

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

EMW WOMEN'S SURGICAL CENTER,
P.S.C., et al.,

Plaintiffs,

v.

Civil Action No. 3:17-cv-16-DJH

ANDREW G. BESHEAR, et al.,

Defendants.

* * * * *

JUDGMENT AND PERMANENT INJUNCTION

Pursuant to Rules 58 and 65 of the Federal Rules of Civil Procedure, and in accordance with the Memorandum Opinion and Order entered this date, it is hereby

ORDERED and **ADJUDGED** as follows:

(1) Judgment is entered in favor of Plaintiffs as to their first claim for relief. (Docket No. 1, PageID # 13) H.B. 2, codified at Ky. Rev. Stat. §§ 311.727, .990(32), violates the First Amendment rights of physicians.

(2) Defendants and their officers, agents, and employees, and those persons in active concert or participation with Defendants who receive actual notice of this Order, are **PERMANENTLY ENJOINED** from enforcing H.B. 2 by civil action, criminal proceeding, administrative action or proceeding, or any other means; penalizing any person for failure to comply with H.B. 2 by civil action, criminal proceeding, administrative action or proceeding, or any other means; and applying, imposing, or requiring compliance with, implementing, or carrying out in any way any part of H.B. 2.

(3) This action is **DISMISSED** with prejudice and **STRICKEN** from the Court's docket.

(4) This is a **FINAL** and **APPEALABLE** Judgment, and there is no just cause for delay.

September 27, 2017

A handwritten signature in black ink, appearing to read "D.J. Hale", is written over a circular official seal of the United States District Court for the Western District of Kentucky.

David J. Hale, Judge
United States District Court