

**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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COUNSEL FOR BEVERLY GRAY, M.D., AND ELIZABETH DEANS, M.D.

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COUNSEL FOR PLANNED PARENTHOOD SOUTH ATLANTIC

*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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Exhibit 1

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

AMY BRYANT, M.D., M.S.C.R., et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION
)	
JIM WOODALL, et al.,)	Case No. 1:16-CV-01368
)	
Defendants.)	

**DECLARATION OF AMY BRYANT, M.D., M.S.C.R., IN SUPPORT OF
PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT**

AMY BRYANT, M.D., M.S.C.R., declares and states the following:

I. Education and Experience

1. I am one of the named plaintiffs in this case, and I submit this declaration in support of Plaintiffs’ motion for summary judgment.

2. I am a physician licensed to practice medicine in North Carolina. I am board certified in obstetrics and gynecology.

3. In 2005, I graduated from Johns Hopkins School of Medicine, with an M.D. In 2011, I graduated from the University of North Carolina Gillings School of Public Health with a Masters of Science in Clinical Research. I did my residency at the Albert Einstein College of Medicine and completed a Fellowship in Family Planning at the University of North Carolina (“UNC”) School of Medicine. As part of the Family Planning Fellowship, I received training in abortion from experts in the field. I also participated in the training of residents and medical students during my fellowship.

4. Currently, I am employed at the UNC School of Medicine, in the Department of Obstetrics and Gynecology. I am an Assistant Professor in the Division of Family Planning; the Assistant Director for the Family Planning Fellowship; and an Attending Physician at the Therapeutic Abortion Clinic. I have also worked at what is now Planned Parenthood South Atlantic in North Carolina since 2009. A copy of my current curriculum vitae is attached as Exhibit A.

5. I am appearing as a plaintiff in this action as an individual citizen and am in no way appearing in any official capacity in relation to UNC, nor am I suing on behalf of UNC.

6. The opinions in this declaration are my expert opinions. My opinions are based on my personal knowledge, as well as my training, education, clinical experience, ongoing review of the relevant professional literature, discussions with colleagues, and attendance at conferences in the fields of obstetrics, gynecology, gynecologic surgery and family planning.

II. My Medical Practice

7. In my medical practice, I provide medical and surgical abortions on both an outpatient and inpatient basis in a university hospital setting and in a clinic setting at UNC. I also train medical students, residents, and fellows on how to provide abortions in those settings.

8. I perform both first- and second-trimester abortions.

9. My patients seek abortions for a variety of reasons based on their individual circumstances at the time of that pregnancy. The reasons my patients choose to have an abortion include social reasons, financial issues, and health.

10. Patients of mine seeking abortions for social and/or financial reasons include patients who do not have enough money to take care of a child, patients who are already parents and cannot care for additional children, patients who did not intend to become pregnant, patients who are young and wish to complete their educations, and patients with unsupportive or abusive partners.

11. Many of my other patients are seeking an abortion at UNC because the pregnancy puts their health at risk or their fetus has been diagnosed with a serious fetal anomaly such as trisomy 13, trisomy 18, holoprosencephaly, or fetal hydrops.

12. Most of my abortion patients live in North Carolina, and they come to me from throughout the state. For many abortion patients, UNC is the place of last resort for women who would otherwise be forced to travel out of state for medical care (assuming they have the resources and capacity for such travel).

13. Many of the patients who come to me would have preferred to have obtained an abortion sooner but were delayed. For example, many of my patients face logistical delays in obtaining abortions, including raising the money necessary to pay for a procedure, travel, issues with unsupportive or abusive partners, and a lack of access to medical care to confirm pregnancy. In particular, transportation presents a major challenge in rural North

Carolina, where there is virtually no public transportation and many of my abortion patients have neither cars nor the money to pay for gas.

14. I have reviewed the 20-week ban and have many concerns about how it will affect women seeking abortions in North Carolina, my provision of abortion services to my patients, and my obligations and professional responsibilities as a physician. But for the 20-week ban, I would provide abortion after 20 weeks.

III. The 20-Week Ban

15. Pregnancy is measured from the first day of a woman's last menstrual period, also referred to as "lmp." Viability is the time when a fetus has a reasonable chance for sustained life outside the womb, in some instances only with lifesaving medical intervention. Viability generally occurs at approximately 24 weeks lmp. Viability is a determination that must be made by physicians, based on the health of the woman and the fetus.

16. The 20-week ban prohibits abortions after the twentieth week of pregnancy. For that reason, it prohibits abortion at a point in pregnancy when no fetus is viable.

17. Some fetuses are never viable, including those with anencephaly, undeveloped kidneys, undeveloped lungs, severe abdominal thoracic cavity abnormalities, severe brain anomalies, and severe cardiac anomalies.

