

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROCHELLE GARZA, as guardian ad litem to)	
unaccompanied minor J.D., on behalf of)	
herself and others similarly situated,)	
)	No. 17-cv-
Plaintiff,)	
)	
v.)	
)	
ERIC D. HARGAN, <i>et al.</i> ,)	
)	
Defendants.)	
)	

**EMERGENCY MOTION TO SHORTEN DEFENDANTS’ TIME
IN WHICH TO RESPOND TO PLAINTIFF’S APPLICATION
FOR A TEMPORARY RESTRAINING ORDER**

Pursuant to Fed. R. Civ. P. 6(c)(1)(C) and 83(b), Plaintiff moves for the entry of an order requiring Defendants to respond on or before Monday, October 16, 2017 to Plaintiff’s application for a temporary restraining order, filed simultaneously with this motion.

Plaintiff’s motion should be granted because the facility at which Plaintiff J.D. is scheduled to obtain her abortion, but which she is currently barred from being transported to as a result of the Defendants’ actions challenged in this lawsuit, only provides abortion care on Thursdays, Fridays and Saturdays. Pursuant to state-mandated requirements that (1) J.D. wait 24 hours between obtaining compulsory pre-abortion counseling and undergoing the abortion procedure, and (2) that the same physician perform both the counseling and the procedure itself, J.D. must be able to go for her counseling on Thursday, October 19 to be able to obtain an abortion on Friday, October 20 and/or Saturday, October 21. Accordingly, unless J.D. obtains the relief she seeks that will enable her to see a provider in this window, J.D. will be pushed a week

further into her pregnancy, delaying her ability to access the care to which she is entitled, at an ever-increasing risk to her physical and mental health and well-being.

In order to resolve this matter before Wednesday, October 18, 2017 – the date on which a temporary restraining order must be issued if Plaintiff J.D. is to obtain the relief she seeks next week – Plaintiff has requested a hearing on or before the morning of Wednesday, October 18, 2017, which would require an expedited response from Defendants. If the application for a temporary restraining order is not ruled upon by Wednesday, October 18, 2017, Plaintiff J.D. will suffer irreparable injury as a result of the violation of her Fifth Amendment rights.

For the reasons stated above, Defendants should be directed to respond by Monday October 16, 2017 to Plaintiff's application for a temporary restraining order. A proposed order is filed herewith.

October 13, 2017

Respectfully submitted,

/s/ Arthur B. Spitzer

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**Admission for pro hac vice forthcoming*

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