporation (“WMGPC”) has historically owned and operated WMD, an Ambulatory Surgical Facility in Kettering, Ohio, but PPSWO purchased WMD and renamed it as the Dayton Surgical Center of Dayton (“DSC”). The State further admits that PPSWO has submitted a Health Care Facility Change of Ownership Application to the Ohio Department of Health. Any allegation asserting any description, summary, or characterization of challenged statutes beyond their express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

13. In response to paragraph 13 of the Complaint, the State admits that Plaintiff Catherine Romanos, M.D., is a physician licensed to practice medicine in Ohio. Any allegation asserting any description, summary, or characterization of challenged statutes beyond their express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

14. In response to paragraph 14 of the Complaint, the State admits that Plaintiff Sharon Liner, M.D., is a physician licensed to practice medicine in Ohio. Any allegation asserting any

description, summary, or characterization of challenged statutes beyond their express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

15. In response to paragraph 15 of the Complaint, the State admits that Plaintiff Planned Parenthood of Greater Ohio (“PPGOH”) is a nonprofit corporation organized under the laws of the State of Ohio that provides abortion and operates Ambulatory Surgical Facilities in East Columbus and Bedford Heights. Any allegation asserting any description, summary, or characterization of challenged statutes beyond their express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

16. In response to paragraph 16 of the Complaint, the State admits that Plaintiff Northeast Ohio Women’s Center, LLC is a nonprofit corporation organized under the laws of the State of Ohio that provides abortions and operates an Ambulatory Surgical Facility in Toledo. Any allegation asserting any description, summary, or characterization of challenged statutes beyond their express language is a legal conclusion to which no response is required at this stage in the litigation. The State denies for lack of knowledge the remainder of the allegations in this paragraph.

B. Defendants

17. In response to paragraph 17 of the Complaint, that State admits that Dave Yost is the Attorney General of the State of Ohio and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

18. In response to paragraph 18 of the Complaint, the State admits that Kim G. Roth-ermel, M.D., is the Secretary of the State Medical Board of Ohio and is sued here in her official

capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

19. In response to paragraph 19 of the Complaint, the State admits that Harish Kakarala, M.D., is the Supervising Member of the State Medical Board of Ohio and is sued here in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

20. In response to paragraph 20 of the Complaint, the State admits that Bruce T. Vanderhoff, M.D., M.B.A., is the director of the Ohio Department of Health and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

21. In response to paragraph 21 of the Complaint, the State admits that Michael C. O'Malley is the Cuyahoga County Prosecutor and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

22. In response to paragraph 22 of the Complaint, the State admits that Shayla D. Favor is the Franklin County Prosecutor and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

23. In response to paragraph 23 of the Complaint, the State admits that Connie Pillich is the Hamilton County Prosecutor and is sued in her official capacity and that PPSWO's Cincinnati surgery center is located in Hamilton County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

24. In response to paragraph 24 of the Complaint, the State admits that Julia R. Bates is

the Lucas County Prosecutor and is sued in her official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

25. In response to paragraph 25 of the Complaint, the State admits that Mathias H. Heck Jr. is the Montgomery County Prosecutor and is sued in his official capacity and that WMGPC's facility is located in Montgomery County. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

26. In response to paragraph 26 of the Complaint, the State admits that Elliot Kolkovich is the Summit County Prosecutor and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

27. In response to paragraph 27 of the Complaint, the State admits that Marlene J. Ridenour is the Director of Law for the City of Bedford Heights and is sued in her official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

28. In response to paragraph 28 of the Complaint, the State admits that Emily Smart Woerner is the Cincinnati City Solicitor and is sued in her official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

29. In response to paragraph 29 of the Complaint, the State admits that Mark Griffin is the Law Director and Chief Legal Counsel for the City of Cleveland and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

30. In response to paragraph 30 of the Complaint, the State admits that Zach Klein is the Columbus City Attorney and is sued in his official capacity. The remainder of the paragraph

asserts legal conclusions to which no response is required at this stage in the litigation.

