

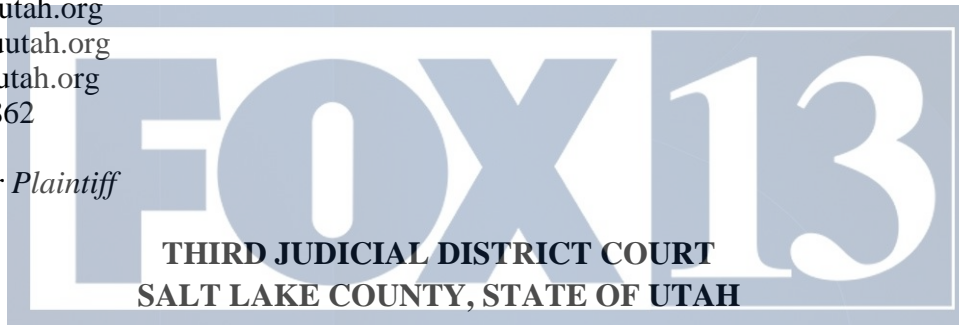
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PLANNED PARENTHOOD  
ASSOCIATION OF UTAH, on behalf of  
itself and its patients, physicians, and staff,

Plaintiff,

v.

STATE OF UTAH, et al.,

Defendants.

**PLAINTIFF'S MOTION FOR LEAVE  
TO SUBMIT DECLARATIONS  
UNDER PSEUDONYM**

Case No. 220903886  
Honorable Andrew H. Stone

Plaintiffs respectfully seek leave for Jane Doe, Ann Moe, and Alex Roe—putative declarants in this case and patients seeking abortions at Planned Parenthood—to appear by

pseudonym. Pseudonymity is necessary to prevent disclosure of these patients' identities and to shield them from potential harassment and other targeting.<sup>1</sup>

## BACKGROUND

Jane Doe, Ann Moe, and Alex Roe ("Patients") are Utah residents who are scheduled to obtain abortions at Planned Parenthood in Utah this week. They seek to submit declarations in support of Plaintiff's Motion for a Preliminary Injunction because, absent a preliminary injunction from this Court, they will be unable to obtain their abortions in Utah. Decl. of Jane Doe, in Supp. of Pl.'s Mot. for Prelim. Inj. ("Doe Decl.") ¶ 2, attached hereto as Ex. A; Decl. of Alex Roe, in Supp. of Pl.'s Mot. for Prelim. Inj. ("Roe Decl.") ¶ 2, attached hereto as Ex. B; Decl. of Ann Moe, in Supp. of Pl.'s Mot. for Prelim. Inj. ("Moe Decl.") ¶ 4, attached hereto as Ex. C.

They seek to proceed by pseudonym to preserve the confidentiality of their personal medical information and to prevent potential negative repercussions of disclosing their abortion decisions to family members, employers, and/or the public. Doe Decl. ¶¶ 13–14; Roe Decl. ¶ 9; Moe Decl. ¶¶ 26, 30.

## ARGUMENT

Under Utah Rule of Civil Procedure 37(a)(7), this Court has authority "to protect a party or person ... from annoyance, embarrassment, [or] oppression." The "liberal use" of sealing and protective orders to prevent disclosure of confidential information "is a prudent and sufficient

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<sup>1</sup> Given the emergency nature of the underlying motion for a preliminary injunction and the fact that Jane Doe, Alex Roe, and Ann Moe provided their declarations to Plaintiff's counsel less than twenty-four hours ago, Plaintiff has not had an opportunity to confer with Defendants about their position on this motion.

safeguard against overbroad disclosure.” *Spratley v. State Farm Mut. Auto. Ins. Co.*, 2003 UT 39, ¶ 22, 78 P.3d 603; accord *In re Discipline of Pendleton*, 2000 UT 77, ¶ 38, 11 P.3d 284.

Good cause exists to permit Patients to proceed by pseudonym. Use of a pseudonym is appropriate to preserve the privacy of “non-party witnesses” in cases involving sensitive information. *State v. Francisco Delgado*, 2020 UT App 121, 473 P.3d 234, 235, *cert. denied sub nom. State v. Delgado*, 481 P.3d 1043 (Utah 2021); *State v. Alzaga*, 2015 UT App 133, ¶ 22 n.2, 352 P.3d 107; *State v. Jordan*, 2018 UT App 187, ¶ 4 n.2, 438 P.3d 862; *State v. Reyos*, 2017 UT App 132, ¶ 2 n.2, 402 P.3d 113, *cert. denied*, 406 P.3d 249 (Utah 2017); *cf. Doe v. Corp. of President of Church of Jesus Christ of Latter-day Saints*, 2004 UT App 274, ¶ 2, 98 P.3d 429 (resolving an appeal in a negligence action involving child and parent who proceeded by pseudonym and made allegations of sexual abuse).

