

# IN THE SUPREME COURT OF ALABAMA



May 3, 2024

**SC-2022-0515**

James LePage and Emily LePage, individually and as parents and next friends of two deceased LePage embryos, Embryo A and Embryo B; and William Tripp Fonde and Caroline Fonde, individually and as parents and next friends of two deceased Fonde embryos, Embryo C and Embryo D v. The Center for Reproductive Medicine, P.C., and Mobile Infirmery Association d/b/a Mobile Infirmery Medical Center (Appeal from Mobile Circuit Court: CV-21-901607).

## **CERTIFICATE OF JUDGMENT**

WHEREAS, the ruling on the application for rehearing filed in this case and indicated below was entered in this cause on May 3, 2024:

**APPLICATION OVERRULED. NO OPINION.** Mitchell, J. -- Parker, C.J., and Shaw, Wise, Bryan, Mendheim, and Stewart, JJ., concur. Sellers, J., dissents, with opinion. Cook, J., dissents.

WHEREAS, the appeal in the above referenced cause has been duly submitted and considered by the Supreme Court of Alabama and the judgment indicated below was entered in this cause on February 16, 2024:

**AFFIRMED IN PART; REVERSED IN PART; AND REMANDED.** Mitchell, J. -- Wise and Bryan, JJ., concur. Parker, C.J., concurs specially, with opinion. Shaw, J., concurs specially, with opinion, which Stewart, J., joins. Mendheim, J., concurs in the result with opinion. Sellers, J., concurs in the result in part and dissents in part, with opinion. Cook, J., dissents, with opinion.

NOW, THEREFORE, pursuant to Rule 41, Ala. R. App. P., IT IS HEREBY ORDERED that this Court's judgment in this cause is certified on this date. IT IS FURTHER ORDERED that, unless otherwise ordered by this Court or agreed upon by the parties, the costs of this cause are hereby taxed as provided by Rule 35, Ala. R. App. P.

I, Megan B. Rhodebeck, certify that this is the record of the judgment of the Court, witness my hand and seal.

Megan B. Rhodebeck

Clerk, Supreme Court of Alabama