18. The ban prohibits previability abortion. For some of my patients, the 20-week ban will prohibit them from obtaining an abortion altogether, forcing them to carry

the pregnancy to term. The ban's extremely narrow health exception will force some of my patients to delay access to treatment, exposing them to serious medical risks.

19. As an independently licensed physician, forcing me to deny and delay care for my patients, some of whom lack the resources to seek care elsewhere, undermines my practice as a physician and conflicts with my conscience. It intrudes on the physician-patient relationship with, in my opinion, unconscionable and inhumane results.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13th day of December, 2016

at Durham, North Carolina.

A handwritten signature in black ink, appearing to read "Amy Bryant", with a stylized flourish at the end.

AMY BRYANT, M.D., M.S.C.R.

Exhibit A

**CURRICULUM VITAE
AMY GRACE BRYANT, MD, MSCR**

Personal Information

Name Amy Grace Bryant, M.D.
Department of Obstetrics and Gynecology
Division of Family Planning
University of North Carolina
Chapel Hill, NC 27599-7570

Education

Master's	University of North Carolina Gillings School of Public Health Chapel Hill, North Carolina Masters of Science in Clinical Research	2009-2011
Fellowship	University of North Carolina School of Medicine Chapel Hill, North Carolina Fellowship in Family Planning Fellowship Director: Gretchen S. Stuart	2009-2011
Residency	Albert Einstein College of Medicine Bronx, New York Residency in Obstetrics & Gynecology Program Director: Brian Cohen	2005 – 2009
Medical School	Johns Hopkins School of Medicine, M.D. Baltimore, Maryland	2000-2005
College	Post-Baccalaureate Premedical Program Goucher College Baltimore, Maryland	1997-1998
	Columbia University New York, New York B.A., Magna cum laude English and South Asian Studies	1991-1995

Certification

Board Certification	American Board of Obstetrics and Gynecology	2012
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Professional Experience

Assistant Professor	University of North Carolina-Chapel Hill School of Medicine Department of Obstetrics and Gynecology Family Planning Division	September 2011-present
Director	Ryan Residency Program for Family Planning	September 2011-present
Assistant Director	Fellowship in Family Planning	September 2011-present
Staff Physician	Planned Parenthood of Central North Carolina Chapel Hill, NC	July 2009-present
Clinical Research Coordinator	Johns Hopkins Bayview Medical Center Bayview Medical Center Burn Center	July 1998- July 2000
Staff Writer	The Lawyers Collective, Bombay, India	Jan- Dec 1996
Intern/ Administrative Assistant	Human Rights Watch/Asia, New York, NY	April -Aug 1994

Honors

- David E. Rogers Award for Community Service, Professionalism and Ethics, Johns Hopkins School of Medicine 2005
- Robert Woods Award for Promise in Research 2003.
- Alumni Association Grant for Community Service, received in 2000 and 2001 to organize projects between medical students and the Latino Community in Baltimore.
- Golden Tarheel 2011
- Golden Tarheel 2015
- Golden Tarheel 2016

Memberships

Fellow, Society of Family Planning	2009-present
Fellow, American College of Obstetricians Gynecologists	2005-present
Member, Association of Reproductive Health Professionals	2009-present

