

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PLANNED PARENTHOOD OF THE )  
HEARTLAND, )  
) )  
Plaintiff, )  
) )  
v. )  
) )  
DAVE HEINEMAN, Governor of Nebraska, )  
in his official capacity; )  
) )  
JON BRUNING, Attorney General of Nebraska; )  
in his official capacity; )  
) )  
KERRY WINTERER, Chief Executive Officer, )  
and DR. JOANN SCHAEFER, Director of the )  
Division of Public Health, Nebraska Department )  
of Health and Human Services, in their official )  
capacities; and )  
) )  
CRYSTAL HIGGINS, President, Nebraska Board )  
of Nursing, and BRENDA BERGMAN-EVANS, )  
President, Nebraska Board of Advanced Practice )  
Registered Nurses, in their official capacities; )  
) )  
Defendants. )  
\_\_\_\_\_ )

Case No. 4:10-cv-3122

**PLAINTIFF’S MOTION FOR LEAVE TO FILE  
AMENDED INDEX OF EVIDENCE AND AFFIDAVITS**

Plaintiff Planned Parenthood of the Heartland, pursuant to the Court’s permission granted during the status conference on June 29 at 3:00 p.m. CT, and without objection from Defendants, hereby moves to file an Amended Index of Evidence in Support of Plaintiff’s Motion for Preliminary Injunction and Temporary Restraining Order. The Amended Index of Evidence would substitute affidavits for the declarations (Exhibits 2-6) filed on June 28, 2010. The only changes made to those declarations are: (1) they were put into affidavit form; (2) the term

“declaration” was replaced with “affidavit” where it appeared in the title and text of the declarations; and (3) the case number was added. Plaintiff requests that the Court and Defendants refer to the affidavits for all citations to declarations in Plaintiff’s Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Injunction and Temporary Restraining Order (filed June 28, 2010).

Dated: July 2, 2010

BY: PLANNED PARENTHOOD OF THE HEARTLAND

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OF COUNSEL FOR PLAINTIFF

\*Application for admission *pro hac vice*  
pending