



**TRACY WINKLER  
HAMILTON COUNTY CLERK OF COURTS**

**COMMON PLEAS DIVISION**

**ELECTRONICALLY FILED  
January 30, 2014 02:08 PM  
TRACY WINKLER  
Clerk of Courts  
Hamilton County, Ohio  
CONFIRMATION 310493**

**LEBANON ROAD SURGERY  
CENTER**

**A 1400502**

**vs.**

**STATE OF OHIO  
DEPARTMENT OF HEALTH**

**FILING TYPE: AFFIDAVIT**

**PAGES FILED: 4**

EPR200

**IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO**

<b>IN THE MATTER OF:</b>	:	<b>Case No. A 1400502</b>
	:	
<b>LEBANON ROAD SURGERY CENTER</b>	:	
	:	
<b>Appellant,</b>	:	
	:	<b>Judge Metz</b>
<b>vs.</b>	:	
	:	<b><u>AFFIDAVIT OF W. MARTIN</u></b>
<b>STATE OF OHIO</b>	:	<b><u>HASKELL, M.D. IN SUPPORT OF</u></b>
<b>DEPARTMENT OF HEALTH</b>	:	<b><u>MOTION TO SUSPEND AND STAY</u></b>
	:	<b><u>THE ORDER OF THE OHIO</u></b>
<b>Appellee.</b>	:	<b><u>DEPARTMENT OF HEALTH</u></b>
	:	

I Martin W. Haskell, M.D., do state that the following facts are true and I have personal knowledge of these facts.

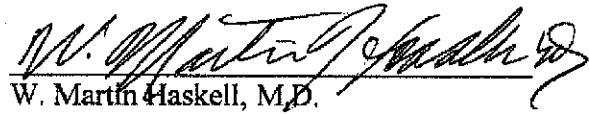
1. I have been the medical director of Women's Med Center in Cincinnati for over 35 years. In 2010 Women's Med Center moved to Sharonville, Ohio and is operated by Lebanon Road Surgery Center ("LRSC").
2. If LRSC is forced to close, both LRSC and the Greater Cincinnati community would suffer irreparable harm. While politically unpopular with some, Lebanon Road Surgery Center fulfills an extremely important role in the region and forcing LRSC to close its doors would be a great loss to the women of Southwest Ohio.
3. If ODH's order not stayed, LRSC will be forced to abruptly stop operating. It is very unlikely that LRSC will reopen or that another clinic will open in its place if LRSC must close.
4. LRSC is one of only two facilities in the Cincinnati area to perform abortions for women. Thousands of women depend upon LRSC for safe pregnancy termination services each

year, however if LRSC is forced to close its doors, some women in Greater Cincinnati will be left with one options and others will have no local option.

5. LRSC fulfills a unique niche in providing pregnancy terminations in this region. In addition to early termination services, LRSC provides advanced termination services for women throughout Southern Ohio, West Virginia, Kentucky, and Indiana. LRSC is the only provider offering services between 18 and 22 weeks in that large geographic region. This is especially important for women with fetal anomalies discovered later in their pregnancy.
6. The medical community depends on the services that the LRSC provides. Physicians and perinatologists at local hospitals and across the Southwest Ohio region regularly refer patients to the LRSC, especially those in need of termination for genetic abnormality or due to advanced gestational age. LRSC has also worked closely with the perinatologists and geneticists at local hospitals to help women decide whether to continue an abnormal pregnancy.
7. While the Auburn Avenue Planned Parenthood facility does provide pregnancy termination services, it has neither the capacity nor the breadth of service to replace those that LRSC performs should LRSC close. The closest alternatives for the advanced services provided by LRSC are in Cleveland, Chicago, and Atlanta.
8. LRSC has a financial assistance program for women living in households below the poverty line to give them access to safe and legal abortions. LRSC provides financial assistance to more than one-third of its patients. If LRSC is forced to close, women who may have qualified from financial assistance from LRSC may be unable to afford pregnancy termination services elsewhere.

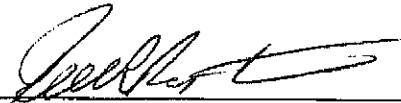
9. If LRSC closes, the Greater Cincinnati area will be the largest metropolitan area in the United States served by only one abortion clinic.
10. LRSC also provides training to resident physicians upon request, clinical experience for medical students who request it and an annual class for masters-level genetic counseling students.

Further Affiant Sayeth Naught.

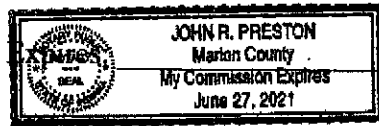
  
 W. Martin Haskell, M.D.

STATE OF INDIANA :  
 : SS  
 COUNTY OF MARION :

Subscribed and sworn to, before me, a Notary Public, in and for said County and State, on this the 30<sup>th</sup> day of January, 2014.

  
 \_\_\_\_\_  
 NOTARY PUBLIC

My Commission



**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served January 30, 2014 by fax and U.S. Mail

first class postage prepaid on:

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/s/Jennifer L. Branch  
Jennifer L. Branch