

**IN THE  
COURT OF APPEALS OF INDIANA**

VOICES FOR LIFE, INC.,	)	
	)	
Appellant,	)	
	)	
v.	)	Court of Appeals Cause No.
	)	24A-MI-2396
INDIANA DEPARTMENT OF HEALTH	)	
(IDOH); LINDSAY WEAVER, M.D., in her	)	
official capacity as Commissioner of the Indiana	)	
Department of Health; CAITLIN BERNARD,	)	
M.D.; and CAROLINE ROUSE, M.D.;	)	
	)	
Appellees.	)	

**APPELLEES’ RESPONSE IN OPPOSITION TO APPELLANT’S VERIFIED MOTION  
FOR AN EXTENSION OF TIME TO FILE BRIEF**

Appellees, Dr. Caitlin Bernard and Dr. Caroline Rouse (collectively, the “Physicians”), respectfully submit this response in opposition to Appellant’s verified motion for an extension of time to file its opening brief.

This case concerns efforts by Appellant, Voices for Life, Inc. (“VFL”), to obtain medical records known as Termination of Pregnancy Reports (“TPRs”), which contain confidential information about abortion patients, from the Indiana Department of Health (“IDOH”). Compl. (May 1, 2024). On June 13, 2024, the Superior Court granted the Physicians’ motion to intervene as Defendants. *See* Order Granting Mot. for Intervention (June 13, 2024). As a result, the Physicians were Defendants in the proceedings below and are Appellees here.

The Superior Court entered final judgment on September 10, 2024, Order on Mot. to Dismiss (Sept. 10, 2024), and VFL filed a notice of appeal on October 7, 2024, Notice of Appeal Oct. 7, 2024). On December 10, 2024, VFL moved for an extension of time—from December 20, 2024, to January 21, 2025—to file its opening brief in this appeal. Verified Mot. for

Extension of Time to File Brief of Appellant (Dec. 10, 2024). The motion was not opposed, and the Court granted it on December 16, 2024. Order (Dec. 16, 2024).

Now, Voices for Life is requesting a second extension of time to file its brief. In support of its request, Voices for Life asserts that it is engaged in settlement discussions with the Office of the Indiana Attorney General. But the Attorney General is not a party to this action. In any event, the Physicians *are* parties to this action; they have not participated in any settlement discussions; and they do not consent to any further delay of these proceedings. Further, no good cause exists for granting a second extension of time. VFL filed this appeal more than three months ago and has had ample time to draft an opening brief.

The Physicians reserve the right to pursue additional legal action to prevent the disclosure of confidential medical records they created.

WHEREFORE, the Physicians urge the Court to deny VFL's second motion for an extension of time to file their opening brief.

Dated: January 15, 2025

Respectfully submitted,

/s/ Kathrine D. Jack

Kathrine D. Jack  
Attorney No. 26851-49  
JACK LAW OFFICE LLC  
1 Courthouse Plaza  
Greenfield, IN 46140  
(317) 477-2300  
[kjack@jacklawoffice.com](mailto:kjack@jacklawoffice.com)

Tanya Pellegrini\*  
LAWYERING PROJECT  
584 Castro St., No. 2062  
San Francisco, CA 94114  
(646) 480-8973  
[tpellegrini@lawyeringproject.org](mailto:tpellegrini@lawyeringproject.org)

Juanluis “Pepis” Rodriguez\*  
Stephanie Toti\*  
LAWYERING PROJECT  
41 Schermerhorn St., No. 1056  
Brooklyn, NY 11201  
(646) 490-1080 (Rodriguez)  
(646) 490-1083 (Toti)  
[prodriguez@lawyeeringproject.org](mailto:prodriguez@lawyeeringproject.org)  
[stoti@lawyeringproject.org](mailto:stoti@lawyeringproject.org)

*Attorneys for Appellees Dr. Caitlin Bernard & Dr. Caroline Rouse*

\*Admitted *pro hac vice*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on January 15, 2025, a true and correct copy of the foregoing document was served via the Court's e-filing system on the following individual:

Benjamin D. Horvath ([bdhorvath@comcast.net](mailto:bdhorvath@comcast.net)), Attorney for Voices for Life, Inc.

Theodore Rokita, Attorney for Indiana Department of Health

In addition, a true and correct copy of the foregoing document was sent via email to the following individuals:

Joshua T. Martin ([martin@lewisandwilkins.com](mailto:martin@lewisandwilkins.com)), Attorney for Lindsay Weaver, M.D., and the Indiana Department of Health in the Superior Court

Paul O. Mullin ([mullin@lewisandwilkins.com](mailto:mullin@lewisandwilkins.com)), Attorney for Lindsay Weaver, M.D., and the Indiana Department of Health in the Superior Court

Eric Ryan Shouse ([shouse@lewisandwilkins.com](mailto:shouse@lewisandwilkins.com)), Attorney for Lindsay Weaver, M.D., and the Indiana Department of Health in the Superior Court

*/s/ Kathrine D. Jack*  
Kathrine D. Jack  
Attorney No. 26851-49  
JACK LAW OFFICE LLC  
1 Courthouse Plaza  
Greenfield, IN 46140  
(317) 477-2300  
[kjack@jacklawoffice.com](mailto:kjack@jacklawoffice.com)