

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

PLANNED PARENTHOOD OF  
TENNESSEE AND NORTH MISSISSIPPI;  
*et al.*,

Plaintiffs,

v.

Herbert H. SLATERY III, Attorney General  
of Tennessee, in his official capacity; *et al.*,

Defendants.

CASE NO. 3:20-cv-00740

JUDGE CAMPBELL

MAGISTRATE JUDGE NEWBERN

**PLANTIFFS' EXHIBIT LIST**

Pursuant to Fed. R. Civ. P. 16 and the orders of this Court, Plaintiffs, by and through counsel, submit this Exhibit List setting forth exhibits which Plaintiffs will and may introduce during the Preliminary Injunction hearing scheduled for December 1, 2, and 14, 2020, with the exception of exhibits that may be used for impeachment in accordance with Fed. R. Civ. P.

26(a)(3):

<b>Ex. No.</b>	<b>Title/Descriptions</b>
1	Decl. of Courtney A. Schreiber, M.D., M.P.H., Dep. of Dr. Brent Boles (Nov. 6, 2020) ("Boles Dep.") Ex. 1
2	Decl. of Dr. George Delgado, Boles Dep. Ex. 2
3	Decl. of Dr. Donna Harrison, Boles Dep. Ex. 3
4	Rebuttal Decl. of Courtney A. Schreiber, M.D., M.P.H., Boles Dep. Ex. 4
5	Decl. of Dr. Brent Boles, Boles Dep. Ex. 5
6	George Delgado & Mary Davenport, <i>Progesterone Use to Reverse the Effects of Mifepristone</i> , 46 The Annals of Pharmacotherapy e36 (2012), Boles Dep. Ex. 6

7	George Delgado et al., <i>A Case Series Detailing the Successful Reversal of the Effects of Mifepristone Using Progesterone</i> , 33 Issues in L. & Med. 3 (2018), Boles Dep. Ex. 7
8	Dr. Brent Boles, Curriculum Vitae, Boles Dep. Ex. 8
9	Tr. of March 10, 2020, Test. of Dr. Brent Boles before the Tenn. H. Health Comm., Boles Dep. Ex. 9
10	Tenn. Code Ann. § 39-15-218, Boles Dep. Ex. 10
11	FDA, <i>Guidance for Industry: E 10 Choice of Control Group and Related Issues in Clinical Trials</i> (2001), Boles Dep. Ex. 11
12	NIH, <i>Why Do Researchers Do Different Kinds of Clinical Studies?</i> , Boles Dep. Ex. 12
13	FDA, <i>Mifeprex Label</i> (2000), Boles Dep. Ex. 13
14	Daniel Grossman et al., <i>Continuing Pregnancy After Mifepristone and “Reversal” of First-Trimester Medical Abortion: A Systematic Review</i> , <i>Contraception</i> (2015), Boles Dep. Ex. 14
15	Mary L. Davenport et al., <i>Embryo Survival After Mifepristone: A Systematic Review of the Literature</i> , 32 Issues in L. & Med. 3 (2017), Boles Dep. Ex. 15
16	Mitchell D. Creinin et al., <i>Mifepristone Antagonization With Progesterone to Prevent Medical Abortion</i> , 135 <i>Obstet. &amp; Gynec.</i> 158 (2020) (alternate citation: Creinin, 2019), Boles Dep. Ex. 16
17	Dr. Donna Harrison, Curriculum Vitae, Dep. of Dr. Donna Harrison, Nov. 13, 2020 (“Harrison Dep.”) Ex. 17
18	AAPLOG, <i>Practice Bulletin 6: The Reversal of the Effects of Mifepristone by Progesterone</i> (Nov. 6, 2019), Harrison Dep. Ex. 18
19	Shingo Yamabe et al., <i>The Effect of RU486 and Progesterone on Luteal Function during Pregnancy</i> , 65 <i>Folia Endocrinologica Japonica</i> 1 (1988), Harrison Dep. Ex. 19
20	<i>The Antiprogestin Steroid Ru 486 And Human Fertility Control</i> , at vii – ix (Etienne-Emile Baulieu & Sheldon J. Segal eds. 1985), Harrison Dep. Ex. 20
21	Deborah Garratt & Joseph V. Turner, <i>Progesterone For Preventing Pregnancy Termination After Initiation Of Medical Abortion With Mifepristone</i> , <i>Euro. J. Contraception &amp; Reprod. Health Care</i> 1 (2017), Harrison Dep. Ex. 21
22	Nathalie Bernard et al., <i>Continuation Of Pregnancy After First-trimester Exposure To Mifepristone: An Observational Prospective Study</i> , 120