Moreover, an individual has a strong interest in the privacy of their abortion decision, and the threat of publicity may have a chilling effect on participation in court proceedings. *See, e.g., Singleton v. Wulff*, 428 U.S. 106, 117 (1976) (plurality op.). Abortion has also “been a traditional target of hostility.” *Women’s Med. Ctr. of Nw. Houston v. Bell*, 248 F.3d 411, 422 (5th Cir. 2001). Courts have documented acts of harassment, violence, and intimidation by anti-abortion extremists. *See, e.g., Nat’l Abortion Fed’n v. Ctr. for Med. Progress*, No. 15-CV-03522-WHO, 2016 WL 454082, at \*1 (N.D. Cal. Feb. 5, 2016) (issuing a temporary restraining order “in light of . . . death threats and severe harassment, and . . . the well-documented history of violence against abortion providers”), *aff’d sub nom. Nat’l Abortion Fed’n, NAF v. Ctr. for Med. Progress*, 685 F. App’x 623 (9th Cir. 2017); *Planned Parenthood of Columbia/Willamette, Inc. v. Am. Coal. of Life Activists*, 290 F.3d 1058, 1063–64 (9th Cir. 2002) (documenting threats and acts of violence

against abortion providers), *as amended* (July 10, 2002); *Planned Parenthood Se., Inc. v. Strange*, 33 F. Supp. 3d 1330, 1334 (M.D. Ala.) (“Against the backdrop of this history of violence, abortion providers and women seeking abortions in Alabama today live and work in a climate of extreme hostility to the practice of abortion.”), *as corrected* (Oct. 24, 2014), *supplemented*, 33 F. Supp. 3d 1381 (M.D. Ala. 2014), *and amended*, No. 2:13CV405-MHT, 2014 WL 5426891 (M.D. Ala. Oct. 24, 2014); *see also* Katie Woodruff et al., Experiences of Harassment and Empowerment After Sharing Personal Abortion Stories Publicly, 2 CONTRACEPTION: X 100021, at 3 (2020), <https://doi.org/10.1016/j.conx.2020.100021> (finding that sixty percent of study participants experienced harassment and other negative incidents after disclosing their abortions publicly).

PPAU has also submitted evidence supporting the need for Patients to proceed by pseudonym in this litigation. Anti-abortion protestors come nearly every day to a PPAU health center that provides abortion. Declaration of David Turok in Supp. of Motion for Leave to Submit Declarations Under Pseudonym (“Turok Decl.”) ¶ 4, attached hereto as Ex. D. Some of these protestors are extremely aggressive, including with patients. *Id.* ¶¶ 4, 6. For example, it is common for protestors to arrive with mounted video cameras and to record staff, patients, and anyone else who enters the health center. *Id.* at ¶ 5. At least some of these videos, including ones of patients or their companions, have been posted on YouTube. *Id.*

Given the Patients’ desire to maintain their anonymity in this case and to prevent disclosure of their abortion decision to family members, employers, and/or the public, good cause exists for the Court to enter an order permitting the Patients to proceed by pseudonym. Such an order would undoubtedly protect the Patients “from annoyance, embarrassment, [or] oppression.” Utah R. Civ. Pro. 37(a)(7); *cf. Choice, Inc. of TX*, 226 F.R.D. at 548 (permitting patients to proceed by

pseudonym given the fact that “prospect[] of potential harassment or violence by the public, coupled with the other factors, . . . tipped against the customary practice of judicial openness”).

Moreover, Defendants would not be prejudiced by entry of the requested order because the Patients’ specific identities are not relevant to the factual or legal issues raised by Plaintiff’s Motion for a Preliminary Injunction.

