

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

AMY BRYANT, M.D., M.S.C.R.; BEVERLY)	CIVIL ACTION
GRAY, M.D., ELIZABETH DEANS, M.D., on)	
behalf of themselves and their patients seeking)	Case No. 1:16-CV-01368
abortions; and PLANNED PARENTHOOD)	
SOUTH ATLANTIC, on behalf of itself, its staff,)	
and its patients seeking abortions,)	
)	
Plaintiffs,)	
)	
v.)	
)	
Jim Woodall, in his official capacity as District)	
Attorney (“DA”) for Prosecutorial District)	
(“PD”) 15B; Roger Echols, in his official)	
capacity as DA for PD 14; Eleanor E. Greene,)	
M.D., M.P.H, in her official capacity as President)	
of the North Carolina Medical Board; Rick)	
Brajer, in his official capacity as Secretary of the)	
North Carolina Department of Health and Human)	
Services; and their employees, agents, and)	
successors,)	
)	
Defendants.)	

PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56(a), Plaintiffs hereby move this Court for summary judgment as to Plaintiffs’ claim. Plaintiffs’ motion is supported by the Memorandum of Law in Support of Plaintiffs’ Motion for Summary Judgment and the Declarations of Amy Bryant, M.D., M.S.C.R., Jennifer Black, and Beverly Allen Gray, M.D.

WHEREFORE, Plaintiffs respectfully request that this Court issue a declaratory judgment finding N.C. Gen. Stat. §§ 14-44, 14-45, and 14-45.1(a)–(b) unconstitutional as applied to previability abortions and permanently enjoin Defendants, their employees, agents, and successors from enforcing the statutes as applied to previability abortions. Plaintiffs respectfully request the opportunity to present oral argument in support of this motion.

RESPECTFULLY SUBMITTED this 14th day of December, 2016.

/s/ Genevieve Scott

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*By Special Appearance

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of December, 2016, I electronically filed the foregoing Motion for Summary Judgment and all accompanying documents, including Memorandum of Law in Support of Plaintiffs' Motion for Summary Judgment, Declaration of Amy Bryant, M.D., M.S.C.R., Declaration of Jenny Black, and Declaration of Beverly Allen Gray, M.D. with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record who have appeared in the case. Counsel for all Defendants, Faison Hicks, was served via email.

/s/ Genevieve Scott _____
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