

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2020 APR 14 PM 4:27

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY  CLERK

PLANNED PARENTHOOD CENTER §
FOR CHOICE, PLANNED §
PARENTHOOD OF GREATER TEXAS §
SURGICAL HEALTH SERVICES, §
PLANNED PARENTHOOD SOUTH §
TEXAS SURGICAL CENTER, WHOLE §
WOMAN’S HEALTH, WHOLE §
WOMAN’S HEALTH ALLIANCE, §
SOUTHWESTERN WOMEN’S §
SURGERY CENTER, BROOKSIDE §
WOMEN’S MEDICAL CENTER PA §
D/BA BROOKSIDE WOMEN’S §
HEALTH CENTER AND AUSTIN’S §
WOMEN’S HEALTH CENTER, §
ROBIN WALLACE, M.D., M.A.S., AND §
HOUSTON WOMEN’S CLINIC, §
PLAINTIFFS, §

V. §

CAUSE NO. A-20-CV-323-LY

GREG ABBOTT, GOVERNOR OF §
TEXAS, KEN PAXTON, ATTORNEY §
GENERAL OF TEXAS, PHIL WILSON §
ACTING EXECUTIVE §
COMMISSIONER OF THE TEXAS §
HEALTH AND HUMAN SERVICES §
COMMISSION, STEPHEN BRINT §
CARLTON, EXECUTIVE DIRECTOR §
OF THE TEXAS MEDICAL BOARD, §
KATHERINE A. THOMAS, §
EXECUTIVE DIRECTOR OF THE §
TEXAS BOARD OF NURSING, EACH §
IN THEIR OFFICIAL CAPACITY, AND §
MARGARET MOORE, DISTRICT §
ATTORNEY FOR TRAVIS COUNTY, §
JOE GONZALES, CRIMINAL §
DISTRICT ATTORNEY FOR BEXAR §
COUNTY, JAIME ESPARZA, DISTRICT §
ATTORNEY FOR EL PASO COUNTY, §
JOHN CREUZOT, DISTRICT §
ATTORNEY FOR DALLAS COUNTY, §

SHAREN WILSON, CRIMINAL §
DISTRICT ATTORNEY TARRANT §
COUNTY, RICARDO RODRIGUEZ, JR., §
CRIMINAL DISTRICT ATTORNEY §
FOR HIDALGO COUNTY, BARRY §
JOHNSON, CRIMINAL DISTRICT §
ATTORNEY FOR MCLENNAN §
COUNTY, KIM OGG, CRIMINAL §
DISTRICT ATTORNEY FOR HARRIS §
COUNTY, AND BRIAN MIDDLETON §
CRIMINAL DISTRICT ATTORNEY §
FOR FORT BEND COUNTY, EACH IN §
THEIR OFFICIAL CAPACITY, §
DEFENDANTS.

**ORDER EXTENDING ORDER GRANTING PLAINTIFFS' SECOND MOTION FOR
TEMPORARY RESTRAINING ORDER AND
SCHEDULING ORDER FOR PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Before the court in the above styled and numbered cause is the parties' Joint Status Report filed this day (Clerk's Doc. #78). The court finds there is good cause to schedule Plaintiffs' Motion for Preliminary Injunction (Clerk's Doc. #7) for hearing and to extend the existing temporary restraining order so that the court and parties have adequate time to prepare for that hearing.

IT IS ORDERED that the Order Granting Plaintiffs' Second Motion For Temporary Restraining Order entered April 9, 2020 (Clerk's Doc. #63), is **EXTENDED in its entirety under its same terms and conditions except as MODIFIED** by the orders of the United States Court of Appeals for the Fifth Circuit rendered April 10, 2020, and April 13, 2020, **until 5:00 p.m. on May 1, 2020**. See Fed. R. Civ. P. 65(b)(2).

IT IS FURTHER ORDERED that Plaintiffs' Motion for Preliminary Injunction is set for a telephonic hearing on April 29, 2020, at 9:30 a.m. Each side will have one hour. As agreed by the parties, there will be no live testimony at the hearing. The court will consider the parties'

declarations, affidavits, designations, and exhibits (“supporting evidence”), as well as any stipulations of the parties.

IT IS FURTHER ORDERED that any party desiring the court to consider previously filed briefing or supporting evidence shall specifically designate the briefing or supporting evidence at the time the party files its first brief described below.

IT IS FURTHER ORDERED that:

Plaintiffs may serve and file additional briefing, limited to 25 pages, and any additional supporting evidence **on or before April 17, 2020, at 5:00 p.m.**

Defendants may serve and file a response brief, limited to 25 pages, and any additional supporting evidence **on or before April 21, 2020, at 5:00 p.m.** In the response brief, Defendants may address any extension, modification, or superseding order related to the governor’s Executive Order No. GA-09.

Plaintiffs may serve and file a reply brief, limited to 10 pages, with any supporting evidence and may address any extension, modification, or superseding order related to the governor’s Executive Order No. GA-09 **on or before April 23, 2020, at 5:00 p.m.**

Defendants may serve and file a rebuttal brief, limited to 10 pages, with any supporting evidence **on or before April 24, 2020, at 5:00 p.m.**

The parties may file Stipulations of Fact **on or before April 24, 2020, at 5:00 p.m.**

The parties shall file detailed Proposed Findings of Fact and Conclusions of Law **on or before April 27, 2020, at 5:00 p.m.** The parties should not presume that the court will allow amendments or supplements.

SIGNED this 14th day of April, 2020.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE