

**IN THE CIRCUIT COURT OF JACKSON COUNTY,
MISSOURI, AT KANSAS CITY**

COMPREHENSIVE HEALTH OF
PLANNED PARENTHOOD GREAT
PLAINS, PLANNED PARENTHOOD
GREAT RIVERS-MISSOURI

Plaintiffs,

v.

THE STATE OF MISSOURI, et al.

Defendants,

No. _____

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION OR, IN THE
ALTERNATIVE, TEMPORARY RESTRAINING ORDER**

Come now Plaintiffs, pursuant to Missouri Supreme Court Rule 92.02, and move this Court for entry of a preliminary injunction or, in the alternative, a temporary restraining order, prohibiting Defendants and anyone acting in concert with them from enforcing the challenged statutes and regulations on or before December 5, 2024, the date on which Missouri Constitution, Article I, Section 36 (the Right to Reproductive Freedom Initiative), passed on November 5, 2024, will take effect.

As described in the accompanying suggestions in support, entry of a preliminary injunction or, in the alternative, a temporary restraining order until a preliminary injunction can be entered, is appropriate in this case because Plaintiffs are likely to succeed on the merits of their claims, they face irreparable harm in the absence of injunctive relief, the harm to Plaintiffs absent an injunction outweighs any potential harm an injunction would cause to Defendants, and the issuance of an injunction is in the public interest.

Bond should be waived or set at a nominal amount because there will be no demonstrable harm to Defendants if the challenged statutes and regulations are enjoined.

WHEREFORE, Plaintiffs ask this Court to grant relief as follows:

- A. To issue a preliminary injunction or, in the alternative, a temporary restraining order, effective on or before December 5, 2024, and later a permanent injunction, restraining Defendants, their employees, agents, and successors in office from enforcing the following statutes: the Total Ban: § 188.017, RSMo 2016; the Gestational Age Bans: §§ 188.056, 188.057, 188.058, 188.375, RSMo 2016; the Reasons Ban: §§ 188.038, 188.052, RSMo 2016, 19 C.S.R. § 10-15.010(1); the Abortion Facility Licensing Requirement: §§ 197.200–.235, 334.100.2(27), RSMo 2016, 19 C.S.R. §§ 30-30.050–.070, 20 C.S.R. § 2150-7.140(2)(V); the Hospital Relationships Restriction, §§ 188.080, 188.027.1(1)(e), 197.215.1(2), RSMo 2016, 19 C.S.R. § 30-30.060(1)(C)(4); the Medication Abortion Complication Plan Requirement, § 188.021.2, RSMo 2016, 19 C.S.R. § 30-30.061; the Pathology Requirements, § 188.047, RSMo 2016, 19 C.S.R. § 10-15.030, 30-30.060(5)(B); the Biased Information Law: §§ 188.027, 188.033, 188.039, RSMo 2016; the Waiting Period, In-Person, and Same Physician Requirements: §§ 188.027, 188.039, RSMo 2016; the Telemedicine Ban: § 188.021.1, RSMo 2016; the APC Ban: §§ 188.020, 188.080, 334.245, 334.735.3, RSMo 2016; and the Criminal Penalties for Abortion Providers: §§ 188.017.2, 188.030.3, 188.056.1, 188.057.1, 188.058.1, 188.075, 188.080, 188.375.3, 197.235, 334.245, 574.200.2, RSMo 2016.
- B. To enter a judgment declaring that these challenged laws violate the Missouri Constitution, Article I, Section 36, by denying and/or infringing on Plaintiffs’, their patients’, and their providers’ Right to Reproductive Freedom, and/or “discriminat[ing] against persons

providing or obtaining reproductive health care,” and/or “penaliz[ing] ... or otherwise subject[ing] to adverse action” those who “assist[] a person in exercising their right to reproductive freedom;”

- C. To enter a judgment declaring that these challenged laws violate the Missouri Constitution, Article I, Section 36, and are void and unenforceable;
- D. To retain jurisdiction for the purposes of issuing further appropriate relief if this Court’s order and/or judgment are violated; and
- E. To grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Gillian R. Wilcox

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