

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

PLANNED PARENTHOOD SOUTH  
ATLANTIC and BEVERLY GRAY, M.D., on  
behalf of themselves and their patients seeking  
abortions,

Plaintiffs,

v.

JOSHUA H. STEIN, Attorney General of  
North Carolina, in his official  
Capacity, *et al.*

Defendants.

No. 1:23-CV-480

**RESPONSE OF KODY H. KINSLEY, SECRETARY OF THE NORTH CAROLINA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
TO PLAINTIFFS' AMENDED MOTION FOR PRELIMINARY INJUNCTION**

NOW COMES defendant Kody H. Kinsley, M.P.P., in his official capacity as Secretary of the North Carolina Department of Health and Human Services (“DHHS”), by and through undersigned counsel, and pursuant to the Scheduling Order of July 6, 2023 (DE 37), hereby responds to the Amended Motion for Preliminary Injunction (DE 48) (filed July 24, 2023) as follows.

DHHS states that the IUP Documentation Requirement in N.C.G.S. 90-21.83B(a)(7) includes contradictions, uncertainties, and ambiguities that impact the ability for women to lawfully obtain an abortion and for providers to comply with these provisions of law. However, Secretary Kinsley does not take a position on the pending amended motion for a preliminary injunction.

Respectfully submitted, this 31<sup>st</sup> day of July, 2023.

/s/ Michael T. Wood

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official capacity as Secretary of the North  
Carolina Department of Health and Human  
Services*