

Supreme Court of Florida

No. 81,905

ORIGINAL

OPERATION RESCUE, et al.,

Petitioners,

vs.

WOMEN'S HEALTH CENTER, INC., et al.,

Respondents.

ON REMAND

[October 20, 1994]

PER CURIAM.

We have Operation Rescue v. Women's Health Center, 626 So. 2d 664 (Fla. 1993), on remand from the United States Supreme Court.

This Court in Operation Rescue approved a trial court order enjoining Operation Rescue, Judy Madsen, and others from engaging in certain activities against Aware Woman Center for Choice in Melbourne, its patients, and staff. The United State Supreme Court in Madsen v. Women's Health Center, Inc., 114 S. Ct. 2516, 129 L. Ed. 2d 593 (1994), affirmed in part and reversed in part our decision. The United States Supreme Court then remanded the

case to this Court for proceedings not inconsistent with Madsen.

Accordingly, we now remand this case to the trial court to amend its injunction to conform with the dictates of the United States Supreme Court.

It is so ordered.

GRIMES, C.J., OVERTON, SHAW, KOGAN and HARDING, JJ., and
McDONALD, Senior Justice, concur.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF
FILED, DETERMINED.

Direct Appeal of Judgment of Trial Court, in and for Semiole
County,
Robert B. McGregor, Judge, Case No. 91-2811-CA-16-K - Certified
by the District Court of Appeal,
Fifth District, Case No. 93-969

Mathew D. Staver and Jeffery T. Kipi, Orlando, Florida; and John
Tanner, Daytona Beach, Florida,

for Appellants

Talbot D'Alemberte, Tallahassee, Florida, and Susan A. England,
Fern Park, Florida,

for Appellees

Talbot D'Alemberte, Tallahassee, Florida,

Amici Curiae for Planned Parenthood Federation, joined by
The Florida Abortion Council, The Religious Coalition for
Abortion Rights, The Feminist Majority Foundation, The
National Coalition of Abortion Providers, The National
Abortion Federation, and The Florida Association of Women
Lawyers

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