	Epidemiology 568 (2013), Harrison Dep. Ex. 22
23	Regine Sitruk-Ware et al., Correspondence, <i>Fetal Malformation and Failed Medical Termination of Pregnancy</i> , 352 <i>The Lancet</i> 323 (1998), Harrison Dep. Ex. 23
24	AAPLOG, <i>Practice Bulletin 8: Medical Management of Elective Induced Abortion</i> (Feb. 25, 2020), Harrison Dep. Ex. 24
25	Tr. of Sept. 19, 2015, Dep. of George Delgado, M.D., <i>Planned Parenthood Ariz., Inc., v. Brnovich</i> , No. 2:15-cv-01022-SPL (D. Ariz.), Dep. of Dr. George Delgado (Nov. 17 2020) (“Delgado Dep.”) Ex. 25
26	Decl. of George Delgado, M.D. in Supp. of App. for a TRO, and Order to Show Cause Re: Prelim. Inj., <i>South Bay United Pentecostal Church v. Newsom</i> , No. 3:20-cv-0085 (S.D. Cal. May 11, 2020) (ECF No. 12-3), Delgado Dep. Ex. 26
27	Cnty. of L.A. Pub. Health, <i>LA County Daily COVID-19 Data</i> , Delgado Dep. Ex. 27
28	<i>South Bay United Pentecostal Church v. Newsom</i> , No. 20-cv-00865, 2020 WL 6081733 (S.D. Cal. Oct. 15, 2020), Delgado Dep. Ex. 28
29	Oskari Heikinheimo et al., <i>The Pharmacokinetics of Mifepristone in Humans Reveal Insights into Differential Mechanisms of Antiprogesterin Action</i> , 68 <i>Contraception</i> 421 (2003), Delgado Dep. Ex. 29
30	Michael B. Bracken, <i>Why Animal Studies Are Often Poor Predictors Of Human Reactions To Exposure</i> , 101 <i>J. Royal Soc’y Med.</i> 120 (2008), Delgado Dep. Ex. 30
31	Etienne-Emile Baulieu, <i>RU 486: An Antiprogesterin Steroid with Contragestive Activity in Women in The Antiprogesterin Steroid Ru 486 And Human Fertility Control</i> , at 1–25 (Etienne-Emile Baulieu & Sheldon J. Segal eds. 1985), Delgado Dep. Ex. 31
32	Nat’l Acad. Sci., Eng’g, & Med., <i>The Safety and Quality of Abortion Care in the U.S.</i> (2018), Delgado Dep. Ex. 32
33	33(1) <i>Issues in L. &amp; Med.</i> (Barry A. Bostrom & Donna Harrison eds. 2018), Delgado Dep. Ex. 33
34	M. L. Swahn et al., <i>Effect Of Oral Prostaglandin E2 On Uterine Contractility And Outcome Of Treatment In Women Receiving RU 486 (Mifepristone) For Termination Of Early Pregnancy</i> , 4 <i>Human Reprod.</i> 21 (1989), Delgado Dep. Ex. 34
35	Zheng Shu-rong, <i>RU 486 (Mifepristone): Clinical Trials in China</i> , 149 <i>Acta.</i>

