



May 19, 2022

Hon. Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, DC 20543-0001

Re: No. 21-1431, *Kerr v. Planned Parenthood South Atlantic, et al.*

Dear Mr. Harris:

In the petition for certiorari filed on May 6, 2022, in the above-referenced case, we stated that there were “lingering mootness” concerns in the recently granted case of *Health and Hospital Corp. of Marion County v. Talveski*, No. 21-806 (certiorari granted May 2, 2022), due to that case’s interlocutory posture and the possibility of a lower-court development that could moot that case. *E.g.*, Pet. 2, 30–31. We write to inform the Court that on May 10, 2022, counsel for Health and Hospital Corporation of Marion County moved the district court for a stay in *Talveski*, and on May 18, 2022, the district court granted that request. There is, accordingly, no longer any prospect of mootness in the *Talveski* case. A copy of the order is enclosed.

Sincerely,

John J. Bursch
Counsel for Petitioner

cc: Nicole A. Saharsky, Mayer Brown, LLP, nsaharsky@mayerbrown.com
Alice Clapman, Planned Parenthood Federation, alice.clapman@ppfa.org
Counsel for Respondents

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

GORGI TALEVSKI, by Next Friend)	
Ivanka Talevski,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 2:19-cv-00013-JTM-APR
)	
THE HEALTH AND HOSPITAL)	
CORPORATION OF MARION)	
COUNTY, AMERICAN SENIOR)	
COMMUNITIES, LLC and)	
VALPARAISO CARE AND)	
REHABILITATION,)	
)	
Defendants.)	

ORDER

This cause is now before the Court on Defendants’ Motion to Stay Proceedings Pending Disposition of Case by the Supreme Court of the United States [DE 41] and on the Motion to Substitute [DE 42] and the Court, having considered said Motion, and being duly advised in the premises, now RULES as follows:

a) The Court **GRANTS** Plaintiff’s Motion to Substitute [DE 42]. The Clerk is **DIRECTED** to substitute Ivanka Talevski, Authorized Representative of Gorgi Talevski, Deceased, as the Plaintiff in this case;

b) The Court **GRANTS** the Motion to Stay [DE 41]. This matter is **STAYED** pending the United States Supreme Court’s disposition of *Health & Hosp. Corp. of Marion Cnty. v. Talevski*;

c) The Court **VACATES** the current case management plan in total and will set a new Case Management Conference to determine the future course of these proceedings consistent with any instructions provided by the U.S. Supreme Court.

IT IS, THEREFORE, SO ORDERED, ADJUDGED, AND DECREED.

Dated: May 18, 2022.

/s/ Andrew P. Rodovich
Judge, U.S. District Court for the Northern
District of Indiana, Hammond Division