### CONCLUSION

For the reasons set forth above, this Court should grant Jane Doe, Alex Roe, and Ann Moe seek leave to appear by pseudonym as non-party declarants in this matter.<sup>2</sup>

Respectfully submitted,

/s/ Troy L. Booher  
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J. Frederic Voros, Jr. (3340)  
Dick J. Baldwin (14587)  
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/s/ John Mejia  
John Mejia (Bar No. 13965)  
Valentina De Fex (Bar No. 17785)  
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/s/ Julie Murray  
Julie Murray\*  
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*\*Admitted pro hac vice*

*Attorneys for Plaintiff Planned Parenthood Association of Utah*

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<sup>2</sup> Should the Court deny this motion, PPAU respectfully requests an opportunity to withdraw the Patients’ declarations and its reliance on them.

**Certificate of Service**

I hereby certify that on the 10<sup>th</sup> of July, 2022, I caused the foregoing to be electronically filed and served on the following via the method indicated:

Via ECF:

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Utah Solicitor General  
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CONSOVOY McCARTHY PLLC



/s/ Troy L. Boher \_\_\_\_\_

# **EXHIBIT A**



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**THIRD JUDICIAL DISTRICT COURT,  
SALT LAKE COUNTY, UTAH**

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PLANNED PARENTHOOD ASSOCIATION  
OF UTAH, on behalf of itself and its  
patients, physicians, and staff,  
*Plaintiff,*

v.

STATE OF UTAH, *et al.*,  
*Defendants.*

**DECLARATION OF JANE DOE IN  
SUPPORT OF PLAINTIFF'S MOTION  
FOR A PRELIMINARY INJUNCTION**

Case No. 220903886

Judge Andrew Stone

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I, Jane Doe, declare as follows:

1. I am submitting this declaration in support of Plaintiff's motion for a preliminary injunction.

2. I am a patient at Planned Parenthood Association of Utah. I am submitting this declaration because if Utah's abortion ban goes into effect on Monday, my abortion appointment will be canceled, and I've always known that I am not ready to have kids. I am submitting this declaration under pseudonym because I do not want random people to know about my abortion; the people who I want to know, know.

3. I am in my mid-twenties and live with roommates in Salt Lake City. I have lived on my own for the last 7 to 8 years after I was kicked out of my family's home when I turned 18. My family is scattered around the United States and does not live in Utah.

4. I'm a student in community college in Utah, but I have the summer off. When I started community college, I was not sure what I wanted to do, but I finally decided to go for an associate degree in science. I have about another year and a half left to complete my degree. I attend school part-time because I need to work.



5. I am currently a server at a restaurant. I make about \$1,000 a month, give or take, depending on tips. I am not sure what I want to do long-term.

6. I am not in a relationship, and I do not currently have any children. I have not told my ex-boyfriend about the pregnancy. He cheated on me, and we decided we weren't good in a monogamous relationship. He is not someone I envision having a future relationship with. I never wanted to have kids with him, and I know that he never wanted to have kids at all.

7. I came to Planned Parenthood in Utah once before in high school because I wanted to get on the pill. I was young and didn't know any doctors, and I was not very close to my parents, so I did not feel comfortable asking them to take me to the doctor. Planned Parenthood seemed like a good option, and a friend of mine had gone there before and recommended it.

8. I realized I was pregnant last week because I missed my period, even though I was using condoms. I took three pregnancy tests at home. When they came back positive, I started freaking out. I knew that Utah was a trigger state, and that as soon as *Roe* was overturned, Utah would ban all abortions. I didn't know if I would be able to have an abortion in Utah and whether I was going to have to try to go out of state. I cried a lot and was very stressed out. I thought, if you ever get pregnant, you're forced to take care of it yourself. I don't have the right social or family support or help with raising a baby. I felt a wave of emotions.

9. I am not ready to have kids. I can barely take care of myself. I can't take care of another human being. I don't make enough money, and I would not have financial support from my family if I had a child. I want to be able to finish school, I want to go on to have a career. I would not be able to finish my degree if I had a child. I would not be able to work as easily if I

had a child. Carrying a pregnancy to term would set me back in terms of work that I've done to establish my life.

10. I have only told two friends about my abortion. They helped me calm down, find information, and set up my appointment with Planned Parenthood.

11. It was helpful to know that technically I could still get an abortion if I drive out of state, but that takes more money and time. If I had to travel out of state, I would need to take time off of work and find someone to take me. My car is older, and I'm not sure it would make it out to somewhere like Idaho, where I think abortion is still legal for now. I would not get paid to take time off. The extra expense of travel, on top of the abortion, would put me behind on bills, rent, and utilities. I would have to save up even more to go back to school for the fall semester. There are people who are in an even worse situation than I am because they might not be able to go out of state at all.