Publications

Peer Reviewed Articles

1. Britton, LB, Mercier, RJ, Buchbinder, M, **Bryant, AG**. Abortion Providers, Professional Identity, and Restrictive Laws: A Qualitative Study *Health Care Women Int.* 2016 Nov 8:0. (in press).
2. **Bryant, AG**, Bauer, A, Stuart, GS, Levi, EL, Zerden, ML, Danvers, AI. Etonogestrel-releasing contraceptive implant for postpartum adolescents: a randomized controlled trial. *Journal of Pediatric and Adolescent Gynecology* 2016 (In Press).
3. Zerden ML, Stuart GS, Charm S, **Bryant AG**, Garrett J, Morse J. Two-week postpartum intrauterine contraception insertion: A study of feasibility, patient acceptability, and short-term outcomes. *Contraception* 2016 (in press).
4. Stuebe, AM, **Bryant, AG**, Lewis, R, Mudanna, A. Reduced weight gain in an exclusively breastfed infant following maternal etonogestrel-releasing contraceptive implant placement: A case report and review of the literature *Breastfeeding Medicine* 2016 (In Press)
5. Mercier, R, Buchbinder, M, **Bryant, AG** TRAP laws and the invisible labor of US abortion providers. *Critical Public Health.* 2016 Jan;26(1):77-87.
6. Buchbinder, M., Lassiter, D., Mercier, R., **Bryant, A.**, Lyerly, A. D. "Prefacing the Script" as an Ethical Response to State-Mandated Abortion Counseling. *AJOB Empirical Bioethics*, 2016. Vol 7 (1).
7. Buchbinder, Mara, Dragana Lassiter, Rebecca Mercier, **Amy Bryant**, and Anne Drapkin Lyerly. Reframing Conscientious Care: Providing Care and Maintaining Integrity When Law and Conscience Collide. *Hastings Center Report.* 2016
8. Bryant-Comstock K, **Bryant AG**. Information about Sexual Health on Crisis Pregnancy Center Websites: Accurate for Adolescents? *Journal of Pediatric and Adolescent Gynecology.* 2016 Feb;29(1):22-5.
9. **Bryant AG**, Hamela G, Gottert A, Stuart GS, Kamanga G. Reasons for Intrauterine Device Use, Discontinuation and Non-Use in Malawi: A Qualitative Study of Women and their Partners. *African Journal of Reproductive Health.* 2015 Dec; 19 (4): 50-7.
10. Britton L, **Bryant AG**. When Off-label is Illegal: Implications of Mandating the FDA-approved Protocol for Mifepristone-induced Abortions. *Women's Health Issues.* 2015 Sep-Oct;25(5):433-5.
11. Levi EE, Stuart GS, Zerden ML, Garrett JM, **Bryant AG**. Intrauterine Device Placement During Cesarean Delivery and Continued Use 6 Months Postpartum: A Randomized Controlled Trial. *Obstet Gynecol.* 2015 Jul;126(1):5-11.
12. Mercier RJ, Buchbinder M, **Bryant A**, Britton L. The experiences and adaptations of abortion providers practicing under a new TRAP law: A qualitative study. *Contraception.* 2015 Jun;91(6):507-12.
13. Haddad LB, Feldacker C, Jamieson DJ, Tweya H, Cwiak C, Chaweza T, Mlundira L, Chiwoko J, Samala B, Kachale F, **Bryant AG**, Hosseinipour MC, Stuart GS, Hoffman I, Phiri S. Pregnancy Prevention and Condom Use Practices among HIV-Infected Women on Antiretroviral Therapy Seeking Family Planning in Lilongwe, Malawi. *PLoS One.* 2015 Mar 26.

14. Stuart GS, Lesko CR, Stuebe AM, **Bryant AG**, Levi EE, Danvers AI. A randomized trial of levonorgestrel intrauterine system insertion 6 to 48hours compared to 6weeks after vaginal delivery; lessons learned. Contraception. 2015 Apr;91(4):284-8.
15. **Bryant, AG**, Narasimhan, S, Bryant-Comstock, K, Levi, EE. Crisis pregnancy center websites: Information, misinformation and disinformation. Contraception. 2014 Dec;90(6):601-5.
16. **Bryant AG**, Stuart GS, Regan E. An overview of medical abortion for clinical practice. Obstetrical and Gynecological Survey. 2014 Jan;69(1):39-45.
17. Haddad LB, Feldacker C, Jamieson DJ, Tweya H, Cwiak C, **Bryant AG**, Hosseinipour MC, Chaweza T, Mlundira L, Kachale F, Stuart GS, Hoffman I, Phiri S. Medical eligibility, contraceptive choice and IUD acceptance among HIV- infected women on antiretroviral therapy in Lilongwe, Malawi. International Journal of Gynecology and Obstetrics. 2014 Sep;126(3):213-6.
18. Haddad LB, Cwiak C, Jamieson DJ, Feldacker C, Tweya H, Hosseinipour M, Hoffman I, **Bryant AG**, Stuart GS, Noah I, Mulundila L, Samala B, Mayne P, Phiri S. Contraceptive adherence among HIV- infected women in Malawi: a randomized controlled trial of the copper intrauterine device and depot medroxyprogesterone acetate. Contraception. 2013 Dec;88(6):737-43.
19. **Bryant AG**, Kamanga G, Stuart GS, Haddad LB, Meguid T, Mhango C. Immediate postpartum versus 6-week postpartum intrauterine device insertion: a feasibility study of a randomized controlled trial. African Journal of Reproductive Health. 2013 June 17(2):72-79.
20. **Bryant AG**, Stuart GS, Narasimhan, S. Long-acting reversible contraceptive methods for adolescents with chronic medical problems. Journal of Pediatric and Adolescent Gynecology 2012 Dec;25(6):347-51.
21. **Bryant AG**, Levi, EE. Abortion misinformation from crisis pregnancy centers in North Carolina. Contraception. 2012 Dec;86(6):752-6.
22. **Bryant, AG**, Grimes, DA, Garrett, JM, Stuart, GS. Second-Trimester Abortion for Fetal Anomalies or Fetal Death: Labor Induction Compared With Dilatation and Evacuation. Obstetrics and Gynecology. 117(4):788-792, April 2011.
23. Stuart GS, **Bryant AG**, O'Neill E, Doherty IA. Feasibility of postpartum placement of the levonorgestrel intrauterine system more than six hours after vaginal birth. Contraception. 2012 Apr;85(4):359-62.
24. Fauerbach JA, Heinberg LJ, Lawrence JW, **Bryant AG**, Richter L, Spence RJ. Coping with body image changes following a disfiguring burn injury. Health Psychol. 2002 Mar;21(2):115-21.
25. Fauerbach JA, Engrav L, Kowalske K, Brych S, **Bryant A**, Lawrence J, Li G, Munster A, de Lateur B. Barriers to employment among working-aged patients with major burn injury. J Burn Care Rehabil. 2001 Jan-Feb;22(1):26-34.

