

meeting with clients and prospective clients, and other requirements of his employment.

The Court specifically finds that Defendant's March 25, 2020, *Third Revised Mayoral Declaration of Local State of Disaster Due to Public Health Emergency*, violates Texas law to the extent it is in conflict with a superior order issued by the Collin County Judge, Chris Hill, on March 24, 2020 named *Order of the County Judge* which was issued in accordance with Texas Government Code §418.108.

The Court finds that the following Temporary Restraining Order is required in the interests of justice and to prevent Plaintiff from suffering immediate and irreparable harm, and therefore **ORDERS** that Mayor George Fuller, and the City of McKinney, Texas, and their officers, agents, servants, employees, and attorneys, and all those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, are hereby **RESTRAINED AND ENJOINED** for the duration of this Order from engaging in any actions that involve the enforcement of Defendant's March 25, 2020, *Third Revised Mayoral*

Declaration of Local State of Disaster Due to Public Health Emergency to the extent it conflicts with the March 24, 2020 *Order of the County Judge*.

The Defendants and all restrained parties are thus RESTRAINED AND ENJOINED from enforcement of the following provisions of Defendant's March 25, 2020, *Third Revised Mayoral Declaration of Local State of Disaster Due to Public Health Emergency*, which the Court finds to be in direct conflict with the March 24, 2020 *Order of the County Judge* and thus in violation of Texas Government Code §418.108(h)(2):

“All individuals currently living within McKinney are ordered to shelter at their place of residence. ... All persons may leave their residence only for Essential Activities, or to provide or perform Essential Government Functions, or to operate Essential Businesses, all as defined in this Section 7.”

“All businesses operating in McKinney, except Essential Businesses as defined in (sic) below in this Section 7, are required to cease all activities at facilities located within McKinney.”

“All individuals currently living within McKinney are ordered to shelter at their place of residence.”

“All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein.”

“If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.”

“Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first.”

“Public and private schools and institutions of higher education are instructed by this Declaration to provide a safety plan to the appropriate Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.”

“Any person, firm or corporation violating any of the provisions of this Declaration commits an offense, punishable by a fine up to \$1000.00, and each and every day such violation shall continue shall be deemed to constitute a separate offense.”

“Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines including the six-foot social distancing.”

Defendant and those restrained are also enjoined from making, amending, modifying, or issuing any orders that contain substantially the same language as that quoted above for the duration of this Order.

Plaintiff shall post an injunction bond in the amount of \$_____, and upon posting, this Order will go into force and the Clerk is ordered to issue a writ of injunction as soon as possible following the bond posting.

The hearing on Plaintiff's Application for Temporary Injunction is set for ____:____ a.m./p.m. on the ____ day of _____, 2020.

This Order is issued at ____:____ a.m./p.m. on March _____, 2020.

Any violation of this Order will be considered a contempt of Court.

JUDGE PRESIDING