

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

COMPREHENSIVE HEALTH OF PLANNED  
PARENTHOOD OF KANSAS AND  
MID-MISSOURI, INC., and  
ORRIN MOORE, MD,

Plaintiffs,

v.

DEFENDANTS KIMBERLY J. TEMPLETON,  
MD; EUSTAQUIO O. ABAY, II, MD; MICHAEL  
J. BEEZLEY, MD; RAY N. CONLEY, DC;  
GARY L. COUNSELMAN, DC; ROBIN D.  
DURETT, DO; ANNE HODGDON; JOEL  
HUTCHINS, MD; DAVID LAHA, DPM; M.  
MYRON LEINWETTER, DO; RICHARD  
MACIAS, JD; GAROLD O. MINNS, MD; JOHN  
F. SETTICH, PHD; CAROLINA M. SORIA, DO;  
AND TERRY L. WEBB, DC, Members of the  
Kansas Board of Healing Arts,  
ROBERT MOSER, MD, Secretary of the Kansas  
Department of Health and Environment, DEREK  
SCHMIDT, Attorney General of the State of  
Kansas, and STEPHEN M. HOWE, District  
Attorney for Johnson County, Kansas, in their  
official capacities,

Defendants.

Case No. 2:13-cv-02302-KHV-KGG

**JOINT STIPULATION TO DISMISS WITHOUT PREJUDICE PLAINTIFFS' FIRST  
(and FINAL) CLAIM FOR RELIEF CHALLENGING K.S.A. § 65-6709(1)**

WHEREAS on June 20, 2013, Plaintiffs commenced a lawsuit seeking declaratory and injunctive relief from enforcement of the Act by filing an action in this Court challenging the constitutionality of K.S.A. § 65-6709(b)(5), (b)(6), and K.S.A. § 65-6709(1), (Dckt. # 1-2);

WHEREAS, on August 9, 2013, the Parties filed a Stipulation for voluntary dismissal without prejudice of Plaintiffs' Second and Third Claims Challenging K.S.A. §§ 65-6709(b)(5) and (b)(6), (Dckt. # 25);

WHEREAS on August 12, 2013, this Court entered an Order dismissing without prejudice Plaintiffs' Second and Third Claims Challenging K.S.A. §§ 65-6709(b)(5) and (b)(6), (Dckt. # 28);

Pursuant to this Court's December 5, 2014 Order, (Dckt. # 56), the parties now enter into the following stipulation:

1. Plaintiffs dismiss without prejudice any and all remaining claims in the above-captioned action.
2. Nothing in this Stipulation shall be deemed to amend the Stipulation So Ordered by this Court on August 12, 2013.
3. Each party shall bear its own costs and attorney's fees.

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