Non-Peer Reviewed Articles

- Danvers AA., Stuart GS., Bryant AG. Lawsuits against Mirena: Potential Impact on Public Health. Contraception. 2014. doi: 10.1016/j.contraception.2014.03.013. [Epub ahead of print].
- Bryant A, Kovar CL, Luchowski AT. Pills are not enough: the case for long-acting reversible contraceptives--and how North Carolinians can benefit. N C Med J. 2009 Sep-Oct;70(5):459-62.

Abstracts and presentations:

Abstracts

1. Bryant, AG, Yourkavitch, J, Chetwynd, E, Muddana, A, Wouk, K, Stuebe, AM. Lactational Effects of Contraceptive Hormones: an Evaluation (LECHE). *Oral presentation at Academy of Breastfeeding Medicine, October 2016.*
2. Chetwynd, E, Muddana, A, Wouk, K, Yourkavitch, J, Bryant, AG, Stuebe, AM. Breastfeeding, birth spacing, and contraception in the postpartum period. *Poster presentation J at Academy of Breastfeeding Medicine, October 2016.*
3. Buchbinder, M, Mercier, R, Bryant, AG. Managing barriers to abortion access in the context of new laws: Perspectives from providers in North Carolina. *Oral presentation presented at APHA, November 2014.*
4. Britton, L, Mercier, R, Buchbinder, M, Bryant, AG. Professional Identity of Abortion Providers in the Context of a New Law. *Poster presentation at Association of Reproductive Health Professionals, September 2014.*
5. Mercier, R, Buchbinder, M, Britton, L, Bryant, AG. "Persuasion Disguised as Information": The experiences and adaptations of abortion providers practicing under a new law. *Poster presentation at the Society of Family Planning, October 2014.*
6. Bryant A, Levi E, Narasimhan S. Abortion misinformation provided by crisis pregnancy center websites listed on states' department of health websites as resources for pregnant women: a systematic review. *Poster presentation at the North American Forum for Family Planning, Denver, CO, October 2012.*
7. Bryant, A, Kamanga, G, Stuart, GS, Phiri, G, Haddad, L, Hartsell, Sydney. Placement of the IUD the morning after vaginal delivery on a low risk postpartum ward in Lilongwe, Malawi. *Oral presentation at the International Conference on Family Planning, Dakar, Senegal, November 2011.*
8. Bryant, A, Stuart, GS, Grimes, DA. Dilation and evacuation vs. labor induction for fetal indications: a retrospective cohort study. *Poster presentation at ARHP/SFP, Washington, DC, 2010.*
9. Bryant, A, Murthy, A, Mukasa, P, Nakabembe, E, Kabakyenga, J, Tejani, N. Strategies for improving intrapartum care: Identification of women who should be targeted for hospital delivery. *Oral presentation at FIGO 2009 XIX World Congress, Cape Town, South Africa.*
10. Bryant, A, Murthy, A, Mukasa, P, Nakabembe, E, Kabakyenga, J, Tejani, N. Knowledge and attitudes towards the IUD before and after a brief educational intervention in a university-based hospital setting in Mbarara, Uganda. *Poster presentation at FIGO 2009 XIX World Congress, Cape Town, South Africa.*
11. Lisa B. Haddad, Sam Phiri, Mina Hosseinipour, Irving Hoffman, Caryl Feldacker, Mike Nyirenda, Amy G. Bryant, Gretchen S. Stuart, Francis Martinson, Chisale Mhango, Sydney Hartsell, Isaac Noah, Linly Mlundila, Bernadette, Denise J. Jamieson. Successful Integration of Family Planning into HIV Care in Lilongwe, Malawi. *Poster presentation at International Aids Society, Rome, Italy, July 2011.*
12. Lisa B. Haddad, Carrie Cwiak, Mike Nyirenda, Hannock Tweya, Caryl Feldacker, Denise J. Jamieson, Mina Hosseinipour, Irving Hoffman, Amy G. Bryant, Gretchen S. Stuart, Isaac Noah, Linly Mlundila, Bernadette Samala, Sam Phiri. Contraceptive eligibility, choice and acceptance of the copper intrauterine device (IUD) among HIV+ clients at an ART clinic in Lilongwe, Malawi. *Oral presentation at International Aids Society, Rome, Italy, July 2011.*

