

No. 20220260

In the Supreme Court of North Dakota

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,

Plaintiffs–Appellees,

vs.

Drew H. Wrigley, in his official capacity as Attorney General for the State of North Dakota;
Birch P. Burdick, in his official capacity as the State Attorney for Cass County,

Defendants–Appellants.

Appeal from Order on Plaintiffs' Motion for Preliminary Injunction Entered by the
District Court, South Central Judicial District, County of Burleigh,
No. 08-2022-CV-01608, the Hon. Bruce Romanick, Presiding Judge

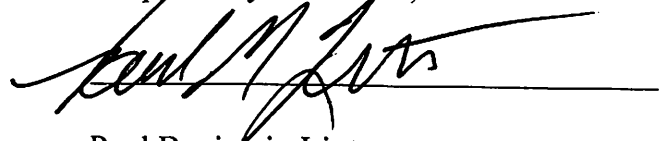
MOTION REQUESTING PERMISSION TO APPEAR AS NONRESIDENT COUNSEL

Paul Benjamin Linton, duly licensed attorney, hereby requests permission to appear as nonresident counsel for the *amicus curiae*, the North Dakota Catholic Conference, in the above-captioned matter. Counsel designates Christopher Dodson, Bar Number 05265, Executive Director and General Counsel, North Dakota Catholic Conference, 103 South Third Street, Suite 10, Bismarck, North Dakota 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 he has

simultaneously filed a copy of this motion and affidavit, as well as the applicable fee of \$380.00, with the State Board of Law Examiners.

Dated: September 15, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Benjamin Linton", written over a horizontal line.

Paul Benjamin Linton
921 Keystone Avenue
Northbrook, Illinois 60062
(847) 291-3848 (tel)
pblconlaw@aol.com

No. 20220260

In the Supreme Court of North Dakota

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,

Plaintiffs–Appellees,

vs.

Drew H. Wrigley, in his official capacity as Attorney General for the State of North Dakota;
Birch P. Burdick, in his official capacity as the State Attorney for Cass County,

Defendants–Appellants.

Appeal from Order on Plaintiffs' Motion for Preliminary Injunction Entered by the
District Court, South Central Judicial District, County of Burleigh,
No. 08-2022-CV-01608, the Hon. Bruce Romanick, Presiding Judge

AFFIDAVIT OF PAUL BENJAMIN LINTON

I, Paul Benjamin Linton, being first duly sworn, state the following:

I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above-captioned matter on behalf of *amicus curiae*, the North Dakota Catholic Conference.

First, I am admitted to practice and am a member in good standing of the bar in the following jurisdictions:

Supreme Court of Illinois (1974)
United States District Court for the Northern District of Illinois (1974)
United States Court of Appeals for the First Circuit (2010)

United States Court of Appeals for the Fourth Circuit (2014)
United States Court of Appeals for the Fifth Circuit (1991)
United States Court of Appeals for the Sixth Circuit (1994)
United States Court of Appeals for the Seventh Circuit (1975)
United States Court of Appeals for the Eighth Circuit (1994)
United States Court of Appeals for the Ninth Circuit (1991)
United States Court of Appeals for the Tenth Circuit (1994)
United States Supreme Court (1981)

Second, I am not presently subject to a disciplinary proceeding in any jurisdiction.

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

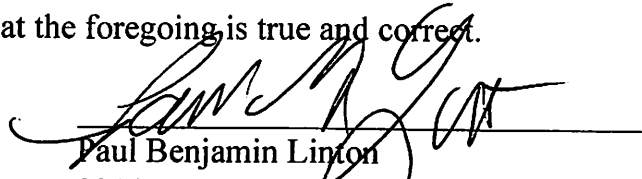
Fourth, I am not now and never have been suspended or disbarred from a court in any jurisdiction.

Fifth, I have not appeared in any North Dakota actions during the prior three years. In 2013, I registered under Praticce Rule the case of *MKB Management Corp., d/b/a/ Red River Women's Clinic, et al., vs. Birch Burdick, in his official capacity as State Attorney for Cass County, et al., Defendants-Appellants*, in the North Dakota Supreme Court, No. 20130259.