	Obstet. Gynecol. Scand. Suppl. 19 (1989), Delgado Dep. Ex. 35
36	Thomas A. Lang & Michelle Secic, <i>Generalizing From a Sample to a Population</i> in <i>How to Report Statistics in Medicine</i> , at 37–44 (2006), Delgado Dep. Ex. 36
37	Frederick J. Dorey, <i>Confidence Intervals: In Brief: Statistics in Brief: What is the Real Result of the Target Population</i> , 486 <i>Clinical Orth. &amp; Related Research</i> 3137 (2010), Delgado Dep. Ex. 37
38	Thomas A. Lang & Michelle Secic, <i>Guidelines for Reporting Research Designs &amp; Activities</i> in <i>How To Report Statistics In Medicine</i> , at 206–10 (2006), Delgado Dep. Ex. 38
39	FDA, <i>Institutional Review Boards Frequently Asked Questions</i> (Jan. 1998), Delgado Dep. Ex. 39
40	U.S. Dept. Health & Hum. Servs., Off. for Hum. Rsch. Prots., <i>Investigator Responsibilities FAQs</i> (last visited Nov. 10, 2020), Delgado Dep. Ex. 40
41	Issues in L. & Med., <i>Delgado – A Case Series Detailing the Successful Reversal of the Effects</i> (last visited Nov. 12, 2020), Delgado Dep. Ex. 41
42	George Delgado et al., <i>A Case Series Detailing the Successful Reversal of the Effects of Mifepristone Using Progesterone</i> , 33 <i>Issues in L. &amp; Med.</i> 3 (2018) (retracted), Delgado Dep. Ex. 42
43	Azeen Ghorayshi, <i>A Study About the “Abortion Reversal” Procedure Was Just Withdrawn for Ethical Issues</i> , BuzzFeed News (July 17, 2018), Delgado Dep. Ex. 43
44	Steno Inst., <i>Donate: Will You Help Us Research Life?</i> (last visited Nov. 13, 2020) Delgado Dep. Ex. 45
45	Decl. of Steven Joffe, Dep. of Steven Joffe, (Nov. 9, 2020) (“Joffe Dep.”) Ex. 2
46	Steven Joffe, M.D., M.P.H., Curriculum Vitae, Joffe Dep. Ex. 3
47	Courtney Schreiber, M.D., M.P.H., Curriculum Vitae, Dep. of Courtney A. Schreiber, (Nov. 16, 2020) (“Schreiber Dep.”) Ex. 2
48	Decl. of Audrey Lance, M.D., M.S. & Curriculum Vitae, Dep. of Audrey Lance (Nov. 10, 2020) (“Lance Dep.”) Ex. 2
49	Decl. of Dr. James L. Madara, M.D. in Supp. of Pls.’ Mot. for Prelim. Inj., <i>American Medical Association v. Stenehjem</i> , No. 19-cv-00125, (D.N.D. June 25, 2019) (ECF No. 6-5).
50	Brent Boles, <i>Supremely Wrong: The Injustice of Abortion</i> (2019)

51	NIH, <i>Understanding Clinical Studies</i> (last visited Nov. 19, 2020), <a href="https://www.nih.gov/about-nih/what-we-do/science-health-public-trust/perspectives/understanding-clinical-studies">https://www.nih.gov/about-nih/what-we-do/science-health-public-trust/perspectives/understanding-clinical-studies</a>
52	FDA, <i>MIFEPREX (Mifepristone) Tablets Label</i> (2016), Schreiber Dep. Ex. 17
53	ACOG, <i>Practice Bulletin No. 225: Medication Abortion up to 70 Days of Gestation</i> , 136 <i>Obstetrics &amp; Gynecology</i> 1 (2020), Schreiber Dep. Ex. 5
54	Div. of TennCare, <i>Sterilization Consent Form Instructions</i> (revised June 25, 2020)
55	Decl. of Investigator Matthew Dunne, Schreiber Dep. Ex. 19
56	ACOG, Memo., <i>Facts Are Important: Medication Abortion ‘Reversal’ is Not Supported by Science</i> (2017), Schreiber Dep. Ex. 6
57	Laszlo Kovacs et al., <i>Termination of Very Early Pregnancy by RU 486—An Antiprogestational Compound</i> , 29 <i>Contraception</i> 399 (1984)
58	Iain T. Cameron et al., <i>Therapeutic Abortion in Early Pregnancy with Antiprogestogen RU486 Alone or in Combination with Prostaglandin Analogue (Gemeprost)</i> , 34 <i>Contraception</i> 459 (1986)
59	Arri Coomarasamy et al., <i>A Randomized Trial of Progesterone in Women with Bleeding, in Early Pregnancy</i> , 380 <i>N. Eng. J. Med.</i> 1815 (2019)
60	Issues in L. & Med., <i>About</i> (last visited Nov. 19, 2020), <a href="https://publons.com/journal/16314/issues-in-law-and-medicine/">https://publons.com/journal/16314/issues-in-law-and-medicine/</a>
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63	Daniel Grossman & Kari White, <i>Abortion “Reversal”—Legislating without Evidence</i> , 379 <i>N. Eng. J. Med.</i> 1401 (2018), Lance Dep. Ex. 5.
64	Jeanette Webster & Esther M. Sternberg, <i>Review: Role of the Hypothalamic-Pituitary-Adrenal Axis, Glucocorticoids and Glucocorticoid Receptors in Toxic Sequelae of Exposure to Bacterial and Viral Product</i> , 181 <i>J. Endocrinology</i> 207 (2004)
65	Michael F. Green, Editorial, <i>Progesterone for Threatened Abortion</i> , 380 <i>N. Eng. J. Med.</i> 1867 (2019)

