

CAUSE NO. D-1-GN-24-001276

PFLAG, Inc.,	§	IN THE DISTRICT COURT OF
Plaintiff,	§	
	§	
	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
OFFICE OF THE ATTORNEY	§	
GENERAL OF THE STATE OF	§	
TEXAS; WARREN KENNETH	§	
PAXTON, JR., in his official	§	261ST JUDICIAL DISTRICT
capacity as Attorney General of	§	
Texas,	§	
Defendants.	§	

**ORDER GRANTING PLAINTIFF’S APPLICATION FOR A TEMPORARY
RESTRAINING ORDER**

On this day, the Court considered the application by Plaintiff PFLAG, Inc. (“PFLAG” or “Plaintiff”) for a Temporary Restraining Order (the “Application”), as found in Plaintiff’s Original Verified Petition to Set Aside Civil Investigative Demands, for Declaratory Judgment, and Application for Temporary Restraining Order and Temporary and Permanent Injunctive Relief (“Petition”) filed against Defendants the Office of the Attorney General of the State of Texas (“OAG”) and Warren Kenneth Paxton, Jr. (“Paxton”) in his official capacity as Attorney General of the State of Texas (collectively, “Defendants”).

The Court finds sufficient cause to enter a Temporary Restraining Order against Defendants from the facts set forth in Plaintiff's Petition.

It clearly appears to the Court that unless the Defendants are immediately restrained from abusing the Deceptive Trade Practices Act by enforcing or otherwise requiring PFLAG to respond to the Civil Investigative Demand and Notice of Demand for Sworn Written Statement, immediate and irreparable injury, loss, or damage will result to PFLAG and its members from the Defendants' wrongful actions. Such injury includes, but is not limited to: harm to the ability of PFLAG and its members to exercise their rights of free speech and association under the First Amendment; harm to the ability of PFLAG and its members to be secure against unreasonable searches under the Fourth Amendment; harm to the ability of PFLAG and its members to avail themselves of the courts when their constitutional rights are threatened; and gross invasions of both PFLAG's and its members' privacy in an attempt to bypass discovery stays entered in both *Loe v. Texas* and *PFLAG v. Abbott*.

Further, the Court finds that Defendants' wrongful actions cannot be remedied by any award of damages or other adequate remedy at law.

IT IS THEREFORE ORDERED that the return dates for both the Civil Investigative Demand and Notice of Demand for Sworn Written Statement are extended until the conclusion of this litigation; that Defendants OAG and Paxton are immediately restrained from taking any adverse action in relation to the Civil Investigative Demand and Notice of Demand for Sworn Written Statement against PFLAG, its officers, members, chapters, agents, servants, employees, and attorneys, and upon and its members, and such restraint encompasses but is not limited to restraining Defendants from taking any affirmative steps to revoke, suspend, forfeit, dissolve, or

void the ability of PFLAG or any of its chapters to operate in Texas during the pendency of this case.

The foregoing Order shall remain in effect from the date and time of the entry of this Order until fourteen days after entry or until further agreed by the parties or as otherwise ordered by this Court.

IT IS FURTHER ORDERED THAT Defendants shall appear for a hearing on March 25th, 2024, at 9:00 A.M, on the Central Docket in the Travis County Civil District Courts, and there to show cause, if any there be, why a temporary injunction should not be issued upon the same grounds and particulars as specified herein or as requested in Plaintiff's then-current petition. This hearing will take place in person at the Travis County Civil and Family Courts Facility (CFCF), located at 1700 Guadalupe Street in Austin. Please note that this case is not specially assigned to a particular judge under the Travis County Local Rules, so the parties must check the docket setting prior to each proceeding, either online at <https://www.traviscountytexas.gov/courts/files/dockets/civil-district> or in person at the CFCF in order to determine the courtroom assigned for the proceeding. Assignments will be posted on Friday of the week before the proceeding. Questions about case assignments or locations for proceedings should be directed to the office of the Court Administrator for the Civil District Courts at 512-854-2484, not to a particular court.

Accordingly, the Clerk of the Court is hereby directed to issue a SHOW CAUSE notice to Defendants to appear at said temporary injunction hearing.

The Clerk shall forthwith, on the execution and filing by Plaintiff of the bond hereinafter required, and on approving the same according to the law, issue a temporary restraining order in conformity with the law and the terms of this Order.

This Order shall not be effective unless and until Plaintiff executes and files with the Clerk a bond, in conformity with the law, in the amount of \$200.00, which bond may also be in the form of a deposit of a negotiable obligation of any bank or savings and loan association chartered by the government of the United States of America or any state thereof that is insured by the government of the United States of America or any agency thereof, pursuant to Rule 14c. By filing any such negotiable instrument or other bond, Plaintiff acknowledges that they will abide the decision which may be made in this cause, and that Plaintiff will pay to the extent of the amount of the bond all sums of money and costs adjudged against the Plaintiff which may be incurred by the Defendants if they are found to have been wrongfully enjoined by the Temporary Restraining Order issued by this Court under Rule 684.

WARNING: FAILURE TO OBEY A COURT ORDER MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO \$500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

Entered and signed on March 1, 2024 at 1:14 P.M.



JUDGE PRESIDING