

STATE OF INDIANA	)	IN THE MARION SUPERIOR COURT
	) SS:	
COUNTY OF MARION	)	CAUSE NO. 49D01-2211-MI-038101

CAITLIN BERNARD, M.D., on her own behalf )  
and on behalf of her patients; AMY CALDWELL, )  
M.D., on her own behalf and on behalf of her )  
patients, )

Plaintiffs, )

v. )

TODD ROKITA, in his official capacity as )  
Attorney General of the State of Indiana; SCOTT )  
BARNHART, in his official capacity as Chief )  
Counsel and Director of the Consumer Protection )  
Division of the Office of the Attorney General of )  
the State of Indiana, )

Defendants. )

**NOTICE OF PLAINTIFFS’ VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

Plaintiffs Dr. Caitlin Bernard and Dr. Amy Caldwell (collectively, “Plaintiffs”), by and through counsel, and pursuant to Trial Rule 41(A)(1)(a), hereby voluntarily dismiss without prejudice all claims pled in their Complaint for Declaratory Judgment and Injunctive Relief (“Complaint”) against Defendants Todd Rokita, in his official capacity as Attorney General of the State of Indiana, and Scott Barnhart, in his official capacity as Chief Counsel and Director of the Consumer Protection Division of the Office of the Attorney General of the State of Indiana

1. Plaintiffs’ Complaint was filed November 3, 2022.
2. Trial Rule 41(A)(1)(a) provides that an action may be dismissed by the plaintiff without order of court, provided that the adverse party has not served an answer or a motion for summary judgment.

3. Defendants have not yet answered Plaintiffs' Complaint, nor have they filed a motion for summary judgment.

4. Based on the foregoing facts and in accordance with the Indiana Rules of Trial Procedure, Plaintiffs Dr. Caitlin Bernard and Dr. Amy Caldwell voluntarily dismiss, without prejudice, any and all claims pled in their Complaint against Todd Rokita, in his official capacity as Attorney General of the State of Indiana, and Scott Barnhart, in his official capacity as Chief Counsel and Director of the Consumer Protection Division of the Office of the Attorney General of the State of Indiana.

Dated: December 8, 2022

Respectfully submitted,

/s/ Kathleen A. DeLaney

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### CERTIFICATE OF SERVICE

I certify that on December 8, 2022, I electronically filed the foregoing document using the Indiana E-Filing system and served the document through IEFS upon the following counsel:

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/s/ Kathleen A. DeLaney  
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