31. In response to paragraph 31 of the Complaint, the State admits that Janet Ciotola is the Director of Law for the City of Cuyahoga Falls and is sued in her official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

32. In response to paragraph 32 of the Complaint, the State admits that Theodore A. Hamer is Director of Law for the City of Kettering and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

33. In response to paragraph 33 of the Complaint, the State admits that William M. Ondrey Gruber is the Shaker Heights Director of Law and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

34. In response to paragraph 34 of the Complaint, the State admits that Dale R. Emch is the City of Toledo Law Director and is sued in his official capacity. The remainder of the paragraph asserts legal conclusions to which no response is required at this stage in the litigation.

JURISDICTION AND VENUE

35. Paragraph 35 asserts legal conclusions to which no response is required at this stage in the litigation.

36. Admit.

FACTUAL ALLEGATIONS

37. In response to paragraph 37 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

38. In response to paragraph 38 of the Complaint, the State admits that it is aware of two types of abortions: medication abortion and surgical abortion. To the extent that further response is required, the State denies for lack of knowledge any remaining factual allegations or characterizations of the same in this paragraph.

39. In response to paragraph 39 of the Complaint, the State admits that mifepristone and misoprostol are used to induce abortion. The text of R.C. 2919.123 and the Entry Granting Pls' Motion for Preliminary Injunction speak for themselves. The State denies for lack of knowledge any remaining factual allegations or characterizations of the same in this paragraph.

40. In response to paragraph 40 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

41. In response to paragraph 41 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

42. In response to paragraph 42 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

43. In response to paragraph 43 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

44. In response to paragraph 44 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

45. In response to paragraph 45 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

46. In response to paragraph 46 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

47. In response to paragraph 47 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

48. In response to paragraph 48 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

49. In response to paragraph 49 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

50. In response to paragraph 50 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

51. Paragraph 51 asserts legal conclusions to which no response is required at this stage in the litigation.

52. In response to paragraph 52 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

53. In response to paragraph 53 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

54. In response to paragraph 54 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

55. In response to paragraph 55 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

56. In response to paragraph 56 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

57. In response to paragraph 57 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

58. In response to paragraph 58 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

59. In response to paragraph 59 of the Complaint, the American Medical Associations Code of Medical Ethics speaks for itself. To the extent that further response is required, the State denies for lack of knowledge any remaining factual allegations or characterizations of the same in this paragraph.

60. In response to paragraph 60 of the Complaint, the American College of Obstetricians and Gynecologists Committee on Ethics Opinion Number 819 speaks for itself. To the extent that further response is required, the State denies for lack of knowledge any remaining factual allegations or characterizations of the same in this paragraph.

61. In response to paragraph 62 of the Complaint, R.C. 2317.56(B)(1) speaks for itself. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 61 contains legal conclusions, no response is required.

62. In response to paragraph 62 of the Complaint, R.C. 2317.56(B)(2), (B)(2)(b), and (B)(2)(c) speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 62 contains legal conclusions, no response is required.

63. In response to paragraph 63 of the Complaint, R.C. 2317.56(B)(4)(a) and (B)(4)(b), and (B)(2)(c) speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 63 contains legal conclusions, no response is required.

64. In response to paragraph 64 of the Complaint, R.C. 2317.56(A)(1), R.C. 2919.16(F),

and R.C. 2317.56(A)(2) speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 64 contains legal conclusions, no response is required.

65. In response to paragraph 65 of the Complaint, R.C. 2317.56, R.C. 2317.56(G)(1), and R.C. 4731.22(B)(23) speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 65 contains legal conclusions, no response is required.

66. In response to paragraph 66 of the Complaint, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 66 contains legal conclusions, no response is required.

67. In response to paragraph 67 of the Complaint, R.C. 2919.194(A), 2919.194(A)(1), 2919.194(A)(2), 2919.194(A)(3), and R.C. 2919.194(A)(4) speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 67 contains legal conclusions, no response is required.

