

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

Rebekah Gee, in her official capacity as *
Secretary of the Louisiana Department of *
Health; Jeff Landry, in his official capacity as *
Attorney General of Louisiana; James E. *
Stewart, Sr., in his official capacity as *
District Attorney for Caddo Parish, *
Louisiana; and Jay Dardenne, in his official *
capacity as Commissioner of the Division of * No. 4:18-CV-00369
Administration of Louisiana, *

Plaintiffs/Movants, *

versus *

Bossier City Medical Suite; and Robert *
Gross, in his personal capacity and as *
custodian of records for Bossier City Medical *
Suite, *

Defendants. *

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* JUDGE MAZZANT

DECLARATION OF RONEAL MARTIN

I, Roneal Martin, do hereby declare:

1. I am a person of the full age of majority. I have personal knowledge of the statements made in this Declaration and each is true and correct.
2. I am the former principal of Bossier City Medical Suite ("Bossier"), which operated a reproductive health care clinic in Bossier City, Louisiana from 1980 until April of 2017.
3. The clinic has no ongoing operations or physical location; the corporation also has no ongoing operations, physical location, or active status.
4. Over the years, I have been a principal of several reproductive health care clinics in Texas and Louisiana. Bossier was my last clinic to close; I had already wound down all of my operations in Texas. There are no ongoing business operations, and I have since moved to Florida, where I currently reside.
5. In April of 2017, after Bossier closed, the attorneys in the case captioned *June Medical Services v. Gee*, No. 3:16-cv-444, E.D.La filed a motion to voluntarily dismiss Bossier's claims against the State of Louisiana. Bossier is no longer a plaintiff in that case, or in any other case.
6. Initially, as I prepared to close Bossier, we began moving Bossier's records to a storage facility. But it became apparent to me that the cost of continuing to store voluminous records for years to come would be prohibitively expensive. That was compounded by the fact that much of the reason I had to close Bossier was that the cost of recordkeeping and administrative requirements were already prohibitively expensive.
7. Moreover, my utmost concern was that patient confidentiality could be jeopardized, with so many patient medical files stored in an offsite location and no ongoing operations in Louisiana.
8. Because there was no ongoing clinical practice or business operations, and no ongoing litigation to which Bossier was a party, I did not think there was a necessity for keeping Bossier's documents. Therefore, I contacted a company to

EXHIBIT

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9. In May of 2017, approximately a month after the clinic closed, all of Bossier's business records, patient files, and all other documents were shredded. The only purpose I had in doing so was to make sure that patient confidentiality was protected and to avoid the cost of continued storage.
10. I did not retain any of Bossier's documents, and to the best of my knowledge, all of Bossier's documents were shredded in May of 2017.
11. My longtime colleague Robert Gross is very ill and lives in Texas, so I did not know anyone was trying to serve a subpoena or court documents at his residence. When I found out, I contacted my former attorneys and then I retained a new attorney.
12. At the request of the Louisiana Attorney General's Office, I have authorized Bossier's former attorneys to search their records for documents that might be responsive to the subpoena. My understanding is that the search for documents is underway, and that Bossier's former attorneys intend to complete the search as expeditiously as possible.

I declare under penalty of perjury that the foregoing is true and correct.


Roneal Martin

July 3, 2018
Date: