

ORIGINAL

FILED
LUCAS COUNTY

IN THE COURT OF COMMON PLEAS
LUCAS COUNTY, OHIO

2014 AUG -8 P 4: 26

IN THE MATTER OF:

Case No. CI201403405

CAPITAL CARE NETWORK OF
TOLEDO,

COMMON PLEAS COURT
BERNIE QUILTER
CLERK OF COURTS

Appellant,

Judge DuHart

vs.

STATE OF OHIO
DEPARTMENT OF HEALTH,

AFFIDAVIT OF TERRIE
HUBBARD IN SUPPORT OF
MOTION TO SUSPEND AND
STAY THE ORDER OF THE
OHIO DEPARTMENT OF
HEALTH

Appellee.

I, Terrie Hubbard, do state that the following facts are true and I have personal knowledge of these facts.

1. Since 2010, I have been the owner of Capital Care Network, an ambulatory surgical facility which provides surgical abortion procedures.
2. If Capital Care's license is revoked, both Capital Care and the Toledo community will suffer irreparable harm. While politically unpopular with some, Capital Care fulfills an extremely important role in the region and forcing Capital Care to stop performing pregnancy termination services would be a great loss for the women of Northwest Ohio.
3. If ODH's order is not stayed, Capital Care will be forced to stop performing abortion services. It is very unlikely that another clinic will open in the region providing these types of services.
4. Capital Care is the last remaining abortion provider in the Toledo area. The Center for Choice in Toledo closed in 2013.

5. If Capital Care's ambulatory surgical facility license is revoked, it would only be able to remain open as an abortion referral service for a few days. Although I would like to operate Capital Care as a women's health clinic providing non-abortion gynecological services to low income women, I would most likely be forced to close the clinic for financial reasons.
6. If Capital Care is no longer permitted to perform abortion services, I could no longer afford to pay the staff. They would be forced to find other employment.
7. Capital Care fulfills a unique role in providing pregnancy terminations in this region. Capital Care serves patients from all over the state of Ohio, as well as Michigan and Indiana.
8. Approximately 1,500 to 2,000 patients a year depend on Capital Care, and would be left with no safe pregnancy termination option in the Toledo area if it were to close. These women would be forced to travel to Columbus or Cleveland to obtain abortion services. It is approximately 147 miles from Toledo to Columbus and 117 miles to Cleveland.
9. Many of our patients are low income and would be unable to travel to obtain abortion services. Some of them have difficulty coming up with the gas money to reach Capital Care, let alone further distances.
10. Four local women have volunteered to drive some patients to obtain abortions in other cities should Capital Care be forced to close. However, these women could only afford to do this on a very short term basis as they would be expending their personal time and money to do so.

