

BATEMAN & SLADE, INC.
— *The Brief People* —
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January 12, 2018

Scott Harris, Clerk
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

EXPRESS MAIL

Re: USSC No. 16-1140
National Institute of Family and Life Advocates
d/b/a NIFLA, et al. v. Xavier Becerra, Attorney General, et al.

Dear Clerk Harris:

Please find enclosed:

1. Forty (40) copies of the Brief for Massachusetts Citizens for Life, Eleanor McCullen, Expectant Mother Care, and the Pro-Life Legal Defense Fund as Amici Curiae in Support of Petitioners;
2. A Certificate of Service;
3. A Word Count Certification; and
4. Four (4) consent letters.

Thank you very much for your time and assistance.

Very truly yours,

Rita L. Hemenway

Rita L. Hemenway

Enclosures

cc: Dwight G. Duncan
Mary Ann Glendon
Mr. Joshua A. Klein
Mr. Thomas Bunton
Ms. Carrie Mitchell

No. 16-1140

IN THE

Supreme Court of the United States

NATIONAL INSTITUTE OF FAMILY AND LIFE ADVOCATES,
D/B/A/ NIFLA, ET AL.,

Petitioners,

v.

XAVIER BECERRA, ATTORNEY GENERAL, ET AL.,

Respondents.

CERTIFICATE OF SERVICE

I, Rita L. Hemenway of Bateman & Slade, Inc., hereby declare that on this twelfth day of January 2018, I have served three (3) true copies of the Brief for Massachusetts Citizens for Life, Eleanor McCullen, Expectant Mother Care, and the Pro-Life Legal Defense Fund as Amici Curiae in Support of Petitioners by priority mail, postage prepaid, addressed as follows:

Counsel for Petitioners

David A. Cortman
Alliance Defending Freedom
440 1st Street N.W., Suite 600
Washington, DC 20001
(202) 393-86
dcortman@adflegal.org

Counsel for State Respondents, Becerra, Att’y Gen. of CA, et al.

Mr. Joshua A. Klein
Deputy Solicitor General
CA Department of Justice
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415-703-2543
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Counsel for Respondent Thomas E. Montgomery

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Counsel for Respondent Morgan Foley

Ms. Carrie Mitchell
McDougal Love Boehmer Foley Lyon & Canlas
La Mesa Village Plaza
8100 La Mesa Boulevard, Suite 200
La Mesa, CA 91942
619-440-4444
cmitchell@mcdougallove.com

Signed under the pains and penalties of perjury,

Rita L. Hemenway

Rita L. Hemenway

NOTARIZED BY:

George D. Bateman

George D. Bateman
My Commission Expires:
June 22, 2018

No. 16-1140

IN THE

Supreme Court of the United States

NATIONAL INSTITUTE OF FAMILY AND LIFE ADVOCATES,
D/B/A/ NIFLA, ET AL.,

Petitioners,

v.

XAVIER BECERRA, ATTORNEY GENERAL, ET AL.,

Respondents.

WORD COUNT CERTIFICATION

As required by Supreme Court Rule 33.1(h), I certify that the document contains 2,361 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

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

Executed on January 12, 2018.

Rita L. Hemenway

Rita L. Hemenway

NOTARIZED BY

George D. Bateman

George D. Bateman

My Commission Expires:

June 22, 2018

From: Carrie Mitchell <cmitchell@mcdougallove.com>
Sent: Monday, December 18, 2017 1:45 PM
Subject: RE: consent to filing of amicus brief in Nat'l Inst. of Family
& Life Advocates v. Becerra?
To: Dwight Duncan <dduncan@umassd.edu>, Joshua Klein
<joshua.klein@doj.ca.gov>

I consent on behalf of Morgan Foley.

Carrie Mitchell
Partner
619.440.4444 p | 619.440.4907 f
La Mesa Village Plaza
8100 La Mesa Boulevard, Suite 200
La Mesa, CA 91942

From: Joshua Klein <joshua.klein@doj.ca.gov>
Sent: Monday, December 18, 2017 12:38 PM
Subject: RE: consent to filing of amicus brief in Nat'l Inst. of Family
& Life Advocates v. Becerra?
To: Dwight Duncan <dduncan@umassd.edu>

Prof. Duncan:

The State Respondents (Gov. Brown and AG Becerra) consent to the filing of your brief. The City and County Respondents are represented by separate counsel. I'm cc'ing them here so that you can follow up with them to learn their positions.

Josh Klein

Joshua A. Klein
Deputy Solicitor General
Office of the Attorney General
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102-7004
Tel: (415) 703-2543
Fax: (415) 703-2552
Email:Joshua.Klein@doj.ca.gov

From: Bunton, Thomas D <thomas.bunton@sdcountry.ca.gov>
Sent: Wednesday, December 27, 2017 1:42 PM
Subject: RE: consent for filing of amicus brief in NIFLA v. Becerra?
To: Dwight Duncan <dduncan@umassd.edu>

I consent on behalf of Thomas Montgomery.

From: Dwight Duncan [mailto:dduncan@umassd.edu]
Sent: Tuesday, December 19, 2017 9:48 AM
To: Bunton, Thomas D
Subject: Fw: consent for filing of amicus brief in NIFLA v. Becerra?



November 20, 2017

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

Re: No. 16-1140, Nat'l Inst. of Family & Life Advocates v. Becerra

Dear Mr. Harris:

Pursuant to Supreme Court Rule 37.3(a), Petitioners National Institute of Family and Life Advocates, Pregnancy Care Center, and Fallbrook Pregnancy Resource Center hereby give blanket consent to the filing of *amicus curiae* briefs in support of either or of neither party in the above-referenced case, with respect to the Petition for Writ of Certiorari filed on March 20, 2017, which the Court granted on November 13, 2017.

Sincerely,

A handwritten signature in black ink that reads "David A. Cortman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

David A. Cortman
Counsel for Petitioners

cc: Thomas D. Bunton
Office of County Counsel
1600 Pacific Highway, Room 355
San Diego, CA 92101
Counsel of Record for Thomas E. Montgomery

Joshua A. Klein
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CA Department of Justice
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Counsel of Record for State Respondents

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