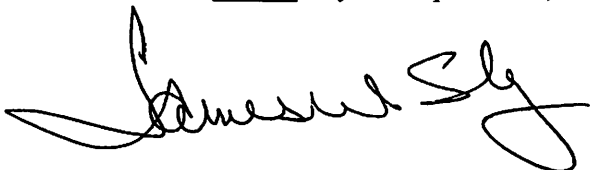
Sixth, my address is 921 Keystone Avenue, Northbrook, Illinois 60062, my telephone number is (847) 291-3848, and my e-mail address is pblconlaw@aol.com.

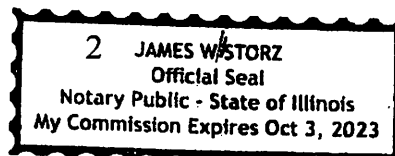
Seventh, I have remitted the required fee to the State Board of Law Examiners.

I declare under penalty of perjury that the foregoing is true and correct.


Paul Benjamin Linton
921 Keystone Avenue
Northbrook, Illinois 60062
(847) 291-3848 (tel)
pblconlaw@aol.com

Subscribed and Sworn to
Before Me
This 15th Day of September, 2022





No. 20220260

In the Supreme Court of North Dakota

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,

Plaintiffs/Appellees,

vs.

Drew H. Wrigley, in his official capacity as Attorney General for the State of North Dakota; Birch P. Burdick, in his official capacity as the State Attorney for Cass County,

Defendants/Appellants.

Appeal from Order on Plaintiffs' Motion for Preliminary Injunction Entered by the District Court, South Central Judicial District, County of Burleigh, No. 08-2022-CV-01608.

CERTIFICATE OF SERVICE

[¶1] I hereby certify that on September 22, 2022, the **MOTION OF PAUL BENJAMIN LINTON REQUESTING TO APPEAR AS NONRESIDENT COUNSEL** and accompanying **AFFIDAVIT OF PAUL BENJAMIN LINTON** were filed electronically with the Clerk of Supreme Court through the North Dakota Supreme Court E-Filing Portal and was served electronically through the North Dakota Supreme Court E-Filing Portal upon Plaintiffs/Appellees, 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, by and through their attorneys, and Defendants/Appellants Drew H. Wrigley, in his official capacity as Attorney General for

the State of North Dakota, and Birch P. Burdick, in his official capacity as the State Attorney for Cass County, by and through their attorneys, as follows:

Thomas A. Dickson at tdicksonlaw.com;
Lauren Bernstein at Lauren.Bernstein@weil.com;
Naz Akyol at Naz.Akyol@weil.com;
Luna Barrington at Luna.Barrington@weil.com;
Alexandra Blankman at Alex.Blankman@weil.com;
Cassandra D'Alesandro at Casey.Dalesandro@weil.com;
Liz Grefrath at Liz.Grefrath@weil.com;
Lauren Kelly at Lauren.Kelly@weil.com;
Todd Larson at Todd.Larson@weil.com;
Colin McGrath at Colin.McGrath@weil.com;
Meetra Mehdizadeh at mmehdizadeh@reprorights.org;
Alassandra Olsewski at Alassandra.Olsewski@weil.com;
Melissa Rutman at Melissa.Rutman@weil.com;
Caroline Zalka at caroline.zalka@weil.com;
Scott K. Porsborg at sporsborg@smithporsborg.com;
Austin T. Lafferty at alafferty@smithporsborg.com;
Matthew A. Sagsveen at masagsve@nd.gov;
Courtney R. Titus at ctitus@nd.gov

Respectfully submitted,

/s/ Christopher T. Dodson
Christopher T. Dodson
North Dakota Bar No. 05265
Executive Director/General Counsel
North Dakota Catholic Conference
103 South Third Street, Suite 10
Bismarck, North Dakota 58501
(701) 223-2519