12. I wouldn't know how to bring my own lawsuit if I had to do so in order to obtain an abortion. I don't have the capacity to do everything involved in bringing a lawsuit, and I think I would get very overwhelmed and might not end up following through in the end. I would have to take time to talk to a lawyer, take days off to get the right resources. I've never had to file a lawsuit or anything like that before, and am not familiar with the legal system in this type of situation. There would be no way I could pay for lawyers or costs. I also wouldn't want the State to know me, or have to be questioned in person. I am afraid of repercussions and judgment. That's why it's important to have someone to be your voice. I just want to not be pregnant as soon as possible.

13. I would also have concerns about anonymity. That is why I'm asking to do this declaration without using my name. I don't want everyone and their grandma to know about my

abortion. People have their own opinions and might have bad opinions about me if they found out. I worry that I would be judged. I definitely do not want my family to know about my abortion. I also worry that if my employer found out, she would judge me since she is a fairly religious person.

14. I have heard that there may be protestors when I go to get my abortion. I am worried about them as well, and hope I only have to see them once.

15. The fact that Utah would ban people from getting abortions makes me feel very upset. I think everyone should have the right to choose whether to stay pregnant. No one else knows what that person is going through. Why does anyone get to have a say about whether another person has to carry a pregnancy?

Signed on July 10, 2022, in Salt Lake County, Utah.

/s/ Jane Doe  
Jane Doe\*



*For internal records only:*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

\* I have signed a version of this declaration using my real name and signature, and I gave it to Planned Parenthood's attorneys in this case for their records.

# **EXHIBIT B**



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**THIRD JUDICIAL DISTRICT COURT,  
SALT LAKE COUNTY, UTAH**

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PLANNED PARENTHOOD ASSOCIATION  
OF UTAH, on behalf of itself and its  
patients, physicians, and staff,

*Plaintiff,*

v.

STATE OF UTAH, *et al.*,

*Defendants.*

**DECLARATION OF ALEX ROE IN  
SUPPORT OF PLAINTIFF’S MOTION  
FOR A PRELIMINARY INJUNCTION**

Case No. 220903886

Judge Andrew Stone

---

I, Alex Roe, declare as follows:

1. I am submitting this declaration in support of Plaintiff’s motion for a preliminary injunction.

2. I am a patient at Planned Parenthood Association of Utah. I have an abortion appointment scheduled next week and have been to Planned Parenthood for care before. I am submitting this declaration because if Utah’s abortion ban goes into effect on Monday, my abortion appointment will be canceled. I need an abortion because I cannot support another child, and I am worried about having another complicated pregnancy.

3. I am in my mid-thirties, and I live with my children in Weber County. They are eight and ten years old. I share custody, but I am their primary custodian. I am in a relationship with someone. He is not my children’s father, and does not co-parent or live with me. He knows about my pregnancy and my decision to get an abortion.

4. I work as a housecleaner. My monthly income is about \$1800 to support the three of us. I rely on Medicaid for health care. It is my understanding that Medicaid will not cover the abortion that I am scheduled to get at Planned Parenthood.

5. I also attend online high school for about five hours a week. If I am able to get this degree, I have a job offer to work at an information and technology help desk.

6. I realized I was pregnant last week. I was cleaning for work, and someone standing near me did something very inconsiderate and I felt a rush of anger that felt hormonal, so I took a home pregnancy test, and it was positive. I have learned that I am less than 7 weeks pregnant.

7. I immediately knew that I wanted an abortion. I do not want any more children. It is already hard for me to support and care for my two existing children on my income. I already worry about paying rent each month. I also worry about being too old to be pregnant again. My first pregnancy involved a pre-eclampsia scare and induction when I started leaking amniotic fluid. I worry that I would have another medically complicated pregnancy. With this pregnancy, I am already having cramping and intense emotions of anger and sadness.

8. I would have no idea where to go if I had to travel out of state to get an abortion. I might go to California, because I have family there, and I know that abortion is legal there, but I would worry about being out of work and falling short on rent.

9. I cannot imagine bringing a case myself to challenge Utah's abortion ban. I do not know how I would find the money, or the time. Also, I would be very scared to be in court. All my life, I've done everything I could to stay out of court. I grew up seeing my brothers go in and out of jail; to me, courtrooms are for people who have done something wrong and are facing punishment. I would also be worried about anonymity. I am keeping my abortion a secret from my

father because I am his only daughter, and I do not want to disappoint him. These are all also reasons why I am submitting this declaration under a pseudonym.

