

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

MKB MANAGEMENT CORP, et al.,

Plaintiffs,

vs.

BIRCH BURDICK, et al.,

Defendants.

Case No. 1:13-CV-071

**DECLARATION OF TAMMI KROMENAKER IN SUPPORT OF PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT**

Tammi Kromenaker declares and states the following:

1. I am the Director of MKB Management Corporation, doing business as Red River Women's Clinic ("the Clinic"), a North Dakota corporation and one of the Plaintiffs in this lawsuit. I submit this declaration in support of Plaintiffs' Motion for Summary judgment.
2. Red River Women's Clinic is a reproductive health care facility located in Fargo, North Dakota. It provides a range of services, including abortions, contraception, gynecological examinations, cancer screening, and pregnancy testing.
3. I have been the Clinic's Director since it opened in 1998. As Director, I am responsible for overseeing the Clinic's day-to-day operations. This includes handling personnel matters and the Clinic's business affairs, and serving patients in virtually all non-medical capacities, including education, counseling, and billing.

4. Red River Women's Clinic is the only clinic providing abortions in North Dakota. The Clinic's patients travel from throughout the state, and from neighboring states. Due to the small population of North Dakota and surrounding areas, the Clinic typically performs abortions only one day per week.

5. As Director of the Clinic, I am familiar with the reasons why women seek our abortion services. Fifty-eight percent of the Clinic's patients already have children and many do not feel they can adequately parent and support additional children. Some younger patients believe that parenthood will prevent completion of their education, which would hinder both their own education and development and their ability to provide for children in the future. Some patients seek abortions because they are pregnant as a result of rape, are victims of domestic violence, or because the pregnancy threatens their health. While patients are informed of the risks associated with abortion and childbirth, that is not the only thing that women consider in deciding whether or not to have an abortion. Women often take several days or weeks to decide whether to continue the pregnancy or have an abortion.

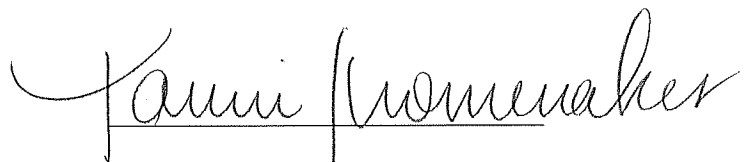
6. According to the three most recent years of Induced Termination of Pregnancy Reports made available by the North Dakota Department of Health, *available at <http://ndhealth.gov/vital/pubs.htm>*, ninety-one percent of abortions performed in the state occurred at and after 6 weeks since the patients' last menstrual period ("Imp"). Comparing the number of abortions reported by the State with the number of abortions performed at the Clinic, it appears that Red River accounts for all of the abortions reported to the State.

7. It would be difficult for most patients to schedule their abortions prior to the cutoff of approximately six weeks imposed by H. B. 1456. Women come to the Clinic only once they have realized they are pregnant, carefully thought through the decision of whether to seek

an abortion and discussed it with family members or others, obtained the financial and other resources that they need to come to Fargo and receive an abortion, and waited through various delays imposed by North Dakota law. Only a small minority of women can accomplish all of these steps within the few days that HB 1456 permits them.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 15th, 2013


Tammi Kromenaker