

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

Supreme Court No. 20220260

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.

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

**MOTION REQUESTING PERMISSION TO APPEAR AS
NONRESIDENT COUNSEL**

[¶1] Kimberly A. Parker, duly licensed attorney, hereby requests permission to appear as nonresident counsel for *amici curiae*, the American College of Obstetricians and Gynecologists, the American Medical Association, and the Society for Maternal-Fetal Medicine, in the above-captioned matter. Counsel designates Elizabeth Elsberry, ND Bar ID 06286, and Christopher Rausch, ND Bar ID 06277, of Elsberry & Shively, P.C., 103 South 3rd Street, Suite 5, Bismarck, ND 58501, as the associate counsel admitted and licensed to practice law in North Dakota. In support of this motion, counsel submits the affidavit required by North Dakota Admission to Practice Rule 3. In further compliance with Rule 3, counsel states that she has simultaneously filed a copy of this motion and affidavit/declaration, as well as the applicable fee of \$380, with the State Board of Law Examiners.

Dated: November 21, 2022

Respectfully submitted,

/s/ Kimberly A. Parker
Kimberly A. Parker
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue NW
Washington, D.C. 20006
Phone: (202) 663-6000
kimberly.parker@wilmerhale.com

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AFFIDAVIT/DECLARATION OF KIMBERLY A. PARKER

[¶1] I, Kimberly A. Parker, being first duly sworn, state the following:

[¶2] I submit this affidavit/declaration in support of my motion for admission to practice *pro hac vice* in the above-captioned matter, on behalf of *amici curiae*, the American College of Obstetricians and Gynecologists, the American Medical Association, and the Society for Maternal-Fetal Medicine.

[¶3] First, I am admitted to practice and am a member in good standing of the bar in the following jurisdictions: District of Columbia (Bar No. 462495, admitted 1999) and New York (State Bar No. 2869162, admitted 1998).

[¶4] Second, I am not presently subject to a disciplinary proceeding in any jurisdiction.

[¶5] Third, I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed.

[¶6] Fourth, I am not now and never have been suspended or disbarred from a court in any jurisdiction.

[¶7] Fifth, I have not appeared in any North Dakota actions in the prior three years.

[¶8] Sixth, my address is 1875 Pennsylvania Avenue NW, Washington, D.C., 20006, my telephone number is (202) 663-6000, and my e-mail address is Kimberly.Parker@wilmerhale.com.

[¶9] Seventh, I have remitted the required fee to the State Board of Law Examiners.

[¶10] I declare under penalty of perjury under the law of North Dakota, that the foregoing is true and correct. Signed on the 21st day of November, 2022, at Washington, D.C., USA.

/s/ Kimberly A. Parker
Kimberly A. Parker

CERTIFICATE OF SERVICE BY ELECTRONIC MAIL

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

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

**Motion Requesting Permission to Appear as Nonresident Counsel
Affidavit/Declaration of Kimberly A. Parker**

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

Clerk of the Supreme Court
supclerkofcourt@ndcourts.gov

Alexandra Blankman
alex.blankman@weil.com

Thomas A. Dickson
tdickson@dicksonlaw.com

Cassandra D’Alesandro
casey.dalesandro@weil.com

Lauren Bernstein
lauren.bernstein@weil.com

Liz Grefrath
liz.grefrath@weil.com

Naz Akyol
naz.akyol@weil.com

Lauren Kelly
lauren.kelly@weil.com

Luna Barrington
luna.barrington@weil.com

Todd Larson
odd.larson@weil.com

Colin McGrath
colin.McGrath@weil.com

Caroline Zalka
caroline.salka@weil.com

Meetra Mehdizadeh
mmegdizadeh@reprorights.org

Scott K. Porsborg
sporsborg@smithporsborg.com

Alassandra Olsewski
alassandra.olewski@weil.com

Austin T. Lafferty
alafferty@smithporsborg.com

Melissa Rutman
melissa.rutman@weil.com

Matthew A. Sagsveen
masagsve@nd.gov

Courtney R. Titus
ctitus@nd.gov

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.

/s/ Betsy Elsberry
Betsy Elsberry (N.D. # 06286)
Elsberry & Shively, P.C.
103 South 3rd Street, Suite 5
Bismarck, ND 58501
Phone: (701) 557-3384
Email: betsy@nodaklaw.com

/s/ Christopher Rausch
Christopher Rausch (N.D. # 06277)
Elsberry & Shively, P.C.
103 South 3rd Street, Suite 5
Bismarck ND 58501
Phone: (701) 557-3384
Email: chris@nodaklaw.com