

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

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Supreme Court No. 20220260

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Drew H. Wrigley, in his official capacity as Attorney General for the State of North  
Dakota,

Petitioner,

v.

The Honorable Bruce A. Romanick, Judge of District Court, South Central Judicial  
District; Access Independent Health Services, Inc., d/b/a Red River Women's Clinic, on  
behalf of itself and its patients, and Kathryn L. Eggleston, M.D., on behalf of herself and  
her patients; and Birch P. Burdick, in his official capacity as the State Attorney for Cass  
County,

Respondents.

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PETITION FOR SUPERVISORY WRIT FROM THE DISTRICT COURT ORDER  
DATED AUGUST 25, 2022, BURLEIGH COUNTY, NORTH DAKOTA, SOUTH  
CENTRAL JUDICIAL DISTRICT, HON. BRUCE ROMANICK

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**MOTION OF AMERICAN COLLEGE OF OBSTETRICIANS AND  
GYNECOLOGISTS, AMERICAN MEDICAL ASSOCIATION, AND SOCIETY  
FOR MATERNAL-FETAL MEDICINE TO FILE BRIEF AS *AMICI CURIAE* IN  
SUPPORT OF PLAINTIFFS-RESPONDENTS, IN OPPOSITION TO PETITION  
FOR SUPERVISORY WRIT, AND IN OPPOSITION TO REVERSAL OR  
VACATION OF PRELIMINARY INJUNCTION**

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[¶1] Proposed *amici curiae* the American College of Obstetricians and Gynecologists (“ACOG”), the American Medical Association (“AMA”), and the Society for Maternal-Fetal Medicine (“SMFM”), by and through their counsel, and pursuant to Rules 29 and 21(b) of the North Dakota Rules of Appellate Procedure, respectfully request leave to file the attached proposed brief of *amici curiae* in support of Plaintiffs-Respondents, in opposition to petition for supervisory writ, and in opposition to reversal or vacation of preliminary injunction.

[¶2] In support of said motion, *amici curiae* state as follows:

[¶3] ACOG is the nation’s leading group of physicians providing health care for women. With more than 62,000 members, ACOG advocates for quality health care for women, maintains the highest standards of clinical practice and continuing education of its members and is committed to ensuring access to the full spectrum of evidence-based quality reproductive health care, including abortion care. ACOG’s briefs and medical practice guidelines have been cited by numerous authorities, including the U.S. Supreme Court, as a leading provider of authoritative scientific data regarding childbirth and abortion.

[¶4] AMA is the largest professional association of physicians, residents, and medical students in the United States. The objectives of the AMA are to promote the art and science of medicine and the betterment of public health. AMA members practice in all fields of medical specialization and in every state.

[¶5] SMFM, founded in 1977, is the medical professional society for maternal-fetal medicine subspecialists, who are obstetricians with additional training in high-risk

pregnancies. SMFM represents more than 5,500 members, and is dedicated to ensuring that all medically appropriate treatment options are available for individuals experiencing a high-risk pregnancy.

[¶6] *Amici* respectfully submit that the attached brief addresses issues from a unique perspective not fully captured by the current parties, and that its content will assist the Court in addressing the significant and urgent issues raised by this case. *Amici* do not seek leave to participate in oral argument.

[¶7] *Amici* accordingly request that the Court grant leave for the submission and deem the attached brief filed upon its order.

Respectfully submitted this 21st day of November 2022.

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**CERTIFICATE OF SERVICE BY ELECTRONIC MAIL**

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Supreme Court No. 20220260

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her patients; and Birch P. Burdick, in his official capacity as the State Attorney for Cass  
County,

Respondents.

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I hereby certify that a true and correct copy of the following document:

**Motion of American College of Obstetricians and Gynecologists,  
American Medical Society, and Society for Maternal-Fetal Medicine to  
File Brief as *Amici Curiae* in Support of Plaintiffs-Respondents, in  
Opposition to Petition for Supervisory Writ, and in Opposition to  
Reversal or Vacation of Preliminary Injunction**

were, on November 21, 2022, served via electronic mail to the following:

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by electronically serving through the North Dakota Supreme Court filing system, the same to the person above-named at the above-referenced email address. To the best knowledge of the undersigned, the email address above given is the actual email address of the party intended to be so served. The above documents were emailed in accordance with the provisions of the North Dakota Rules of Appellate Procedure.

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