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January 7, 2020

Honorable William Alsup  
United States District Court  
Northern District of California  
San Francisco Courthouse, Courtroom 12  
450 Golden Gate Avenue  
San Francisco, California 94102

**Miriam R. Nemetz**  
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Re: *County of Santa Clara, et al. v. HHS, et al.*, Case No. 3:19-cv-2916

Dear Judge Alsup:

Pursuant to the Court's direction to the parties in its November 19, 2019 "Order re Motions to Dismiss and for Summary Judgment," the parties have met and conferred on the form of a final judgment and submit the attached proposed final judgment relating to *County of Santa Clara, et al. v. HHS, et al.*, Case No. 3:19-cv-2916, for the Court's consideration.

Very truly yours,

/s Miriam Nemetz  
Miriam R. Nemetz\*  
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/s Benjamin T. Takemoto  
Benjamin T. Takemoto, Trial Attorney  
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Counsel for Plaintiffs County of Santa Clara, *et al.*      Counsel for Defendants

\*Admitted *Pro Hac Vice*

**Pursuant to Local Rule 5-1(i)(3), the below filer attests that concurrence in the filing of this document has been obtained from the above signatory.**

Dated: January 7, 2020

/s Miriam Nemetz

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

COUNTY OF SANTA CLARA, TRUST WOMEN  
SEATTLE, LOS ANGELES LGBT CENTER,  
WHITMAN-WALKER CLINIC, INC. d/b/a  
WHITMAN-WALKER HEALTH, BRADBURY-  
SULLIVAN LGBT COMMUNITY CENTER,  
CENTER ON HALSTED, HARTFORD GYN  
CENTER, MAZZONI CENTER, MEDICAL  
STUDENTS FOR CHOICE, AGLP: THE  
ASSOCIATION OF LGBTQ+ PSYCHIATRISTS,  
AMERICAN ASSOCIATION OF PHYSICIANS  
FOR HUMAN RIGHTS d/b/a GLMA: HEALTH  
PROFESSIONALS ADVANCING LGBTQ  
EQUALITY, COLLEEN MCNICHOLAS,  
ROBERT BOLAN, WARD CARPENTER, SARAH  
HENN, and RANDY PUMPHREY,

Plaintiffs,

vs.

U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES and ALEX M. AZAR, II, in  
his official capacity as SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Defendants.

Case No. 3:19-cv-02916

**[PROPOSED] FINAL JUDGMENT**

Hon. William Alsup

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**[PROPOSED] FINAL JUDGMENT**

For the reasons detailed in the Court’s November 19, 2019, Order (ECF No. 87), the Court enters the following dispositions:

Plaintiffs’ Motion for Summary Judgment (*see* ECF No. 70; *State of California v. Azar et al.*, No. 3:19-cv-02769 (N.D. Cal.), ECF No. 113) is **GRANTED**. The challenged rule is set aside and shall be unenforceable.

Defendants’ Motion to Dismiss Or, In the Alternative, for Summary Judgment (ECF No. 64) is **DENIED**.

Because Plaintiffs have received substantially all the relief they sought in this action, it is unnecessary for the Court to reach the claims not addressed in the Court’s Order.

Final Judgment is hereby entered this \_\_\_\_ day of January, 2020.

Date: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE WILLIAM ALSUP  
United States District Judge