68. In response to paragraph 68 of the Complaint, R.C. 2919.193(B), 2919.193(C), and R.C. 2919.16(F) speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 68 contains legal conclusions, no response is required.

69. In response to paragraph 67 of the Complaint, R.C. 2919.192, R.C. 2919.193, R.C. 2919.139(A), R.C. 2919.14(A)(5), R.C. 2929.14(A)(3)(e), R.C. 2919.194, R.C. 2919.194(E), R.C. 2929.24(A)(1), R.C. 2929.28(A)(2)(a)(i), R.C. 2929.14(A)(4), and R.C. 2929.18(A)(3)(d) speak for

themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 69 contains legal conclusions, no response is required.

70. In response to paragraph 70 of the Complaint, R.C. 2919.192, R.C. 2919.193, R.C. 2919.194, 2919.1912(A), R.C. 4731.22(B)(46), R.C. 2919.193(A)(1), R.C. 2919.199(A)(2), and R.C. 2919.199(B0(1) speak for themselves. Further answering, the State denies for lack of knowledge any remaining factual allegations in this paragraph. To the extent that paragraph 71 contains legal conclusions, no response is required.

71. Paragraph 71 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

72. In response to paragraph 72, the State denies for lack of knowledge any factual allegations in this paragraph. To the extent that paragraph 72 contains legal conclusions, no response is required.

73. In response to paragraph 73, the State denies for lack of knowledge any factual allegations in this paragraph. To the extent that paragraph 73 contains legal conclusions, no response is required.

74. In response to paragraph 74 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

75. In response to paragraph 75 of the Complaint, the State lacks first-hand knowledge

at this stage of the litigation to admit the factual allegations therein.

76. In response to paragraph 76 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

77. In response to paragraph 77, the State denies for lack of knowledge any factual allegations in this paragraph. Further answering, R.C. 2317.56, R.C. 2919.193, and the Entry Granting Plaintiffs' Preliminary Injunction speak for themselves. To the extent that paragraph 77 contains legal conclusions, no response is required.

78. In response to paragraph 78, the State denies for lack of knowledge any factual allegations in this paragraph. Further answering, R.C. 2317.56 speaks for itself. To the extent that paragraph 78 contains legal conclusions, no response is required.

79. In response to paragraph 79 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein. To the extent that paragraph 79 contains legal conclusions, no response is required.

80. In response to paragraph 80 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

81. In response to paragraph 81 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

82. In response to paragraph 82 of the Complaint, the cited material speaks for itself. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

83. In response to paragraph 83 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

84. In response to paragraph 84 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

85. In response to paragraph 85 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

86. In response to paragraph 86 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

87. Paragraph 87 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Further answering, R.C. 2317.56 speaks for itself. To the extent that further response is required, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

88. In response to paragraph 88 of the Complaint, the State lacks first-hand knowledge at this stage of the litigation to admit the factual allegations therein.

89. In response to paragraph 89 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

90. In response to paragraph 90 of the Complaint, R.C. 2317.56 speaks for itself. Further answering, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

91. Paragraph 91 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

92. Paragraph 92 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

93. Paragraph 93 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

94. Paragraph 94 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

95. In response to paragraph 95 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

96. In response to paragraph 96 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

97. Paragraph 97 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further

response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

98. In response to paragraph 98 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

99. In response to paragraph 99 of the Complaint, the cited materials speak for themselves. Further responding, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph. To the extent that paragraph 77 contains legal conclusions, no response is required.

100. Paragraph 100 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

101. Paragraph 101 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

102. Paragraph 102 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

103. Paragraph 103 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2919.194(A)(2) and R.C. 2919.194(C) speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

104. Paragraph 104 of the Complaint states legal conclusions and/or assertions to which

no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

105. Paragraph 105 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

106. Paragraph 106 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56 speaks for itself. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

107. Paragraph 107 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

108. In response to paragraph 108 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

109. In response to paragraph 109 of the Complaint, the State denies for lack of knowledge any remaining factual allegations and/or characterizations of the same in this paragraph.