Teaching Activities

1. Instructor, Intensive Integration for Application Phase Medical Students, Critical Reflection, Inter professional Education, Advanced Communication Skills, Ethics (RICE) course (2016-2017)
2. Instructor, Intensive Integration for Application Phase Medical Students, Population Health course. (2016-2017)
3. Group facilitator for “Critical Incident Sessions” for third year medical students on obstetrics/gynecology (2013-present)
4. Family Planning Highlights and Papaya Workshop with residents, UNC Chapel Hill, August 2009
5. Manual Vacuum Aspiration and Papaya Workshop with Medical Students for Choice, UNC Chapel Hill Medical School, January 2010
6. Medical student lectures on Abortion and First Trimester Bleeding, February, July 2010, January 2011
7. Resident lectures on Elective Abortion and Explaining Contraceptive Risk to Patients, November 2009
8. Organized Structured Clinical Exam; development of contraceptive case for use in UNC Chapel Hill Medical School clerkship, June 2010.

Professional Presentations

1. Evaluating Reproductive Health Policy: Lessons from the Texas Policy Evaluation Project. *Panel Discussion presentation.* Society of Family Planning. Denver, CO. November 2016
2. Contraceptive Counseling: Towards Patient-Centered Care. North Carolina Community Partners for Perinatal Health Meeting. Chapel Hill, NC. November 2016
3. Breastfeeding and Contraception Panel Honoring Dr. Miriam Lobbok. *Panel discussion presentation.* Academy of Breastfeeding Medicine. Washington, DC. October 2016.
4. Opportunities for State Level Research Initiatives to Evaluate the Impact of Reproductive Health Policies. Joe Potter, Rachel Jones, Alison Norris, Amy Bryant, and Jennifer Hodgkinson. *Panel presentation at the Psychosocial Workshop,* Population Association of America, Washington, DC March 2016
5. Breastfeeding and Contraception: the Case for Patient-centered Care Department of Obstetrics and Gynecology, UNC Chapel Hill. October 2016.
6. Breastfeeding, Contraception, and Ethics, Oh My! Advocacy and informed decision-making in the post-partum period. *Panel Discussion* Breastfeeding and Feminism International Conference. Chapel Hill March 2016
7. Sexuality, Birth Spacing, and Contraception. 4th Trimester Symposium on Patient-Centered Outcome Research Initiative. Chapel Hill March 2016
8. Postpartum LARC: Perfect Timing? Grand Rounds. Duke University Department of Obstetrics and Gynecology. Durham, NC November 2015.
9. Postpartum LARC: A Golden Opportunity? Department of Obstetrics and Gynecology, UNC Chapel Hill. July 2015.
10. “Abortion: Think globally—Act locally?” North Carolina Obstetrics and Gynecology Society Annual Meeting. Kiawah Island, SC. April 2015
11. “What’s new in long-acting reversible contraception” Hands-on workshop. North Carolina Obstetrics and Gynecology Society Annual Meeting. Kiawah Island, SC. April 2015
12. Abortion: Think globally—Act locally? Fellowship in Family Planning-sponsored. MAHEC, Mission Hospital, Asheville, NC, October 2014.
13. Adventures in Utero: Benefits and Challenges of the IUD. AHEC, New Hanover Regional OB/GYN Grand Rounds Wilmington, NC, March 2013.
14. “Low –Tech Marketing.” Ryan Program National Meeting. Seattle, WA, October 2013.
15. “Update on Abortion Laws in North Carolina.” Ryan Program National Meeting. San Diego, CA, 2012
16. “What’s New in Contraception Management and Family Planning.” Pharmacology Update 2012 Conference. UNC Center for Lifelong Learning. Chapel Hill, NC December 2012.