10. Utah's abortion ban makes me feel repressed, like people who don't know me are keeping me down. I am angry that these people want to make this decision for me. I was doing everything I could to not be in this position. I was using condoms and had made an appointment to have my tubes tied. Despite all of that, this happened to me, and I just want to have an abortion as soon as I can.

I declare under penalty of perjury under the laws of the United States of America and the State of Utah that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Signed on July 10, 2022, in Weber County, Utah.

/s/ Alex Roe  
Alex Roe\*



*For internal records only:*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

\* I have signed a version of this declaration using my real name and signature, and I gave it to Planned Parenthood's attorneys in this case for their records.

# EXHIBIT C





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**THIRD JUDICIAL DISTRICT COURT,  
SALT LAKE COUNTY, UTAH**

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PLANNED PARENTHOOD ASSOCIATION  
OF UTAH, on behalf of itself and its  
patients, physicians, and staff,  
*Plaintiff,*

v.

STATE OF UTAH, *et al.*,  
*Defendants.*

**DECLARATION OF ANN MOE IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR A PRELIMINARY INJUNCTION**

Case No. 220903886

Judge Andrew Stone

---

Ann Moe declares the following:

1. I am in my late thirties and I live in Sevier County.
2. I work in health care, assisting patients obtain medical care.
3. I am a single mother of three children. My eldest child is twenty years old. The others are sixteen and four.
4. I am submitting this declaration because if Utah's abortion ban goes into effect on Monday, my abortion appointment at Planned Parenthood will be canceled, and I need an abortion in order to take the best possible care of my family.
5. Earlier this month, I took a pregnancy test at home and it came back positive. I believe that at the time I was just over four weeks pregnant.
6. While this at-home test was my first official confirmation of the pregnancy, I began to suspect that I was pregnant about a week earlier. I am a highly sensitive person and have always been very aware of changes in my body. Also, when you have been pregnant before, like I have, sometimes you just know.

7. I actually first suspected I was pregnant on the same day I first heard about Utah's abortion ban. I was at work, about to start a meeting, and my first thought was that I might actually be pregnant myself and need an abortion. I had been taking a low-dose daily contraceptive pill, but I missed a couple of days. My partner and I had been intimate around that time, and I took Plan B emergency contraception, but as the pregnancy test later confirmed, the Plan B did not work.

8. So when the pregnancy test came back positive, I was not surprised. I knew immediately that I wanted to end the pregnancy and that I needed to get an appointment as soon as possible.

9. Put simply, I am not in a place financially or mentally to care for another child. Two of my children live with me, along with my significant other and his two children. One of my partner's children has special needs. My mother lives with us as well, and she is in the process of adopting my niece, who also has special needs.

10. In our household of seven—soon to be eight, once the adoption is finalized—I am the only one who works. My significant other is legally disabled and has multiple serious health conditions: he is legally deaf, and he has heart issues and emphysema. Due to his disability, he cannot work and receives monthly disability benefits from the state. His benefits plus my salary give us a monthly household income of approximately \$4,800 to support the seven of us.

11. Even aside from these financial concerns, I am stretched so thin already taking care of my family. And once my mother adopts my niece, I know that I will be responsible for a large portion of that child's care, too. I do not want anyone in our home to feel that someone is getting more care over another. But when a baby comes, and you have someone else in the home with special needs, it can be challenging to make sure that everyone is getting the care they need.

I have seen that happen in other families.

12. I am also concerned about being pregnant at my age, and the health complications that could result.

13. Additionally, my significant other is in his late forties, and as I mentioned above, he already has two children and multiple serious health conditions. I worry that his health will not allow him to assist in the care of another baby, and if we were forced to move forward with this pregnancy, he could very well pass away before the child graduates from high school. Even under the best of circumstances, if we had this baby, my partner would be in his late sixties by the time the child became an adult. Given his age, and also his disability, the situation is just not conducive to having another child. Ironically, even before I became pregnant, he had made an appointment for a vasectomy, which he is still scheduled to attend.

14. For all of those reasons, I knew immediately that I wanted to have an abortion. When I discussed my decision to have an abortion with my partner, he was supportive and agreed that it was the best thing for us and our children, given where we are in our lives.