110. Paragraph 110 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

111. Paragraph 111 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

112. Paragraph 112 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, the cited material speaks for itself. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

113. Paragraph 113 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, the cited material speaks for itself. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in this paragraph.

114. Paragraph 107 of the Complaint states legal conclusions and/or assertions to which no response is required at this stage of the litigation. Answering further, R.C. 2317.56, R.C. 2919.192, R.C. 2919.193, and R.C. 2919.194 speak for themselves. To the extent that further response is required, the State denies any remaining allegations or characterizations of the same in

this paragraph.

CLAIMS FOR RELIEF

COUNT I—Right to Reproductive Freedom

115. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

116. Paragraph 116 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

117. Paragraph 117 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

118. Paragraph 118 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

119. Paragraph 119 of the Complaint states legal conclusions to which no response is required at this stage of the litigation. By way of further response, the Amendment speaks for itself.

120. Paragraph 120 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

COUNT II—Declaratory Judgment

121. The State realleges and incorporates by reference all answers to preceding paragraphs as if fully written here.

122. Paragraph 122 of the Complaint states legal conclusions to which no response is required at this stage of the litigation.

123. Paragraph 123 of the Complaint states legal conclusions to which no response is required at this stage of litigation.

124. In response to paragraph 124 of the Complaint, the State denies that Plaintiffs are entitled to the declaratory relief specified therein.

125. In response to the Prayer for Relief in the Complaint, the State denies that Plaintiffs are entitled to the declaratory relief specified therein.

126. The State denies any allegations in the Complaint not expressly admitted herein.

FIRST DEFENSE

Plaintiffs fail to state any claim upon which relief can be granted, because the various challenged provisions of Ohio statutory law do not violate the Ohio or U.S. Constitutions, and/or because Plaintiffs seek relief broader than any relief to which Plaintiffs would be entitled even if narrower relief were warranted by any of their claims.

SECOND DEFENSE

Plaintiffs lack standing.

THIRD DEFENSE

Plaintiffs cannot assert the standing or claims of others.

FOURTH DEFENSE

Plaintiffs have failed to join necessary parties.

FIFTH DEFENSE

Neither Plaintiffs nor the persons they claim to represent have been deprived of any state or federal constitutional or statutory right.

SIXTH DEFENSE

The challenged law does not violate any provision of the Ohio Constitution or the United States Constitution.

SEVENTH DEFENSE

Plaintiffs do not allege a cognizable injury.

EIGHTH DEFENSE

The challenged law is supported by sufficient state interests.

NINTH DEFENSE

The challenged law is sufficiently tailored to meet constitutional scrutiny.

TENTH DEFENSE

Plaintiffs are unable to establish the elements required for injunctive relief.

ELEVENTH DEFENSE

To the extent that Plaintiffs' claims for relief could be construed as claims for legal relief (money damages), those must be dismissed because such claims cannot be asserted against the State of Ohio outside of the Ohio Court of Claims.

RESERVATION OF ADDITIONAL DEFENSES

The State Defendants reserve the right to supplement their Answer with additional defenses, including affirmative defenses, as litigation in this matter proceeds.

Thus, having fully answered Plaintiffs' First Amended Complaint, the State requests that the Court dismiss Plaintiffs' Complaint, with prejudice, and that the State receive reasonable costs and fees in defending this suit, and all other relief the Court deems just and equitable.

Respectfully submitted,

DAVE YOST (0056290)
ATTORNEY GENERAL OF OHIO

/s/ Amanda L. Narog

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Candy Sue Reinhart

CERTIFICATE OF SERVICE

Pursuant to Civ.R. 5(B)(2)(f), I certify that, on February 9, 2026, a copy of this Answer was electronically filed and served via email.

/s/ Amanda L. Narog
AMANDA L. NAROG (93954)