17. Managing Contraception for Medically Complex Adolescents. Department of Pediatrics, Moses Cone Medical Center, Greensboro, NC, November 2011.
18. Postpartum IUD Use in Malawi: An Opportunity for Impact. Department of Obstetrics and Gynecology, UNC Chapel Hill, April 2011.
19. Menopausal Symptom Management without Estrogen. AHEC, Nash Health Care Systems, Rocky Mount, NC, February, 2011.
20. Contraception for Medically Complex Adolescents. Department of Pediatrics, UNC Chapel Hill, October 2010.
21. HIV and Contraception. UNC Project Tidziwe Center, Lilongwe, Malawi, June 2010.
22. Increasing IUD Use in Malawi. Department of Obstetrics and Gynecology, Kamuzu Central Hospital, Lilongwe, Malawi, June 2010.
23. "Interval and postpartum IUCD Insertions," Kamuzu Central Hospital Lilongwe, Malawi. June and August 2010.
24. Values clarification workshop" for nurses at the Ambulatory Care Center, UNC Chapel Hill, May 2010.
25. "Overview of Sino-Implant", *Woman Care Global*, Chapel Hill November 2009
26. Overview and Management of Ectopic Pregnancy Department of Obstetrics and Gynecology, Kamuzu Central Hospital, Mbarara University of Science and Technology, Mbarara, Uganda, January 2009.
27. Hypertension and Pregnancy. Mbarara University of Science and Technology, Mbarara Uganda, August 2007.

Professional Development Courses

- Certificate in Qualitative Research. Qualitative Research Institute. UNC Center for Lifelong Learning. June-July 2013.
- Improving Your Interviewing Skills: Practicum in Designing Questions and Conducting Interviews. One day course with Kathy Charmaz, PhD. The Odum Institute, UNC-Chapel Hill. January 4, 2011
- Atlas-ti 6.0 Hands-on workshop. The Odum Institute, UNC-Chapel Hill February 15, 2011.

Completed Funded Projects

A pilot study of a randomized trial comparing two different time frames for CopperT380A insertion: immediately postpartum compared to 4-6 weeks postpartum in Malawi

Principal Investigator

Funding Source: Anonymous Foundation

Funding: \$70,000

Dates August 2010-June 2011

Reasons for IUD Continuation and Discontinuation in Malawi.

Principal Investigator

Funding Source: Anonymous Foundation

Funding: \$30,000

Dates: December 2011-July 2012

Etonogestrel-releasing subdermal implant for adolescents in the postpartum period: a randomized controlled trial

Principle Investigator

Funding Source: Society of Family Planning

Funding: \$15,000

Dates: July 2012-September June 2013

American College of Obstetricians and Gynecologists/ Bayer HealthCare Pharmaceuticals Research Fellowship in Long Term Contraception

Principle Investigator

Funding Source: American College of Obstetricians and Gynecologists/ Bayer HealthCare Pharmaceuticals Research Fellowship in Long Term Contraception

Funding: \$20,000

Dates: March 2012-September 2013

The effect of Women's Right to Know Law on abortion providers in North Carolina

Faculty Advisor and Co-Investigator

Funding Source: Society of Family Planning

Funding: \$15,000

Dates: July 2013- June 2014

Breastfeeding and Hormonal Contraception in the Postpartum Period:

Supporting patient-centered counseling

TRaCS CAB Voucher

Principal Investigator

Funding: \$2000

Dates: July 2016-January 2017

Professional Service

- North American Forum on Family Planning Abstract Review Committee
- Taskforce Member, PROLOG Obstetrics 8th Edition.
- Reviewer, *Obstetrics and Gynecology*. (ranked in top 10% of 1224 reviewers for 2013)
- Reviewer, *American Journal of Obstetrics and Gynecology*
- Reviewer, *Journal of Pediatric and Adolescent Gynecology*
- Schweitzer Fellowship in Community Service, 2001-2002
- ACOG Junior Fellow Section leader, District II, Section 8, 2007-2009.
- Organizer, Presentation on Female Genital Mutilation for the Bronx Obstetrical Society, May 2009
- Volunteer for Community Health Initiatives, Doctors for Global Health. Argentina and New York City, 2004-2006.
- Founder and member, Medical Student Outreach to Latinos, (MedSOL) 2000-2005.

Exhibit 2

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

AMY BRYANT, M.D., M.S.C.R., et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION
)	
JIM WOODALL, et al.,)	Case No. 1:16-CV-01368
Defendants.)	
)	

**DECLARATION OF JENNIFER BLACK IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

JENNIFER BLACK declares and states the following:

1. I am the Chief Executive Officer and President of Plaintiff Planned Parenthood South Atlantic (“PPSAT”), and I submit this declaration in support of Plaintiffs’ Motion for Summary Judgment.
2. I have been the CEO of PPSAT since April 2015. Prior to this, I have been a CEO and have held other positions at other Planned Parenthood affiliates.
3. Planned Parenthood affiliates have been providing health care services in North Carolina for many years. PPSAT was formed in January 2015, the result of a merger between two Planned Parenthood affiliates.
4. In fiscal year 2016, PPSAT provided reproductive healthcare services to over 35,000 women, men and teens at fourteen health centers located in North Carolina, South Carolina, Virginia, and West Virginia.

