

**IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

WOMEN’S MED GROUP

PROFESSIONAL CORPORATION, *et al.*, :

Plaintiffs, :

vs. :

BRUCE VANDERHOFF, *et al.*, :

Defendants. :

Case No. A 2200704

Judge Alison Hatheway

**PLAINTIFFS’ UNOPPOSED MOTION
FOR LEAVE TO AMEND
COMPLAINT**

Pursuant to Ohio Civil Rule 15(A), Plaintiffs Women’s Med Group Professional Corporation and Planned Parenthood Southwest Ohio Region (collectively “Plaintiffs”), by and through their undersigned counsel, hereby move to amend their complaint to challenge parts of Ohio’s licensing scheme for abortion-providing ambulatory surgical facilities under the newly adopted Right to Reproductive Freedom Amendment, Article I, Section 22 of the Ohio Constitution. The Amendment directs that the State “shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against” a person voluntarily exercising this right or an individual or entity helping them do so. Ohio Constitution, Article I, Section 22. This new provision took effect in December 2023.

On April 11, 2024, Defendants indicated via email that they do not oppose Plaintiffs’ Motion. *See* Civ.R. 15(A) (parties may file an amended pleading at this stage of litigation “with the opposing party’s written consent or the court’s leave”). Plaintiffs have alleged sufficient support for the new matters they seek to plead and have not acted in bad faith, caused undue delay, or caused undue prejudice to Defendants. *See Danopoulos v. Am. Trading II, LLC*, 2016-Ohio-5014, 69 N.E.3d 157, ¶ 24 (1st Dist.); *see also Hoover v. Sumlin*, 12 Ohio St.3d 1, 6, 465 N.E.2d 377 (1984) (“The language of Civ.R. 15(A) favors a liberal amendment policy and a motion for leave

to amend should be granted absent a finding of bad faith, undue delay or undue prejudice to the opposing party.”). Accordingly, Plaintiffs respectfully request that this Unopposed Motion for Leave to Amend their Complaint be granted.

A Proposed Order is filed separately.

Dated: April 15, 2024

Respectfully Submitted,

/s/ Rachel Reeves

Rachel Reeves (Pro Hac Vice 23855)
American Civil Liberties Union Foundation
915 15th St NW
Washington, DC 20005
Telephone: (212) 549-2633
Fax: (212) 549-2650
rreeves@aclu.org
Counsel for Plaintiff Women's Med Group
Professional Corporation

Brigitte Amiri (Pro Hac Vice 25768)
Jessica Quinter (Pro Hac Vice 27567)*
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
Telephone: (212) 549-2633
Fax: (212) 549-2650
bamiri@aclu.org
jqinter@aclu.org
Counsel for Plaintiff Women's Med Group
Professional Corporation

Kyla Eastling (Pro Hac Vice 27177)
Melissa Shube (Pro Hac Vice 27469)
Planned Parenthood Federation of America
123 William Street, 9th Floor
New York, NY 10038
Telephone: (212) 261-4649
Fax: (212) 247-6811
kyla.eastling@ppfa.org
melissa.shube@ppfa.org
Counsel for Plaintiff Planned Parenthood
Southwest Ohio Region

B. Jessie Hill (0074770)
Freda J. Levenson (0045916)
Amy Gilbert (0100887)
Rebecca Kendis (0099129)
American Civil Liberties Union of Ohio
Foundation, Inc.
4506 Chester Ave.
Cleveland, OH 44103
Telephone: (216) 541-1376
Telephone: (216) 368-0553 (Hill)
Fax: (216) 472-2210
bjh11@cwru.edu
flevenson@acluohio.org
agilbert@acluohio.org
rebecca.kendis@case.edu
Counsel for Plaintiff Women's Med Group
Professional Corporation

Fanon A. Rucker (0066880)
The Cochran Firm
527 Linton Street
Cincinnati, OH 45219
Telephone: (513) 381-4878
Fax: (513) 672-0814
frucker@cochranohio.com
Counsel for Plaintiff Planned Parenthood
Southwest Ohio Region

* Motion for admission *pro hac vice* forthcoming

CERTIFICATE OF SERVICE

I certify that on April 15, 2024, a copy of the foregoing Unopposed Motion for Leave to Amend Complaint has been filed with the Hamilton County Clerk of Courts. I further certify that on April 15, 2024, the foregoing was served on counsel for all Defendants via email.

/s/ Rachel Reeves
Rachel Reeves
(Pro Hac Vice 23855)