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73	Ushma D. Upadhyay et al., <i>Incidence of Emergency Department Visits and Complications After Abortion</i> , 125 <i>Obstet. &amp; Gynec.</i> 175 (Jan. 2015)
74	Daniel Grossman & Kate Grindlay, <i>Safety of Medical Abortion Provided Through Telemedicine Compared With In Person</i> , 130 <i>Obstet. &amp; Gynec.</i> 778 (Oct. 2017).
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78	Diana G. Foster et al., <i>Attitudes and Decision Making Among Women Seeking Abortions at One U.S. Clinic</i> , 44 <i>Perspectives on Sexual &amp; Reproductive Health</i> 117 (2012)
79	FDA, <i>Risk Evaluation and Mitigation Strategy (REMS): Single Shared System for Mifepristone 200MG</i> (Apr. 2019), <a href="https://www.accessdata.fda.gov/drugsatfda_docs/remis/Mifepristone_2019_04_11_REMS_Full.pdf">https://www.accessdata.fda.gov/drugsatfda_docs/remis/Mifepristone_2019_04_11_REMS_Full.pdf</a>

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82	Irving M. Spitz et al., <i>Early Pregnancy Termination with Mifepristone and Misoprostol in the United States</i> , 338 N. Eng. J. Med. 1241 (Apr. 1998)
83	AMA Code of Medical Ethics, <i>Opinion 2.1.1</i> (Nov. 14, 2016), Joffe Dep. Ex. 6
84	The Mayo Clinic, <i>Tubal Ligation Reversal</i> (Mar. 4, 2020), Joffe Dep. Ex. 7
85	The Mayo Clinic, <i>Vasectomy Reversal</i> (July 25, 2020), Joffe Dep. Ex. 8
86	Deborah J. Cook et al., <i>Rules of Evidence and Clinical Recommendations on the Use of Antithrombotic Agents</i> , 102 (4 Suppl.) Chest. 3058 (1992)
87	Paul Sisson, <i>Doctor Began Abortion Reversal Movement</i> , The San Diego Union-Tribune (Apr. 11, 2015), Joffe Dep. Ex. 17
88	Tr. of May 11, 2006, Esther M. Sternberg, Expert Panel Member at the Dept. of Health & Hum. Servs. Emerging Clostridial Disease Workshop
89	Soc’y for Assisted Reproductive Tech., <i>Progesterone: Risks and Benefits</i> (2020), available at <a href="https://www.sart.org/patients/a-patients-guide-to-assisted-reproductive-technology/stimulation/progesterone/">https://www.sart.org/patients/a-patients-guide-to-assisted-reproductive-technology/stimulation/progesterone/</a>
90	Tr. of Nov. 10, 2020, Dep. of Audrey Lance, M.D., M.S.
91	Tr. of Nov. 16, 2020, Dep. of Courtney A. Schreiber, M.D., M.P.H
92	Tr. of Nov. 9, 2020, Dep. of Steven Joffe, M.D., M.P.H.
93	Tr. of Nov. 6, 2020, Dep. of C. Brent Boles, M.D.
94	Tr. of Nov. 17 2020, Dep. of George Delgado, M.D.
95	Tr. of Nov. 13 2020, Dep. of Donna Harrison, M.D.
96	Rebuttal Decl. of Steven Joffe, M.D., Joffe Dep. Ex. 4
97	Rebuttal Decl. of Audrey Lance, M.D., M.S. Lance Dep. Ex. 3
98	Patricia B. Burns et al., <i>The Levels of Evidence and Their Role in Evidence-Based Medicine</i> , 128 Plastic and Reconstructive Surgery 305, (July 2011), Joffe Dep Ex. 14



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100	AAPLOG, <i>About Us</i> (last visited Nov. 11, 2020), <a href="https://aaplog.org/about-us/">https://aaplog.org/about-us/</a>
101	ACOG, <i>About Us</i> (last visited Nov. 11, 2020) <a href="https://www.acog.org/about">https://www.acog.org/about</a>
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103	ACOG, <i>Practice Bulletin No. 143: Medical Management of First-Trimester Abortion</i> (March 2014, reaff'd 2016)

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 20, 2020 a true and correct copy of the foregoing Motion was served on the Tennessee Attorney General's Office, counsel for all Defendants, via the Court's ECF/CM system.

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