15. As soon as I decided to have an abortion, I called out of work and drove two hours to the Planned Parenthood in Orem to complete what I have been told is a state-mandated session at the health center that has to happen at least 72 hours before an abortion in Utah.

16. I have been to Planned Parenthood in Utah before to get contraception, first when I was sixteen and then again in my twenties.

17. Once I arrived at Planned Parenthood, the health center staff told me about the abortion ban and explained that it is currently blocked by a court order, but that it could go back into effect on Monday. If the ban stays blocked, I will be able to have my abortion early next week in Salt Lake City, after the required 72-hour waiting period is over. I will need to drive

three hours each way to get to the appointment, but I am determined to be there.

18. If the ban goes into effect, however, I will have to find another way to have my abortion, and quickly. I am guessing that I would need to drive several hours to a state where abortion is still legal.

19. To get to an appointment in another state, I would have to find childcare for the children, since I would want my significant other to join me for the appointment. I would have to take time off of work. My job provides paid time off but no paid sick leave, so any time off to travel would come out of my PTO, which I need to attend my children's doctor's visits and therapy appointments and which is already running low.

20. This travel would also set our family back financially, particularly with the price of gas and just about everything else right now. A new school year is coming up, and that means doctor's appointments and new clothing for the children. If I had to pay to travel to another state to have an abortion, my children might have to go without these things. I might overdraw my bank account or have to use a credit card with a very high interest rate that I would rather avoid.

21. As difficult as it would be for me to travel to another state for an abortion, it would be even harder if I did not have access to a car or paid time off from work.

22. Still, all of these logistical difficulties and expenses are less than the ones that come with having a baby.

23. When I first heard about the abortion ban, as I said, I was at work, and in that moment I mostly just took it as a situation that I had to deal with. But that evening, as I thought about it more, I thought about how incredibly cruel this law is to women and families. The abortion ban does not only affect women: it also affects men who may have health issues or other circumstances that mean they are unable to support a child and be an effective parent to the best

of their ability. I became angry, sad, and shocked. It made me wonder how on Earth someone could decide to pass a law like this when they have never experienced the things that will make this law so harmful for others, like a complicated pregnancy or a disability. It is senseless and thoughtless.

24. I am a highly private person. Until now, I have not told anyone other than my partner about my decision to have an abortion. Having an abortion is not a secret, exactly, but it is not something I am going to share openly unless it is necessary to do so.

25. I understand that the state thinks women should go to court themselves to challenge this law, but that would be incredibly difficult for me. I would need to find a way to balance that obligation with all of my other responsibilities. It would be pretty overwhelming. On top of my job, which requires more than forty hours per week, and my family responsibilities—caring for the kids and getting them to school, to dance practice, to other appointments—I imagine that I would need to find time to meet with a lawyer, to go to meetings, to attend hearings. As I explain above, I need to save my PTO so that I can attend my children’s medical appointments. My significant other’s daughter recently had to spend a week in the hospital, and I used a lot of my saved PTO to be with her during that time. If I had to file a lawsuit to have my abortion, I do not think I would have enough PTO to attend the required meetings and court hearings as well as my family’s doctor’s appointments.

26. Additionally, if I filed a lawsuit in order to obtain an abortion, I worry that news of the lawsuit would spread on social media and my children would see the repercussions at school. People have their opinions about abortion, and I am nervous about how it would affect my family, particularly if any of the reactions became physical.

27. I definitely could not file a lawsuit if I had to pay for a lawyer or thought I might

be responsible for paying other lawsuit costs someday, since I do not have money for that. My children's insurance does not cover the full cost of their medications and doctor's appointments, so covering those expenses is my priority. Particularly after paying over a thousand dollars for the travel and hotel stay during my partner's daughter's week in the hospital, I simply could not afford to pay for a lawsuit on top of everything else.

28. While filing a lawsuit would be extremely challenging for me, I believe it would be impossible for many others, given the public scrutiny and the cost.

29. I believe strongly in advocating for families and their right to choose what is best for them, because it is no one's business but their own. Nobody should be prevented from doing what is right for the benefit of their family. I have decided that the right decision for me and my family is an abortion, and I support Planned Parenthood's lawsuit to protect patients like me.

30. I have chosen to submit this declaration under a pseudonym because of the highly personal information I share here, and to protect myself and my family from public scrutiny.

