

RECEIVED

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U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
Eastern DIVISION

Edgar Harris  
NAME OF THE PLAINTIFF

- vs -

Planned Parenthood  
4251 Forest Park Avenue  
Saint Louis, Mo' 63108

NAME OF THE DEFENDANT OR  
DEFENDANTS (Enter above the full name(s) of  
ALL defendant(s) in this lawsuit. Please  
attach additional sheets if necessary.

Case No.

JURY TRIAL DEMANDED

YES  NO

**EMPLOYMENT DISCRIMINATION COMPLAINT**

1. This employment discrimination lawsuit is based on (check only those that apply):

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*, for employment discrimination on the basis of race, color, religion, gender, or national origin.  
**NOTE:** *In order to bring suit in federal district court under Title VII, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et seq.*, for employment discrimination on the basis of age (age 40 or older).  
**NOTE:** *In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.*

American with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101, *et seq.*, for employment discrimination on the basis of disability.  
**NOTE:** *In order to bring suit in federal district court under the American with Disabilities Act, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

\_\_\_\_\_ Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, et seq., for employment discrimination on the basis of a disability by an employer which constitutes a program or activity receiving federal financial assistance.

**NOTE:** *In order to bring suit in federal district court under the Rehabilitation Act of 1973, you must first file charges with the appropriate Equal Employment Office agency.*

\_\_\_\_\_ Other (Describe)

**PARTIES**

2. Plaintiff's name: Edgar Harris

Plaintiff's address: 136 Ashley DR  
Street address or P.O. Box

Fairview Heights, St. Clair, IL 62208  
City/ County/ State/Zip Code

618.274-5738 - 618.250-1941  
Area code and telephone number

3. Defendant's name: Planned Parenthood

Defendant's address: 4251 Forest Park Ave,  
Street address or P.O. Box

Saint Louis, Mo 63108  
City/County/State/ Zip Code

314.531-7526  
Area code and telephone number

**NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES, ADDRESSES AND TELEPHONE NUMBERS ON A SEPARATE SHEET OF PAPER.**

4. If you are claiming that the discriminatory conduct occurred at a different location, please provide the following information:

4251 Forest Park Ave St. Louis Mo 63108  
(Street Address) (City/County) (State) (Zip Code)

5. When did the discrimination occur? Please give the date or time period:

Wed, Sept 28, 2011

**ADMINISTRATIVE PROCEDURES**

6. Did you file a charge of discrimination against the defendant(s) with the Missouri Commission on Human Rights?

Yes Date filed: 0  
 No

7. Did you file a charge of discrimination against the defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

Yes Date filed: Oct 30, 2011  
 No

8. Have you received a Notice of Right-to-Sue Letter?

Yes  No

If yes, please attach a copy of the letter to this complaint.

9. If you are claiming age discrimination, check one of the following:

60 days or more have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

fewer than 60 days have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

**NATURE OF THE CASE**

10. The conduct complained of in this lawsuit involves (check only those that apply):

failure to hire me

termination of my employment

failure to promote me

failure to accommodate my disability

terms and conditions of my employment differ from those of similar employees

retaliation

harassment

other conduct (specify): \_\_\_\_\_

Did you complain about this same conduct in your charge of discrimination?

Yes

No

11. I believe that I was discriminated against because of my (check all that apply):

- race
- religion
- national origin
- color
- gender
- disability
- age (my birth date is: \_\_\_\_\_)
- other: \_\_\_\_\_

Did you state the same reason(s) in your charge of discrimination?

- Yes  No

12. State here, as briefly and clearly as possible, the essential facts of your claim. Describe specifically the conduct that you believe is discriminatory and describe how each defendant is involved in the conduct. Take time to organize your statement; you may use numbered paragraphs if you find it helpful. It is not necessary to make legal arguments, or to cite cases or statutes.

See Attach FORMS.

[The body of the page contains several horizontal lines and small, illegible characters, likely representing redacted text or scanning artifacts.]

(Attach additional sheets as necessary).

13. The acts set forth in paragraph 12 of this complaint:

\_\_\_\_\_ are still being committed by the defendant.

\_\_\_\_\_ are no longer being committed by the defendant.

\_\_\_\_\_ may still be being committed by the defendant.

**REQUEST FOR RELIEF**

State briefly and exactly what you want the Court to do for you. Make no legal arguments;

cite no cases or statutes.

I would like to be compensate for the: Pain and Suffering  
Intentional infliction of emotional distress, Malicious False  
accusation, defamation, Civil Conspiracy and Violation  
of due process.

Signed this 18 day of Nov, 2011.

