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10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF WASHINGTON**

12 STATE OF WASHINGTON;
 13 STATE OF OREGON; STATE OF
 ARIZONA; STATE OF
 14 COLORADO; STATE OF
 CONNECTICUT; STATE OF
 15 DELAWARE; STATE OF
 ILLINOIS; ATTORNEY GENERAL
 16 OF MICHIGAN; STATE OF
 NEVADA; STATE OF NEW
 17 MEXICO; STATE OF RHODE
 ISLAND; and STATE OF
 VERMONT,

18 Plaintiffs,

19 v.

20 UNITED STATES FOOD AND
 21 DRUG ADMINISTRATION;
 ROBERT M. CALIFF, in his official
 22 capacity as Commissioner of Food
 and Drugs; UNITED STATES

NO. 1:23-cv-03026

DECLARATIONS IN SUPPORT
 OF PLAINTIFF STATES'
 MOTION FOR PRELIMINARY
 INJUNCTION

03/27/2023

With Oral Argument at time and
 location to be determined by Court

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DEPARTMENT OF HEALTH AND
HUMAN SERVICES; and XAVIER
BECERRA, in his official capacity
as Secretary of the Department of
Health and Human Services,

Defendants.

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Table of Contents
Declarations in Support of Plaintiffs’ Motion for Preliminary Injunction

Exhibit	Declarant
1	Declaration of Susan E. Birch
2	Declaration of Connie Cantrell
3	Declaration of Alyssa Colwill, M.D., M.C.R.
4	Declaration of Sumona DasGupta
5	Declaration of Paul Dillon
6	Declaration of Donald Downing R PH.
7	Declaration of Dr. Charissa Fotinos
8	Declaration of Emily M. Godfrey, M.D., M.P.H.
9	Declaration of Marji Gold, MD
10	Declaration of Cynthia Harris
11	Declaration of Sunday Henry, M.D., Gordon Hedenstrom, R.PH. and Joel Schwartzkopf
12	Declaration or Elizabeth Janiak, SCD, MSC, MA
13	Declaration of Judy Lazarus
14	Declaration of Mark D. Nichols, M.D.
15	Declaration of Sarah W. Prager, MD, MAS
16	Declaration of Brian Reed
17	Declaration of Samantha Rolland
18	Declaration of Grace Shih, MD, MAS
19	Declaration of Angad Singh, M.D.

CERTIFICATE OF SERVICE

I hereby certify that on February 24th, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for the foregoing specifically identifies recipients of electronic notice. I hereby certify that I have mailed by United States Postal Service, and sent via electronic mail, the document to the following non-CM/ECF participants:

United States Food and Drug Administration
Chief Counsel, Food and Drug Administration
ATTENTION: LITIGATION
White Oak Building 31, Room 4544
10903 New Hampshire Ave., Silver Spring, MD 20993-0002
OC-OCC-FDA-Litigation-Mailbox@fda.hhs.gov

Robert M. Califf, Commissioner
Chief Counsel, Food and Drug Administration
ATTENTION: LITIGATION
White Oak Building 31, Room 4544
10903 New Hampshire Ave., Silver Spring, MD 20993-0002
OC-OCC-FDA-Litigation-Mailbox@fda.hhs.gov

I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Department of Health and Human Services
c/o General Counsel
200 Independence Avenue, S.W.
Washington, D.C. 20201

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Xavier Becerra, Secretary
c/o General Counsel
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

I hereby certify that I have caused the document to be served by hand-delivery to the following non-CM/ECF participants:

U.S. Attorney Vanessa R. Waldref
United States Attorney's Office
Eastern District of Washington
920 W. Riverside Avenue, Suite 340
Spokane, WA 99201

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 24th day of February 2023, at Seattle, Washington.

/s/ Kristin Beneski
KRISTIN BENESKI, WSBA #45478
First Assistant Attorney General