



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 14, 2025

Via Certified Mail

7010 1060 0000 3703 4707

Plan C
c/o Jill Smith
Vice President of Operations
Possibility Labs
1410 Franklin St. #135
San Francisco, CA 94109

RE: Notice of Cease and Desist

Dear Ms. Smith:

The Office of the Attorney General (OAG) has become aware that Plan C, a project of Possibility Labs, has been facilitating the shipment of abortion drugs into the State of Texas in violation of both state and federal laws. This letter serves as your notice to immediately **CEASE AND DESIST** all illegal activity.

In a lawsuit filed this week, Plan C is named as having facilitated a man's illegal purchase of abortion drugs from Aid Access, which he used to poison his girlfriend and kill their unborn child. [REDACTED]. In flagrant violation of both state and federal laws, the Plan C website advertises the sale of abortion pills by mail and solicits the "order[ing] [of] abortion pills ahead of time, just in case."¹ The Plan C website suggests ordering through Aid Access, lists the price for pills obtained through Aid Access as "\$150 or less," and promises delivery to Texas for pills ordered from Aid Access in "2-5 days."²

This conduct violates multiple state and federal laws.

Performing, inducing, or attempting an abortion is prohibited in the State of Texas by the Human Life Protection Act, except for the rare circumstance when a woman has a life-threatening physical condition that poses a risk of death or serious physical impairment unless an abortion is performed. Tex. Health & Safety Code § 170A.002(a), (b); *see also* Texas Revised Civil Statutes Art. 4512.1–4512.6. Any person who "knowingly engages in conduct that aids or abets the performance or inducement of an abortion" is civilly and criminally liable for violating Texas's abortion laws. Tex. Health & Safety Code § 171.208; Tex. Health & Safety Code § 170A.004, Tex.

¹ <https://www.plancpills.org/abortion-pill/texas>

² *See* <https://www.plancpills.org/abortion-pill/texas#ways-people-get-pills> (<https://perma.cc/76XM-KZU2>).

Pen. Code § 7.02.

Furthermore, Texas law also specifically prohibits:

- Anyone not licensed as a physician in Texas from performing an abortion, Tex. Health & Safety Code §§ 171.003; 171.063(a)(1);
- A person from providing abortion-inducing drugs to a pregnant woman, Tex. Health & Safety Code § 171.063(a)(2);
- A manufacturer, supplier, physician, or any other person from providing to a patient any abortion-inducing drug by courier, delivery, or mail service, Tex. Health & Safety Code § 171.063(b-1).

In addition, the Comstock Act of 1873 prohibits the carriage in interstate commerce of “any drug, medicine, article, or thing designed, adapted or intended for producing abortion.” 18 U.S.C. § 1462. Similarly, it prohibits the mailing of any “article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for producing abortion.” *Id.* § 1461.

Texas also prohibits false, misleading, or deceptive trade practices under the Texas Deceptive Trade Practices Act (DTPA), Tex. Bus. & Comm. Code § 17.46. Plan C’s website advertises that “[a]bortion pills are very safe” and “[t]he chance of serious complications . . . is very low.”³ But a recent study found that “real-world insurance claims data for 865,727 prescribed mifepristone abortions” shows “a serious adverse event rate of 10.93 percent.” Jamie Bryan Hall & Ryan T. Anderson, *The Abortion Pill Harms Women: Insurance Data Reveals One in Ten Patients Experiences a Serious Adverse Event*, Ethics and Public Policy Center (Apr. 28, 2025), <https://tinyurl.com/35exx9p7>.

Based on the allegations in [REDACTED], as well as Plan C’s online advertisements, it appears that Plan C is in violation of multiple state and federal laws. The Attorney General of Texas accordingly demands that Plan C **IMMEDIATELY CEASE AND DESIST** from misrepresenting the safety profile of abortion drugs and mailing abortion-inducing drugs into the State of Texas.

If Plan C refuses to comply, a formal investigation will be initiated, and the Attorney General may bring a lawsuit against Plan C for injunctive relief and civil penalties. If the Attorney General finds that Plan C has committed violations of Texas’s abortion laws, you will be prosecuted to the fullest extent permitted by law. The Attorney General may seek civil penalties for violations of the Human Life Protection Act of **not less than \$100,000 per violation and civil penalties for violations of the DTPA of up to \$10,000 per violation.**

³ <https://www.plancpills.org/guide-how-to-get-abortion-pills#faq-safety>

To avoid further action, notify the OAG of the steps you have taken to remedy your violations of Texas law within 14 days of the date of this letter. Your response should be in writing and addressed to the address below. Alternatively, you may provide your response by email to Amy.Hilton@oag.texas.gov.

Thank you for your attention to this matter.

Sincerely,

/s/ Amy Snow Hilton

AMY SNOW HILTON

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