I declare under penalty of perjury under the laws of the United States of America and the State of Utah that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Signed on July 10, 2022, in Sevier County, Utah.

/s/ Ann Moe  
Ann Moe\*

*For internal records only:*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

\* I have signed a version of this declaration using my real name and signature, and I gave it to Planned Parenthood's attorneys in this case for their records.



# **EXHIBIT D**





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**THIRD JUDICIAL DISTRICT COURT FOR  
SALT LAKE COUNTY, UTAH**

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PLANNED PARENTHOOD ASSOCIATION  
OF UTAH, on behalf of itself and its  
patients, physicians, and staff,

*Plaintiff,*

v.

STATE OF UTAH, *et al.*,

*Defendants.*

**DECLARATION OF DAVID TUROK,  
M.D., M.P.H., FACOG, IN SUPPORT OF  
PLAINTIFF'S MOTION FOR LEAVE TO  
SUBMIT DECLARATIONS UNDER  
PSEUDONYM AND FOR A  
PROTECTIVE ORDER**

Case No. 220903886

Judge Andrew Stone

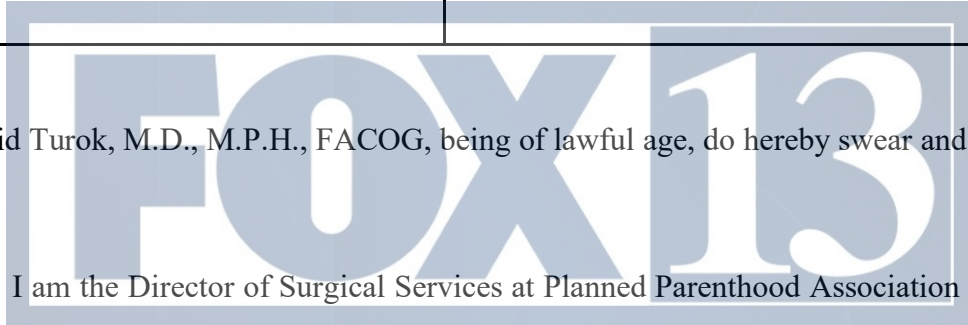
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I, David Turok, M.D., M.P.H., FACOG, being of lawful age, do hereby swear and state as follows:

1. I am the Director of Surgical Services at Planned Parenthood Association of Utah ("PPAU"). In addition to my other duties, I provide abortions to PPAU patients and therefore regularly speak with patients about their abortion decisions and experiences seeking care.

2. The facts I state here are based on my personal knowledge and information obtained through the course of my duties at PPAU.

3. Based on my experience with patients and my work as an abortion provider in Utah, I know that confidentiality is critical to patients seeking abortion here, and that some patients unfortunately suffer harassment based on their abortion decisions.



4. There are anti-abortion protestors who come nearly every day to our Metro Health Center, where we provide medication and procedural abortions. Some of these protestors are extremely aggressive, including with patients.

5. For example, it is common for protestors at our Metro Health Center to arrive with mounted video cameras and record staff, patients, and anyone else who enters the health center. I am aware that at least some of these videos, including ones of patients or their companions, have been posted on YouTube.

6. Protestors also frequently yell at patients and others entering the health center. I have had many patients tell me that the protestors scare them, and it is common that some patients are so frightened that we have to have health center staff physically accompany the patients when they leave the building.

7. For many of our patients, it is important that they be able to keep their abortion decision secret from family members or other people in their lives who might disapprove, attempt to stop them, or worse. It is not uncommon for people to call our health center to try to determine whether someone they know is there; we of course do not release this information.

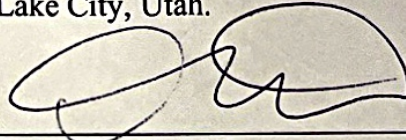
8. I am also aware of instances in which a patient's partner or family member has tried to interfere with their ability to access care with us.

9. No patient should have to disclose their personal decision to have an abortion to the State of Utah or to the public. Our patients already overcome so many barriers to get the care they need. They should not also have to sacrifice their privacy, potentially in ways that threaten their security, to participate in a lawsuit.



I declare under penalty of perjury under the laws of the United States of America and the State of Utah that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Signed on the 10th day of July, 2022, in Salt Lake City, Utah.

A handwritten signature in black ink, consisting of several loops and a final horizontal stroke, positioned above a solid horizontal line.

David Turok, M.D.