Edgar Hamer  
Signature of Plaintiff



2

Edgar Hamme

Issue 101 Claim Reg

- I feel the allegation made from Hemmingway are very serious causing me to be defamed of my character.
- I feel from Hemmingway falsely accuse me of a serious crime which I could be charge with if his allegation was true.
- I been a security officer for ISYS  
I know its against the law to discharge or shoots a firearm into a dwelling building use for assembling of people and exhibits in any angry or threatening manner, "As defined in 302.010"
- from Hemmingway knowingly give false information of misconduct with no evidence to support the reason I was removed from my duties on Wed Sept 28, 2011.  
I feel I was harshly discipline for hearsay from from Hemmingway. Whom at the time, I believed has a personal bias toward me from a period of time cause by Marie Melvin lying on me.
- I'm asking Planned Parenthood and the Division of Employment to conduct an investigation and to provide the appropriate detail and evidence made by these allegations from from Hemmingway Security Manager on the date of Tue, Sept 27, 2011.

③ Edy Hano  
2 - Issue 101 - Claim Type: Reg

- My character has been attack and defamed by the allegation made by Som Benningway has caused me to be discharge from the employer. I believe if the allegations was true i would have been remove that day ~~Sue~~, 9-27-2011 and not allow to continue working the shift according to Som saying i was very upset and angry, ~~the~~ exhibiting in threatening manner saying i would shoot up the place.
- If the Division of Employment take the appropriate steps you will see between 2009 - 2010 whenever i took off i use my Paid Vacation and Sick time when i needed off, whenever i had court i was always at work after court was over. When Som give my yearly raise i always got a 4% raise and was told i have good attendance 2009-2010
- It also should be noted. If i did something like that do you think i would have come over and open the clinic the next morning at 06:30 on Sept 28, 2011. I had no idea Som had this bizzare act going on.

(4)

Edgar Hamra

--- Issue No 101 Claim Type: Reg

Tom Hemingway falsely accuse me of saying i would shoot up the place as he was driving by leaving the parking lot in his car as i was walking down the ramp. According to Cathy William Tom said i said this under my breath. Tom also told me in a very aggressive and intimidation manner i would need to call my attorney and have my court date changed cause he had no one to cover my shift and he was not going to make Mario do it. At that point i told tom i dont know if i could do that. Tom said if i could not open the clinic in the morning i should just leave now. If you look <sup>at</sup> camera you would see i grab all my belongings and tom came behind the desk. I took my stuff to my car. I <sup>came</sup> back inside the clinic and told tom i cant afford to lose my job and control my shift and notified my attorney at 4:46pm on 9-27-2011. I ask my attorney if he could set aside my court date for 9-28-2011 wed, He said my court has already been set aside for other court date 12-28-2011 wed.

Edgar Hamra

5

Edgar Damo

ISSUE 101 CLAIM TYPE

Here are Character witness whom has had problem with Mario Meloni and Tom Newer took action on the complaints the officer was <sup>hire</sup> but didn't last long due Mario aggressive behavior

- Rodney - 314.791-6484 - Quit less than a month
- Deborah - 314-283-1250 - Work maybe 2 month then Quit.
- Lazett - 618-954-8319 - Maybe work 2 month
- Janice - 314-913-2804 - Had given company two week notices but didn't let Mario run her away after i talk with her when i was working there Janice is present at Planned Parenthood

I was love by every Employee at Planned Parenthood. No one never felt threat are intim present. I got along with every body and kept she safe and secure.

Nothing further to report  
Edgar Damo  
10-2011

Edgar Harris

- ISSUENO:101

COPY

Let's hear it for Integrity  
"A bad Manager has no place among Management!"

- The Management Milicious Allegations charges Filed against Edgar Harris is Swoulding.

Cathy Williams alleges while having a Plane interview on 9-28-2011, I was being discharge for misconduct saying i would shoot up the place and some and attendance.

- Som didnt call the police cause its against the law to file a false police report.

- IF this allegation was ~~true~~ according to Som that i was very upset and angry on 9-27-2011. He put a lot of people life's on the line cause i was still working and coming in contact with peoples and employee coming in and out of the clinic. "The only thing worse unfortunately Som know i carry a gun as part of my job and if the allegation was ~~true~~ i would have been removed immediately from Plan Parenthood premises and the police wouldve been notified.

- 15 min after Som left i talk to Mary K another Manager at Plan Parenthood at the front desk on 9-27-2011 as she was leaving from work call her at 314.531.7526 ~~ext~~ 307. ASK Mary if i showed any aggressive behavior. I will be filing a complaint with EEOC / Racial Bias / Wrongful Termination.

ST L...  
2011 OCT 32 AM 8:13

Edgar Harris

10/26/2011

- I Edgar Harris call Planned Parenthood on Thurs Oct 20, 2011 to talk with Cathy Williams HR Manager about a copy of my reason for discharge. I got no answer that day but left Ms. Williams a voice mail message.

