

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HEALTHY TEEN NETWORK
1501 St. Paul St., # 124
Baltimore, MD 21202

and

MAYOR AND CITY COUNCIL OF
BALTIMORE
100 N. Holliday Street, Suite 101
Baltimore, MD 21202

Plaintiffs,

v.

ALEX M. AZAR II, in his official capacity as
SECRETARY, U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES
200 Independence Avenue, SW
Washington, DC 20201,

and

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES
200 Independence Ave. SW
Washington, DC 20201

Defendants.

Civil Action No. 1:18-cv-00468-CCB

PLAINTIFFS' MOTION FOR PRELIMINARY AND PERMANENT INJUNCTION

The Mayor and City Council of Baltimore (“Baltimore” or “the City”)¹ and Plaintiff Healthy Teen Network (collectively, “Plaintiffs”) hereby respectfully request, pursuant to

¹ On Friday, March 22, 2018, a Consent Motion for Leave to File An Amended Complaint and Amended Complaint were filed by Plaintiff Healthy Teen Network seeking to add the Mayor and City of Baltimore as a Plaintiff. *See* Consent Motion and Amended Complaint, ECF. No. 16.

Federal Rule of Civil Procedure 65(a)(1), a preliminary injunction requiring Defendants Alex M. Azar and the U.S. Department of Health and Human Services (“HHS”) to solicit, accept, and process Plaintiffs’ noncompeting continuation applications expeditiously and no later than June 30, 2018.

Plaintiffs further respectfully submit that the facts supporting preliminary relief substantially overlap with and encompass the entirety of relevant facts underlying a final resolution of the merits of this case under the Administrative Procedures Act (“APA”). As such, pursuant to Federal Rule of Civil Procedure 65(a)(2), and in the interests of judicial economy, Plaintiffs respectfully request that this Court advance trial on the merits of Plaintiffs’ APA claims with the hearing of this application for preliminary relief and grant a permanent injunction setting aside Defendants’ premature and unlawful termination of Plaintiffs’ grants under the Teen Pregnancy Prevention (“TPP”) Program and barring Defendants from renewing such unlawful terminations of Plaintiffs’ grants under the TPP program going forward.

Dated: March 27, 2018

Respectfully submitted,

DEMOCRACY FORWARD FOUNDATION

/s/ Skye L. Perryman

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**Application for Admission to United States District
Court, District Court of Maryland pending*

CERTIFICATE OF SERVICE

I certify that on March 27, 2018, I filed the foregoing with the Clerk of the Court using the ECF System which will send notification of such filing to the registered participants as identified on the Notice of Electronic Filing.

By: /s/ Skye L. Perryman

Attorney for Plaintiffs