NO. DC 14-04101

LAMAR ROBINSON, M.D., and	§	IN THE DISTRICT COURT
JASBIR AHLUWALIA, M.D.,	Š	
	§	
Plaintiffs,	§	
	§	
v.	§	DALLAS COUNTY, TEXAS
	§	
UGHS DALLAS HOSPITALS,	§	
INC.,	§	
	§	
	§	
Defendant.	§	95 TH JUDICIAL DISTRICT

AGREED EXTENSION OF TEMPORARY RESTRAINING ORDER

On April 17, 2014, the Court granted the application of the Plaintiffs in this case for a temporary restraining order (the "TRO") and in the TRO set a hearing on Plaintiffs' application for a temporary injunction at 10:00 a.m. on April 30, 2014. A copy of the TRO is attached as Exhibit "A" to this Agreed Extension of Temporary Restraining Order. The parties have since conferred about taking discovery in advance of the temporary injunction hearing. They have agreed to an extension of the TRO to permit them to take the discovery.

IT IS THEREFORE ORDERED that the TRO shall be and is hereby **EXTENDED** in all respects and for all purposes through midnight Central time on June 10, 2014.

IT IS FURTHER ORDERED that the hearing on Plaintiffs' Application for Temporary Injunction is reset for June 10, 2014, at 9:00 a.m. The purpose of the hearing

will be to determine whether this Agreed Extension of Temporary Restraining Order should be converted into a temporary injunction pending a full trial on the merits.

Signed on the _____ of April, 2014, at ______ o'clock ___.m.

Judge Presiding

AGREED:

/s/ Barry Barnett Barry Barnett SUSMAN GODFREY L.L.P. 901 Main Street, Suite 5100 Dallas, Texas 75202 Office: 214-754-1900 Fax: 214-754-1933 Email: bbarnett@susmangodfrey.com

Attorney for Plaintiffs

/s/ James D. Jordan James D. Jordan Munsch Hardt Kopf & Harr, P.C. 500 N. Akard Street, Suite 3800 Dallas Texas 75201-6659 Office: 214-855-7543 Fax: 214-978-4359 Email: jjordan@munsch.com

Attorney for Defendant

EXHIBIT A

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	LAMAR ROBINSON, M.D. and JASBIR AHLUWALIA, M.D.	§	IN THE DISTRICT COURT		
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	v.	5 § §	JUDICIAL DISTRICT		
	UGHS DALLAS	§			
	HOSPITALS, INC.,	§ §			
	Defendant.	Š	DALLAS COUNTY, 7	ΓEXAS	

TEMPORARY RESTRAINING ORDER

On April 17, 2014, the Plaintiffs in the above cause presented their Application for a Temporary Restraining Order and Temporary Injunction. Plaintiffs appeared in person and by their attorneys of record, Debevoise & Plimpton LLP and Susman Godfrey LLP. The court, having examined Plaintiffs' Original Verified Petition, and Application for Temporary Restraining Order, Temporary Injunction, and Other Relief, and heard the argument of counsel, finds as follows:

1. Plaintiffs' Original Verified Petition shows that Plaintiffs will suffer irreparable harm to their businesses, relationships with patients, patients, professional reputations, and livelihoods unless a temporary restraining order is immediately issued restraining Defendant from revoking Plaintiffs' admitting privileges at UGHS Dallas Hospitals, Inc. ("UGHD") and requiring Defendant to reinstate the Plaintiffs' admitting privileges at UGHD before notice is given and a hearing is held on Plaintiffs' application for a temporary injunction. There is no adequate remedy at law to grant Plaintiffs

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EXHIBIT A

complete, final, and equal relief. Plaintiffs have provided the notice that Local Rule 2.02(a) requires by calling and emailing Plaintiffs' Original Verified Petition and other papers to the office of Edward T. LaBorde, Jr., General Counsel and registered agent for UGHD, and learning from a Corporate Paralegal of UGHD that she doubted Mr. LaBorde could respond until the week of April 21, 2014. Any further delay in granting relief to provide additional notice would increase the irreparable harm described below.

2. It is probable that Plaintiffs will prevail on the merits against Defendant because Texas Occupations Code section 103.002(b) prohibits a hospital from discriminating against a physician "because of the person's willingness to participate in an abortion procedure at another facility," and UGHD sent Plaintiffs each a letter dated March 31, 2014 indicating that it was revoking their admitting privileges because of their participation in abortion procedures at other facilities. Texas Occupations Code section 103.003 expressly entitles Plaintiffs to an injunction against any further violation of section 103.002(b) and appropriate affirmative relief that includes reinstatement.

3. It clearly appears, from Plaintiffs' Original Verified Petition, that absent a temporary restraining order, it is probable that Plaintiffs will suffer irreparable injury because, pursuant to state law, without admitting privileges at a hospital within 30 miles of where the abortion procedure takes place, Plaintiffs cannot perform abortions at the clinics where they practice medicine and Plaintiffs do not have and cannot immediately obtain admitting privileges elsewhere. Plaintiffs' injuries are ongoing and imminent because UGHD has already revoked their admitting privileges and Plaintiffs cannot continue to provide abortions without admitting privileges.

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 Plaintiffs' potential injuries far outweigh any harm that may be sustained by Defendant as a result of the requested injunctive relief.

IT IS THEREFORE ORDERED that Defendant shall immediately reinstate Plaintiffs' admitting privileges pending a hearing on a temporary injunction.

The clerk of this court is directed to issue notice that the hearing on Plaintiffs Application for Temporary Injunction is set for $\underline{ADV1} \underline{30_12}, \underline{41} \underline{10:00aM}$. The purpose of the hearing shall be to determine whether this temporary restraining order should be converted into a temporary injunction pending a full trial on the merits.

IT IS FURTHER ORDERED that Defendant appear at the Temporary Injunction hearing to show cause, if any, why a temporary injunction should not be issued as requested by Plaintiff.

IT IS FURTHER ORDERED that Defendant and its officers, agents, servants, employees, and attorneys and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise are hereby enjoined and restrained from directly or indirectly revoking the admitting privileges of Plaintiffs at UGHD and from discriminating against Plaintiffs or others in connection with the consideration, granting, denial or revocation of admitting privileges at UGHD because of the person's willingness to participate in an abortion procedure at a facility other than UGHD.

This Order shall not be effective unless and until Plaintiff executes and files with the clerk of this court a bond in conformity with the law (or a cash deposit in lieu of bond) in the amount of (0.00, 0.00).

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EXHIBIT A

This Order expires on May 7, 2014, at micht, unless an extension is requested for good cause shown and is granted by this court. Signed on the 1 of April, 2014, at 3.10 o'clock p.m. Sheufl Judge Presiding

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