5. At our health centers, we offer patients a wide range of healthcare services, including annual well women exams, pap smears, contraception and contraceptive counseling, cancer screenings, STI testing, prevention and treatment, some primary care services, and abortions.

6. In North Carolina, we provide abortions at four health centers: in Asheville, Chapel Hill, Fayetteville, and Winston-Salem. The North Carolina law banning abortion after the twentieth week of pregnancy prevents us from providing abortions after twenty weeks.

7. If not for the ban, PPSAT's physicians would provide previability abortions to patients after the twentieth week of pregnancy at our Chapel Hill health center.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30 day of November, 2016 at Raleigh, NC.

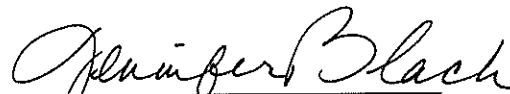

Jennifer Black

Exhibit 3

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

AMY BRYANT, M.D., M.S.C.R., et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION
)	
JIM WOODALL, et al.,)	Case No. []
)	
Defendants.)	

**DECLARATION OF BEVERLY ALLEN GRAY, M.D., IN SUPPORT OF
PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT**

BEVERLY ALLEN GRAY, M.D., declares and states the following:

1. I am a plaintiff in this case and I submit this declaration in support of Plaintiffs’ motion for summary judgment. I am a physician licensed to practice medicine in North Carolina and am board-certified in obstetrics and gynecology.

2. I am an Assistant Professor in the Department of Obstetrics and Gynecology at Duke University Medical Center (“Duke”), a position I have held since 2011. I also serve as the Residency Director for our Department of Obstetrics and Gynecology and am the Director of the Ryan Family Planning Residency Program. My responsibilities in these roles include recruiting and training residents, supervising residents’ research, and providing instruction in the classroom and on rotations.

3. I received my medical degree from the University of North Carolina at Chapel Hill in 2007. I completed my residency in obstetrics and gynecology at Duke in

2011. My *curriculum vitae*, which sets forth my experience and credentials in greater detail, is attached hereto as Exhibit A.

4. I am appearing as a plaintiff in this action in my personal capacity and am not appearing on behalf of Duke.

5. I have read and am familiar with North Carolina's ban on abortions after the twentieth week of pregnancy (the "ban"). Under the ban, it is a felony for a physician to perform an abortion after the twentieth week of pregnancy, subject only to an extremely limited exception for medical emergencies.

6. In my medical practice at Duke, I provide first- and second-trimester abortion services as part of the comprehensive spectrum of medical care that our patients require.

7. In order to comply with the ban, I do not provide abortions after the twentieth week of pregnancy, as measured from the woman's last normal menstrual period ("lmp"), but in the absence of the ban, I would provide previability abortion care after the twentieth week of pregnancy.

8. Viability is the point in a pregnancy at which the fetus has a reasonable chance for sustained survival outside of the womb, with or without medical intervention. It is commonly accepted in the field of obstetrics and gynecology that a healthy singleton fetus typically reaches viability at approximately 24 weeks lmp. However, not all fetuses attain viability at 24 weeks (as a result of factors such as maternal health and fetal abnormalities). And some fetuses, including those with lethal structural or genetic

anomalies, are never viable. Because viability will vary from pregnancy to pregnancy, based on factors like the health of the woman and the fetus, the determination of viability is an individualized medical determination to be made by the physician.


9. Under the ban, physicians are forced to stop performing abortions after the twentieth week of pregnancy. At that point in pregnancy, no fetus is viable.

10. As a result of the ban, I am forced to turn away women seeking prevaibility abortion care after the twentieth week of pregnancy.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of December, 2016

at Durham, NC.



BEVERLY ALLEN GRAY, M.D.

Exhibit A

Beverly Allen Gray, MD

246 Baker House
Duke Department of Obstetrics and Gynecology
Durham, NC 27710
beverly.gray@duke.edu

EDUCATION

Duke University Medical Center, Durham NC; Resident: Department of Obstetrics and Gynecology Residency Program; July 2007 – June 2011

University of North Carolina at Chapel Hill School of Medicine: Chapel Hill, NC Aug 2003- May 2007 MD awarded May 2007

*University of North Carolina at Chapel Hill; Chapel Hill, NC Aug 1995 - May 1999
B.S. degree in Psychology Awarded with Highest Honors based on completion of Undergraduate Honors Thesis and with Highest Distinction based on GPA (3.82). Also completed minor in Chemistry. Participated in Honors Exchange program Fall 1997 in Perth, Australia.*

