

IN THE SUPREME COURT OF THE UNITED STATES

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No. 18-1323

JUNE MEDICAL SERVICES L.L.C., ET AL., PETITIONERS

v.

REBEKAH GEE, SECRETARY, LOUISIANA DEPARTMENT  
OF HEALTH AND HOSPITALS

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No. 18-1460

REBEKAH GEE, SECRETARY, LOUISIANA DEPARTMENT  
OF HEALTH AND HOSPITALS, PETITIONER

v.

JUNE MEDICAL SERVICES L.L.C., ET AL.

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ON WRITS OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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MOTION OF THE UNITED STATES FOR LEAVE TO  
PARTICIPATE IN ORAL ARGUMENT AS AMICUS CURIAE  
AND FOR DIVIDED ARGUMENT

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Pursuant to Rules 28.4 and 28.7 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully moves for leave to participate in the oral argument in this case as amicus curiae and requests that the United States be allowed ten minutes of argument time. The United States has filed a brief as amicus curiae supporting the position advocated by Louisiana Department of Health and Hospitals Secretary Rebekah Gee, who is respondent in No. 18-1323 and petitioner in No. 18-1460. Counsel

for Secretary Gee has consented to an allocation of ten minutes of argument time to the United States.

This case presents important questions about the scope of third-party standing and the undue-burden standard for abortion regulation. The United States has previously defended against cases brought by litigants seeking to assert third-party rights, see, e.g., Elk Grove Unified Sch. Dist. v. Newdow, 542 U.S. 1 (2004), and has defended federal statutes that regulate abortion, see, e.g., Gonzales v. Carhart, 550 U.S. 124 (2007). The United States accordingly has a substantial interest in this Court's resolution of the questions presented.

The United States has participated in oral argument as amicus curiae in other cases concerning these issues. For example, the government participated in oral argument as amicus curiae in Whole Woman's Health v. Hellerstedt, 136 S. Ct. 2292 (2016), and Planned Parenthood of Southeastern Pennsylvania v. Casey, 505 U.S. 833 (1992). The United States' participation in oral argument in this case would provide the Court with the federal perspective on the questions presented and might be of material assistance to the Court.

Respectfully submitted.

NOEL J. FRANCISCO  
Solicitor General  
Counsel of Record

JANUARY 2020