- Cathy Williams returned my call message that was left on 10/20/2011, on Mon Oct 24, 2011, about my discharge. She said she couldn't give reason for me being discharge but could give only when i was hire date and end date and my rate of pay. Ms Williams give me three options of way to get this letter from Planned Parenthood. She said
  - She could Mail the letter
  - I could come to the clinic to get the letter
  - She could fax the letter.

I feel and believe if the allegations was true Ms Williams wouldnt give me option 2 come to the clinic and pick the letter up.

Remind you Ms Cathy William took Mr Deming's side of this malicious allegation accusing me of saying i would shoot up the place but would allow me to come to the clinic to pickup the letter.

- Reason why she allowing me to come to the clinic because she NO the threat never happen,

ST LOUIS COUNTY  
2011 OCT 32 AM 8:14

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Edgar Harris**  
136 Ashley Drive  
Fairview Heights, IL 62208

From: **St. Louis District Office**  
Robert A. Young Bldg  
1222 Spruce St, Rm 8.100  
Saint Louis, MO 63103

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

**560-2012-00207**

**Sean J. Oliveira,**  
Investigator

**(314) 539-7847**

**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

**- NOTICE OF SUIT RIGHTS -**

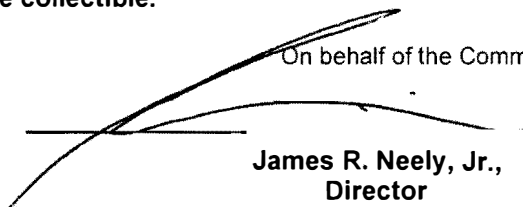
(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Enclosures(s)

  
**James R. Neely, Jr.,**  
Director

  
(Date Mailed)

cc: **Cathy Williams**  
Human Resources Director  
PLANNED PARENTHOOD  
4251 Forest Park Avenue  
Saint Louis, MO 63108

Enclosure with EEOC  
Form 161 (11/09)

**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),  
the Genetic Information Nondiscrimination Act (GINA), or the Age  
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 – *not* 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

**ATTORNEY REPRESENTATION -- , Title VII, the ADA or GINA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

***IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.***

EEOC Form 5 (11/09)

### CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

FEPA  
 EEOC

560-2012-00207

### Missouri Commission On Human Rights

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

**Edgar Harris**

Home Phone (Incl. Area Code)

**(618) 274-5738**

Date of Birth

**12-15-1969**

Street Address

City, State and ZIP Code

**136 Ashley Drive, Fairview Heights, IL 62208**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

No. Employees, Members

Phone No. (Include Area Code)

**PLANNED PARENTHOOD OF THE ST LOUIS**

**500 or More**

**(314) 531-7526**

Street Address

City, State and ZIP Code

**4251 Forest Park Avenue, Saint Louis, MO 63108**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

RACE     COLOR     SEX     RELIGION     NATIONAL ORIGIN  
 RETALIATION     AGE     DISABILITY     GENETIC INFORMATION  
 OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

**03-31-2009**

**09-28-2011**

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I am an African American individual. I was hired as a Security Officer on or around March 31, 2009. My Immediate Supervisor was Tom Hemingway. The Human Resources Representative was Cathy Williams. I always had excellent job performance.

1) On September 27, 2011 Mr. Hemingway notified me that I could not have the next day off for a court date as planned since he did not have coverage for the shift. His car passed me on the lot. I worked the rest of my shift.

2) On September 28, 2011 I was told that I was being terminated. Ms. Williams told me over the telephone that I was accused of saying that I was going to shoot up the place and that Mr. Hemingway heard me say this under my breath. Mr. Hemingway then said that he had told Ms. Williams he passed me by in his car and I had my head down and said I was going to shoot up the place. I denied saying this and pointed out that if I had said that then Mr. Hemingway would not have let me work the rest of my shift. He would have called the police and I would have been escorted off the premises that day. Ms. Williams did not hear my side of the story or take my logical argument into consideration. Ms. Williams believed, with no investigation and no consideration, Mr. Hemingway, a Caucasian, over me. Ms. Williams then invited me to come down to pick up my check despite having just accused me of being a possible violent threat.

This is discrimination due to my race and is in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

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

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Nov 03, 2011

Date



Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

CP Enclosure with EEOC Form 5 (11/09)

**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

#### **NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW**

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

#### **NOTICE OF NON-RETALIATION REQUIREMENTS**

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

Case: **4:11-cv-02023**  
Assigned To : **Jackson, Carol E.**  
Assign. Date : **11/18/2011**  
Description: **Harris v. Planned  
Parenthood**