AUSTIN KNUDSEN
Montana Attorney General
DAVID M.S. DEWHIRST
Solicitor General
KATHLEEN L. SMITHGALL
Assistant Solicitor General
PATRICK M. RISKEN
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401
Phone: 406-444-2026

CLERK OF THE DISTRICT COURT TERRY HALPIN

2021 AUG 30 ₽ 4:07



Attorneys for Defendant

david.dewhirst@mt.gov kathleen.smithgall@mt.gov

Fax: 406-444-3549

prisken@mt.gov

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT YELLOWSTONE COUNTY

PLANNED PARENTHOOD OF MONTANA and JOEY BANKS, M.D., on behalf of themselves and their patients,

Plaintiffs,

V.

STATE OF MONTANA, by and through AUSTIN KNUDSEN, in his official capacity as Attorney General,

Defendant.

Cause No. DV-21-999

Hon. Donald L. Harris

DEFENDANT'S MOTION TO SUBSTITUTE JUDGE

Pursuant to Mont. Code Ann. § 3-1-804, Defendant State of Montana moves for substitution of District Judge Donald Harris in the above-captioned case. The required \$100 filing fee is submitted to the Clerk of Court along with this Motion. See Supreme Court Order, No. AF 09-0289 (March 24, 2015); Mont. Code Ann. § 3-1-804; Mont. Code Ann. § 25-1-201(p).

By filing this motion for substitution, the State does not waive service of process.

DATED the 30th day of August, 2021.

AUSTIN KNUDSEN Montana Attorney General 215 North Sanders P.O. Box 201401 Helena, MT 59620-1401

By:

KATHLEEN L. SMITHGALL Assistant Solicitor General

CERTIFICATE OF SERVICE

I certify a true and correct copy of the foregoing was delivered by

email to the following:

Raph Graybill Graybill Law Firm, PC 300 4th Street North PO Box 3586 Great Falls, MT 59403

rgraybill@silverstatelaw.net

Hana Bajramovic Planned Parenthood Federation of America, Inc. 123 William St., 9th Floor New York, NY 10038 hana.bajramovic@ppfa.org

Alice Clapman Planned Parenthood Federation of America, Inc. 1110 Vermont Ave., NW Ste. 300 Washington, DC 20005 alice.clapman@ppfa.org

Date: August 30, 2021

Kimberly Parker Nicole Rabner

Wilmer Cutler Pickering Hale & Dorr

LLP

1875 Pennsylvania Avenue NW

Washington, DC 20006

kimberly.parker@wilmerhale.com nicole.rabner@wilmerhale.com

Alan Schoenfeld

Michel Nicole Diamond

Wilmer Cutler Pickering Hale & Dorr

LLP

7 World Trade Center 250 Greenwich Street New York, NY 10007

alan.schoenfeld@wilmerhale.com michelle.diamond@wilmerhale.com

Gene R. Jarussi

1631 Zimmerman Tr., Ste. 1

Billings, MT 59102 gene@lawmontana.com