AWARDS

CREOG National Faculty Teaching Award (2014)
Baby Birkenstock Award – Awarded by Duke University Midwives (2011)
Daniel T. Young Peace and Social Justice Award - UNC School of Medicine (2007)
Order of the Old Well (2007)
Alpha Omega Alpha (2006)
Heusner Pupil Award - UNC School of Medicine (2006)
Honorable Mention: Social Medicine Paper Award (2005)
Johnston Scholar - UNC Undergraduate (1996-1999)
Phi Beta Kappa (1999)
Thompson Memorial Research Award (1998)
Peele Memorial Research Award (1998)
UNC Chapel Hill Undergraduate Honors Program (1996-1999)

EXPERIENCE

Assistant Professor, Duke University Medical Center, Department of Obstetrics and Gynecology, August 2011 – present

Associate Residency Director, July 2015- present

Director, Ryan Family Planning Residency Program, March 2014-present

Administrative Chief Resident, Duke Department of Obstetrics and Gynecology 2010-2011

Student Leader, Honduran Health Alliance, UNC School of Medicine Chapel Hill, NC and El Corpus, Honduras www.med.unc.edu/hha— Jan 2004-May 2007

Chief Mentor, UNC School of Medicine — May 2006-May 2007

Student Leader/Volunteer/Translator, Student Health Action Coalition (SHAC), UNC School of Medicine www.med.unc.edu/shac — August 2003-May 2007

Case Manager, Family Wellness and Recovery Services, Pittsboro, NC— Jan 2002 - June 2003

Health Extension Volunteer, US Peace Corps, Saraguro, Ecuador — July 1999-Sept 2001

Research Assistant, Laboratories of Drs. Regina Carelli and Donald Lysle, UNC Department of Psychology — Jan 1997 - May 1999

Laboratory Technician, US EPA, RTP, NC, —May 1998-Aug 1998

PUBLICATIONS

Lyerly AD, Namey E, **Gray B**, Swamy G, Faden R. 2012 *IRB* "Women's Views about participating in research while pregnant"

ABSTRACTS

Nelson C, **Allen B**, How T, Ijames S, Fecho K, Carelli RM, and Lysle D.
Comparison of the immunomodulatory effects of acute intravenous and self-administered heroin administration. The Psychoneuroimmunology Research Society Abstract, 1999.

POSTERS

Gray B, Lyerly AD, Namey E, Swamy G. SGI Annual Meeting 2011. Miami Florida. "H1N1 Vaccine in Pregnancy: A Qualitative Study of Women's Decisions to Accept a Novel Vaccine".

Patterson L. **Gray B**. Women's Health 2016: 24th Annual Congress. Washington, DC. "OB-GYN Resident Physicians Recommendations for Long Acting Reversible Contraception and Possible Coercion"

Belch J. **Gray B**. Newcomb L. Poultin W. ACOG Annual Clinical Meeting 2016. Washington, DC. "Failure to receive desired postpartum sterilization – One year contraceptive and pregnancy outcomes."

MENTORING

Jeremy Belch, MD, MPH, resident research	Failure to receive desired postpartum sterilization and one year reproductive outcomes: Which patients are at highest risk for short interval pregnancy?
Latoya Patterson, MD, MPH, resident research	Obstetrics and Gynecology Resident Physicians Recommendations for Long Acting Reversible Contraception (LARC) in Postpartum Patients and Possible Elements of Coercion: A Survey Study
Arlene Pak, MD, resident research	Usage characteristics and rules for social media among obstetrics and gynecology residents and students entering the profession

Class Mentor – Duke Obstetrics and Gynecology Residency Class of 2018

PEER REVIEWER

- NC Medical Journal

PRESENTATIONS

- Duke Medical Student Capstone Course Lecture March 2016 "OB/Gyn for the non-OB"
- APGO/CREOG - Social Media presentation
- MFM Fellows conference November 2015 "Family Planning Update"
- Grand Rounds September 2015 "Family Planning Update" Med/Peds Curriculum Duke
- Duke Resident Lecture Series July 2015 "Early Pregnancy Loss"
- Guest Lecture June 2014 "Fun with Contraception" Med/Peds Curriculum Duke
- Grand Rounds February 2014 "Intimate Partner Violence" Duke Department of OB/Gyn
- Grand Rounds April 2011 "Environmental Toxins and the Impact on Obstetrics and Gynecology" Duke Department of OB/Gyn
- Ongoing Lecturer for Duke Medical School Obstetrics and Gynecology curriculum "Family Planning and Abortion"

SKILLS

Spanish Fluency